

Questionnaire

Exemption request 3 Directive 2000/95/EC

“Pb, Cd and hexavalent chromium glazed coating on ceramic body”

The applicant and stakeholders are invited to clarify the following specific questions as detailed as possible. In your contribution, please state which question number you are referring to.

Questions to the applicant or supporting stakeholders:

1. Please cross-check the need for an exemption with the results of the evaluation of a former exemption request which is very similar (cf. <http://rohs.exemptions.oeko.info/index.php?id=47> for the corresponding consultation and http://ec.europa.eu/environment/waste/weee/pdf/final_report1_rohs1_en.pdf for the report containing the recommendation under section 4.37).
2. Is the exemption request intended to clarify whether **exemption 7(c)** (lead in electronic ceramic parts) covers the use of lead in such a ceramic? If so, please note that it is the manufacturer's responsibility to decide whether or not his application / product falls under the scope of an existing exemption. Please clarify and decide whether the exemption request should be maintained for only Cd and CrVI.
3. Is this exemption request intended to clarify questions around the **homogeneous material**? If it is unclear whether the ceramic used for itself is considered as a homogeneous material, the manufacturer has to decide about this issue. Please refer to the Commission's FAQ-document (cf. http://ec.europa.eu/environment/waste/weee/pdf/faq_weee.pdf) and then decide whether the exemption request should be maintained.
4. From the submitted information, it is not clear for which **applications** the exemption for the use of lead, cadmium and CrVI is actually requested. The request seems to refer to lead in lamp bases and other “various ceramic articles” as well as lead, cadmium and CrVI in colours and/or glazes on ceramics – is this the correct interpretation? Please specify exactly which use of RoHS scope relevant lead, cadmium and CrVI should be covered by the exemption request.
5. Please explain why this exemption request has become **necessary now**, nearly 3 years after the RoHS Directive came into force. How have you marketed your products without an exemption until now?
6. Please provide a **roadmap** with activities, milestones and timelines towards the replacement of lead, cadmium and CrVI in RoHS relevant applications.
7. Please provide an **exact wording proposal** for the requested exemption including a specification of the RoHS relevant applications to be covered.

Questions to all stakeholders:

1. Please comment on possible **RoHS-compliant alternatives** if any are available. Please describe in detail the exact material and application of the RoHS compliant alternative. State a date from which on alternative RoHS compliant ceramic glazes and colouring can be put on the market.
2. Give **examples** of lamp bases and other ceramic articles falling under the scope of RoHS that are free of lead, cadmium and CrVI.

Furthermore, the following general questions can be used to support or to argue against the exemption request:

- What is the application in which the substance/compound is used for and what is its specific technical function?
- What is the specific (technical) function of the substance/compound in this application?
- Please justify why this application falls under the scope of the ELV Directive (e.g. is it a finished product? is it a fixed installation? What category of the WEEE Directive does it belong to?).
- What is the amount (in absolute number and in percentage by weight) of the substance/compound in: i) the homogeneous material¹, ii) the application and iii) total EU annually for relevant applications?

Documentation provided by stakeholders including replies to the questions above should take the following points into consideration:

- Please justify your contribution according to Article 4 (2) (b) (ii) ELV Directive, i.e.
 - Justification for exemption still given or not given anymore according to technical and scientific progress;
 - Substitution of concerned hazardous substances via materials and components not containing these is technically or scientifically either practicable or impracticable;
 - Elimination or substitution of concerned hazardous substances via design changes is technically or scientifically either practicable or impracticable.
- Please provide sound data/evidence on why substitution/elimination is either practicable or impracticable (e.g. what research has been done, what was the outcome, is there a timeline for possible substitutes, why is the substance and its function in the application indispensable or not, is there available economic data on the possible substitutes, where relevant, etc.).

¹ Please refer to the FAQ document on RoHS and WEEE Directives available at http://www.europa.eu.int/comm/environment/waste/weee_index.htm

- Please also indicate if feasible substitutes currently exist in an industrial and/or commercial scale for similar use.
- Please indicate the possibilities and/or the status for the development of substitutes and indicate if these substitutes were available by 1 July 2003 or at a later stage.
- Please indicate if any current restrictions apply to such substitutes. If yes, please quote the exact title of the appropriate legislation/regulation.
- Please indicate benefits/advantages and disadvantages of such substitutes.
- Please state whether there are overlapping issues with other relevant legislation such as e.g. the Energy-using Products (EuP) - EuP Directive (2005/32/EC) that should be taken into account..
- If a transition period between the publication of an amended exemption is needed or seems appropriate, please state how long this period should be for the specific application concerned.

Stakeholder contributions shall be clearly marked “NOT FOR PUBLICATION” if they are not be posted as comments on the consultation website ([CIRCA website](#)).