

Dear Ms. Tyrwhitt Jones, Dear Mr. Corridori, Mr. Schier and Mr. Guerlin,

We are contacting you referring to your application for a renewal of the exemption 6(b)/6(b)-I of RoHS Annex III (“Lead as an alloying element in aluminium containing up to 0,4 % lead by weight”; and “Lead as an alloying element in aluminium containing up to 0,4 % lead by weight, provided it stems from lead-bearing aluminium scrap recycling”).

We have compiled a 2nd round of clarification questions where we need additional information and/or clarification.

1. EU Aluminium manufacturers are proposing another wording of the exemption in addition to the maximum tolerated concentration of lead: “Lead as an alloying element in aluminium casting alloys containing up to 0,3 % lead by weight, provided recycled lead-bearing aluminium scrap is the only source of the lead”. Whereas you stated in your answers to the clarification questions that “We have to note no explanation nor any clarification about of this change is reported in the EU Aluminium paper. We reserve to comment on this change, once clarification is available”, the EU Aluminium’s Contribution to the Stakeholder Consultation provides further explanation (see at: <https://rohs.exemptions.oeko.info/index.php?id=356>)?
 - a) Please explain why you either support the new wording proposal or object to it. To support your views, please provide detailed technical argumentation / evidence in line with the criteria in Art. 5(1)(a).

Participants of the Umbrella Project working group on exemptions 6b/6b-I can use aluminium alloys covered by exemption 6bI with a lead content in the range under discussion and therefore we are supportive of the prospect of the lower the lead alloying limit.

The point which we would like to raise is related to the timeframes for such a transition to take place all the way through the supply chain. Given that alloy compositions of up to 0,4% lead by weight are currently permissible, there is extremely limited amount of information on the actual lead composition, rather component and equipment manufacturers only know that it is conformant to the RoHS Directive.

Although the transition to a lower lead content alloys will certainly happen now that there are EU standards which specify this, sufficient time must be allowed for components and products, using a 0,4% lead by weight composition, to switch to lower lead content alloys. There also needs to be equivalent international standards with the lower limit specified for lead to ensure that the global supply chain is also able to meet the maximum 0,29% content.

It should be considered that it can take several years to issue a new standard or change an existing standard to implement the changes in the maximum concentration. Although we highly appreciate the efforts of the European aluminium alloy manufacturers to reduce the amount of lead in the alloys, we expect that they will have very limited possibilities to ensure the application of lower lead content in the rest of the world. In the meantime the burden of proof for producers of components and articles will increase, which will require information and training in the supply chain to occur. In some cases, it can even require the change and new qualification of suppliers.

If the wording is changed at this round of renewals, companies will be left with a maximum 18-month transition period. We believe this will not allow sufficient time for this transition considering the complexity of the global supply chain. This is on the basis that the whole supply chain will need to use and run out of the stocks of aluminium with higher content level, given the length and complexity of affected supply chains this can take a considerable amount of time. In some cases, the change of the material can also require a recertification or validation of the components/equipment either due to legal (e.g. Regulation (EU)

2017/745, Directive 2014/35/EU, etc.) or proprietary (certification by private certification bodies) requirements.

We therefore think that a renewal of the exemption with 0.4% Pb for all categories until 21 July 2026 would be reasonable and does not generate a relevant environmental harm as all lead in the exemption stems from recycling and the maximum threshold will be used only very seldom. After this the reduction to 0.3% is appropriate.

- b) The new wording proposes to narrow down the scope of Ex. 6(b)-I to casting alloys excluding any other type of aluminium alloy. Please express your view supported by a detailed technical argumentation and quantified data where at hand.

Participants of the Umbrella Project working group on exemptions 6b/6b-I confirm that the exemptions can be limited to casting alloys because we adapted our production technologies and supply chain to these alloys over the last years.

2. Please provide further information on the global customer specifications that are used for the components sourced from e.g. Asia.
What kind of alloy standards / material standards and/or material specifications are used in the global supply chain for components?
Please provide information on the range for lead that has so far been specified for those components.

The final concentration of lead, and what is achievable will always depend on the types of scrap available locally (which will be both wrought and cast alloys). There are of course other wrought alloys listed that contain more than 0,4% lead (one such example is 6012 which contains up to 2% lead) which do not comply with RoHS but can be used in other industries such as in construction, aircraft, etc. and when these alloys become scrap will make it more difficult to achieve 0,3% due to the higher lead content.

Although the question has been posed to non-EU entities, we still have no information on what is being achieved in Asia, USA or elsewhere.

A sufficiently long transition timeframe would enable any required adaptations to specifications and standards to be made (which is highly probable as being required), without impacting the availability of products.