

Guidelines for submitting stakeholder comments

The purpose of this online stakeholder consultation is to collect comments on the scope of the current adaptation of certain Annexes to the Directive 2000/53/EC and the Directive 2002/95/EC to scientific and technical progress.

In the framework of the online stakeholder consultation

(<http://rohs-elv.exemptions.oeko.info/index.php?id=4>) the following general guidelines should be taken into account when submitting comments:

- Refer to one of the existing 2 exemptions in the Annex to the ELV Directive subject to this evaluation and have a clear reference as to the exemption **number**.
- Clearly state whether an exemption is supported or whether no justification is seen in accordance with Article 4 (2) (b) (ii). To support your comment, it is useful to provide relevant technical and scientific evidence as well as an assessment of your evidence by an independent expert. Explain the reasons why potential alternative materials, designs or processes are unsuitable with quantitative data wherever possible. Although not decisive, any relevant economic data regarding those alternative materials are also welcome. If possible, provide photographs or diagrams to illustrate claims. Sources of information should be referenced where possible.
- Take the [general questionnaire](#) as well as the [specific questions](#) into account. However, the information requested through the questionnaire below should be considered as a minimum requirement.
- Exemptions to the RoHS and ELV Directives can not be justified on the basis of confidential information. Should you wish such information to be used as a justification for an exemption, you need to give explicit agreement to the Commission and the project team to disclose the relevant information on their website.
- Comments shall be clearly marked “NOT FOR PUBLICATION” if they are not be posted as comments on the consultation website.
- **Please refrain from submitting several identical comments in order to support a position /comment. It is more useful and efficient to include a cover letter stating that a submission is supported by several parties.**
- Submit compact and comprehensive information instead of very large and extensive documentation. It will facilitate formulating the need for further information.
- **Do not submit new exemption requests.** New exemption requests have to be addressed to the European Commission directly. Furthermore, comments should not relate to former evaluations. Any questions or remarks concerning results of former evaluations should be addressed to the European Commission directly too.
- Please be aware that it might be necessary to give a negative recommendation if important information is missing.

- Always include your contact details (or of the person responsible for further contact). The evaluation procedure will normally lead to further questions that we need to address to you directly.

Please note that the Technical Adaptation Committee (TAC) cannot consider exemption requests for any other reason than specified in Article 5 (1) (b) of the RoHS Directive (for example a justification based on increased costs) or in Article 4 (2) (b) (ii) of the ELV Directive.