RoHS Updates

What you need to know on the new Exemption renewal timeline

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7th February 2024

Compliance & Risks

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Q&A Session

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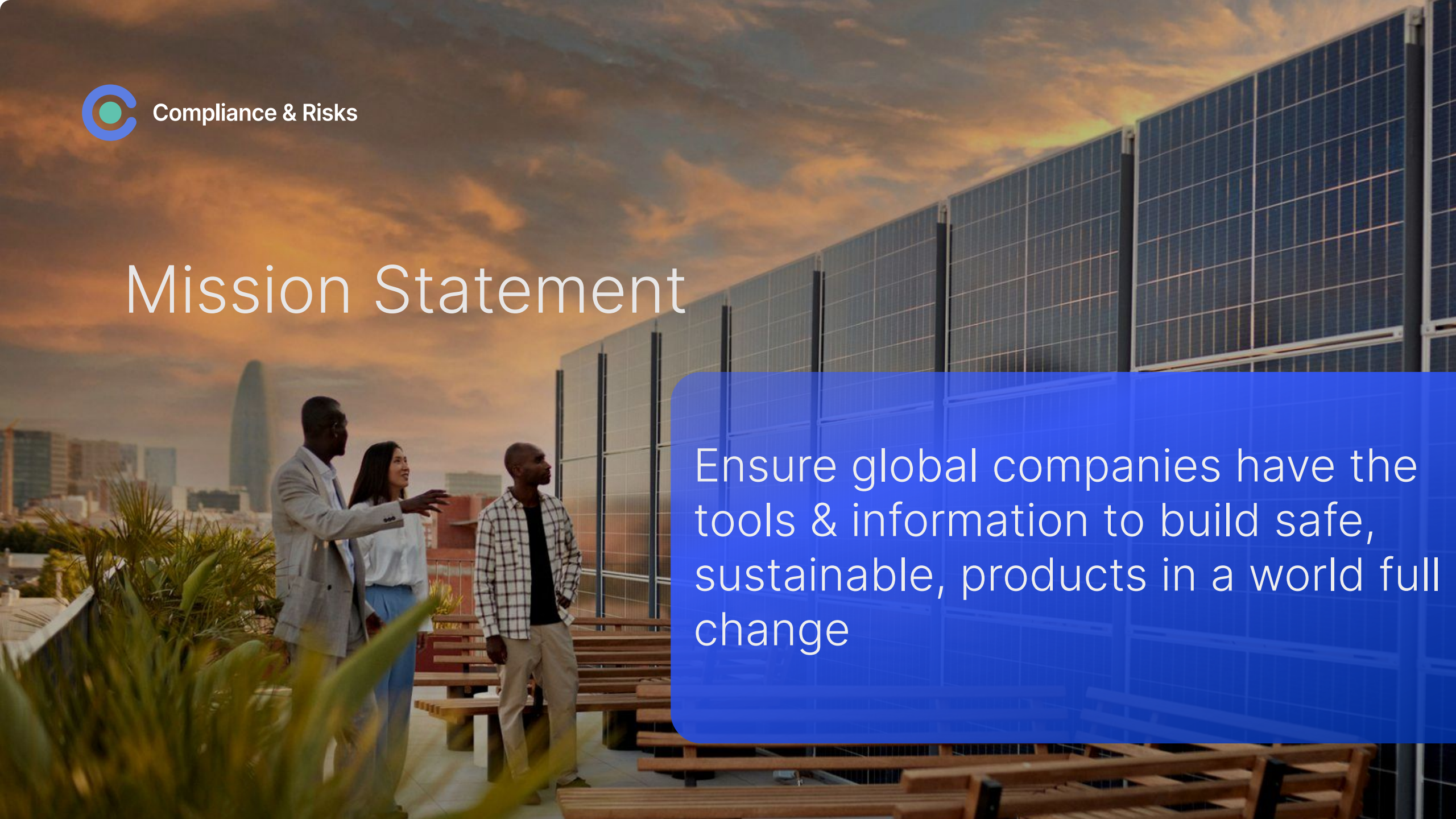
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Ensure global companies have the tools & information to build safe, sustainable, products in a world full change

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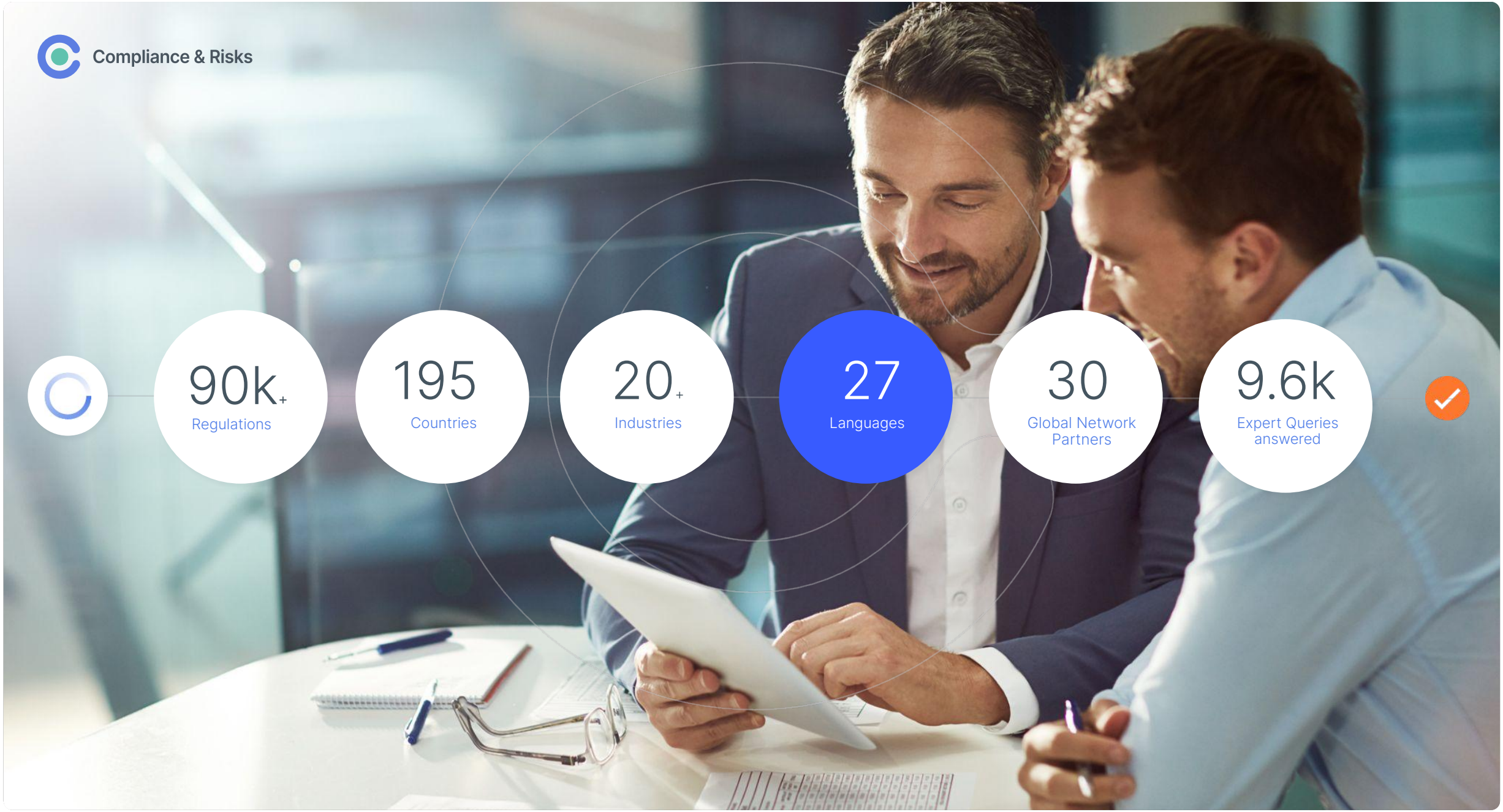

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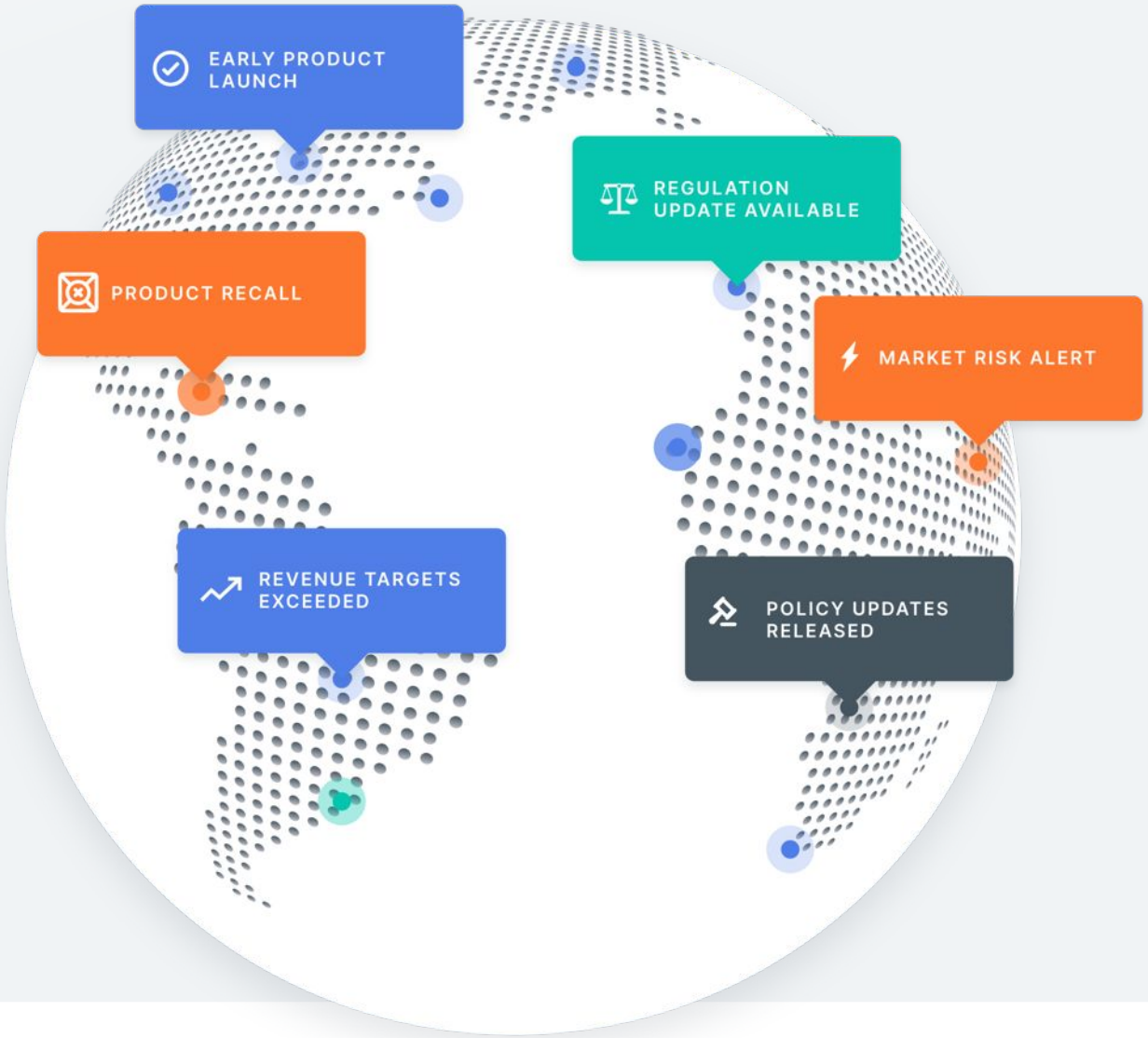

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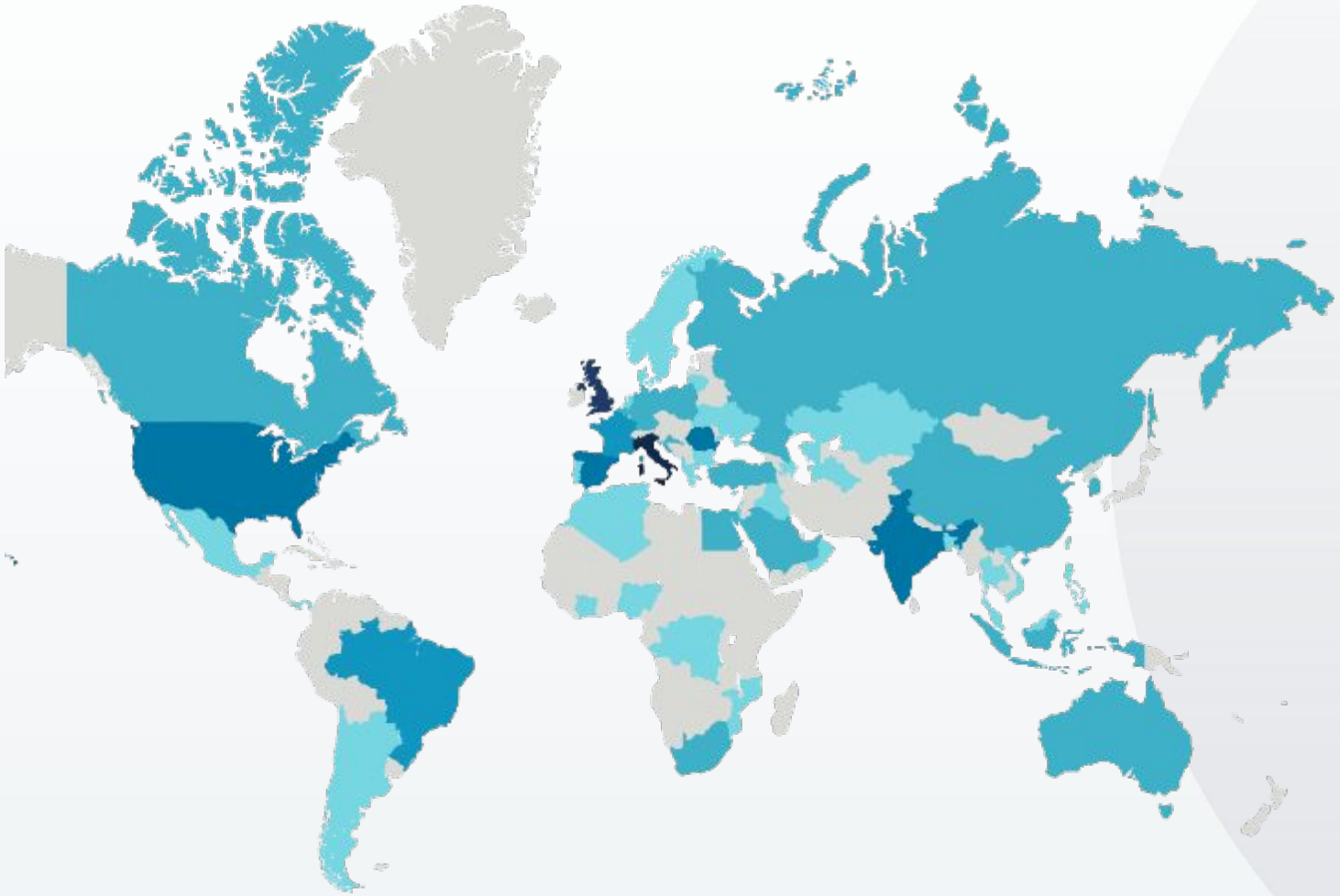
RINA Overview

RINA Worldwide



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170+ Offices

65+ Countries

LEVEL OF RINA PRESENCE:

low → high

RINA Tech UK Ltd
– Regulatory Compliance Group

We support authorities, manufacturers, importers and distributors of products, to identify, understand and meet technical and environmental legislation.

Global Market Access

- Low Voltage
- Electromagnetic Compatibility (EMC)
- Pressure equipment
- Radio Equipment
- Medical Devices
- Machinery
- Hazardous Area (ATEX)
- Substances (RoHS/REACH/CLP/BPR/POPs/Cal. Prop. 65)
- Ecodesign
- Electrical waste (WEEE)
- Batteries
- Conflict Minerals
- Transportation

03

RoHS Updates
What you need to know on the new Exemption renewal timeline

RoHS Overview and Exemption Process

- RoHS Directive 2011/65/EU restricts 10 substances in EEE, unless excluded or an exemption is in place.
- There are two lists of exemptions; Annex III for all categories and Annex IV for categories 8 and 9 only.
- Requested renewal if submitted 18-months prior to its expiry benefit from continued validity until the new exemption is published.

Exemption renewal has to be submitted 18 months prior to expiration to benefit from continued validity.	→	Exemption requests to be reviewed by the EC's consultants.
Exemption requests to be reviewed by the EC's consultants Recommendation made by EC's consultant.	→	Typically 1+ year after start of assessment
Opinion adopted by EC and published in the official journal.	→	1 – 2 years later (but can take longer)

Are you aware of the Exemptions your company uses?

a. Yes, I am aware of RoHS Exemptions, but I don't know which one(s) my company relies upon

b. Yes, I am actively involved in RoHS Exemption renewal/ the impacts of changing exemption scopes on my company

c. I am becoming aware of RoHS and its obligations

Poll #1

Choose the option that represents you best.

RoHS Overview and Exemption Process

The RoHS Directive allows for exemptions from its restrictions, under certain conditions defined in article 5(1).

Exemptions are limited in time and reassessed on a regular basis, taking into account:

Accepted arguments:

- The availability, and technical impracticality of substitutes,
- Reliability of substitutes,
- The environmental, health and consumer safety impacts of substitution.

Accepted supporting evidence:

- The socioeconomic impact of substitution,
- Any potential adverse impacts on innovation.

Not accepted arguments:

- Economic burden,
- Lack of research into alternatives.

Where to monitor exemption renewal status?

The Commission publishes regular updates in the form of a rolling action plan:

https://environment.ec.europa.eu/topics/waste-and-recycling/rohs-directive/implementation-rohs-directive_en

Directive 2011/65/EU (RoHS2)	RoHS 2 exemptions - Validity and rolling plan	Version: 06/09/2023	Contacts: ENV-ROHS@ec.europa.eu

DISCLAIMER: This text is meant purely as a documentation tool and has no legal effect. The Union's institutions do not assume any liability for its contents. **Official legal interpretation of EU legislation can only be provided by the European Court of Justice. The above remarks are without prejudice to the position the Commission might take should the issue arise in a procedure before the Court of Justice.**

DISCLAIMER: some exemptions could be void of technical interest for some categories.

Note: explanations are given through cell's comment

Exemption (or request for new exemption)	Applicable to categories:	Start	End	(Renewal) request	Validity status
(Pack 27 n. 2022-1)	9 industrial and 11			19/01/2022	Not applicable - request under assessment
(Pack 27 n. 2022-2)	9 industrial			11/05/2022	Not applicable - request under assessment
Annex III n. 1(a-e)	1 to 7 and 10	22/07/2011	24/02/2023		No longer valid
Annex III n. 1(f)-I	5	24/02/2022	24/02/2027		Valid
Annex III n. 1(f)-II	5	24/02/2022	24/02/2025		Valid - no longer renewable
Annex III n. 1(g)	5	29/01/2013	24/08/2023		No longer valid
Annex III n. 11(a)	1 to 7 and 10		24/09/2010		No longer valid
Annex III n. 11(b)	1 to 7 and 10	22/07/2011	01/01/2013		No longer valid
Annex III n. 12	1 to 7 and 10		24/09/2010		No longer valid
Annex III n. 13(a)	1 to 7 and 10	22/07/2011	~~21/07/2021~~	28/11/2019	Valid - requested for renewal
Annex III n. 13(a)	8 and 9 other than in vitro and industrial	22/07/2014	~~21/07/2021~~	28/11/2019	Valid - requested for renewal
Annex III n. 13(a)	8 in vitro	22/07/2016	~~21/07/2023~~	28/11/2019	Valid - requested for renewal
Annex III n. 13(a)	9 industrial	22/07/2017	~~21/07/2024~~	28/11/2019	Valid - requested for renewal
Annex III n. 13(a)	11 other EEE	22/07/2019	~~21/07/2024~~	28/11/2019	Valid - requested for renewal

RoHS enforcement plan

This is the current process, however RoHS enforcement is expected to fall under ECHA's responsibility in the future.

What would this mean for the current process:

- This will affect future Exemption renewal processes, in terms of timeframes and review methodologies.
- ECHA is unlikely to resource to the use of external consultants for Exemption reviews. However, ECHA does not currently have the resources for this process which creates additional uncertainty in the process timeframe.
- Possible adaptation of a REACH-like process to implement a periodic review of the list of restricted substances.

Are you aware of the validity status of your Exemptions?

a. Yes, I keep myself informed about the recommendations made by the consultant

b. Yes, I monitor the rolling action plan

c. No, I am not aware of how to monitor the status of an Exemption

Poll #2

Choose the option that represents you best.

Key exemptions currently under review

Pack 22 (Annex III)

Exemptions:

- 6(a)-Pb in steel alloys
- 6(b)-Pb in Al alloys
- 6(c) – Pb in copper alloys
- 7(a) – High melting point solder
- 7(c)-I – Pb in glass and ceramic
- 7(c)-II – Pb in ceramic capacitors

Pack 23 (Annex III)

Exemptions:

- 4(f) – Hg in lamps
- 8(b) – Cd in electric contacts
- 9 – Cr(VI) as anticorrosion agent
- 9(a) - Cr(VI) in anticorrosion solutions
- 13(a) – Pb in white glass
- 13(b) – Cd and Pb in glass
- 15 – Pb in solders

Pack 24 (Annex III and Annex IV)

Exemptions (Annex III):

- 18(b) – Pb in fluorescent powder
- 24 – Pb for soldering
- 29 – Pb in crystal glass
- 32 – Pb oxide for windows in laser tubes
- 34 – Pb in cement potentiometers

Exemptions (Annex IV):

- 34

Pack 21 (Annex IV)

Exemptions:

- 1 – Pb, Cd, Hg in detectors for ionizing radiation
- 1(a) – Pb, Cd in electrodes
- 1(b) – Pb in oxygen sensors
- 1(c) – Pb, Cd, Hg in IR detectors
- 2 – Pb bearings in X-ray
- 5 – Pb in shielding
- 11 – Pb in MRI
- 13 – Pb in counterweights
- 14 – Pb in single crystal for ultrasonic transducers
- 15 – Pb in solder ultrasonic transducers
- 17 – Pb in solder for portable defibrillators
- 26 – Pb in applications used below -20°C
- 29 – Pb in alloys in cryo-cooling alloys
- 31(a) – Pb, Cd, Cr(VI), PBDE, from recovered spare parts
- 39 – Pb in MCPs

Trends in recommendations

- More limited scope – new more detailed wording (e.g. 7c-I)
- Applicable to fewer categories or only for specific products (e.g. 6b-II)
- Splitting exemptions (e.g. 7a) – subparts may have different expiry dates (e.g. 6a)
- Early expiry dates when consultant believes scope too broad but unable to demarcate (e.g. 6a-I)
- Expiry date same for all categories (several)

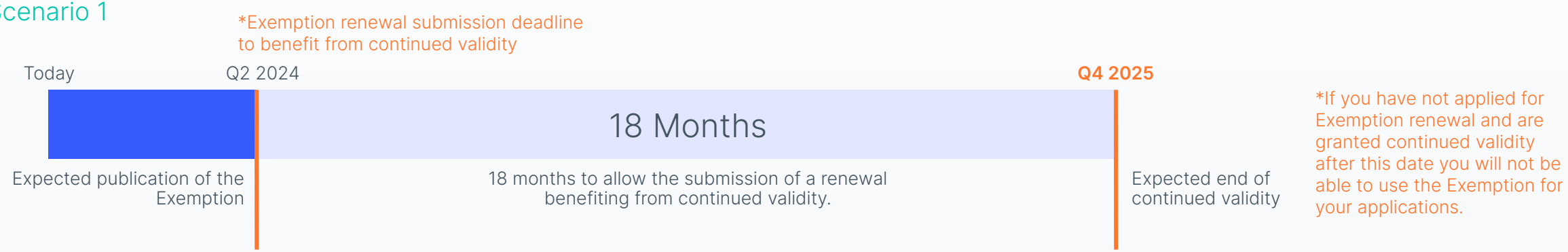
When Pack 22 planned to be implemented?

Based on this timeline, Pack 22 is expected to be implemented in the Directive in Q4 2024/Q1 2025 at the earliest.

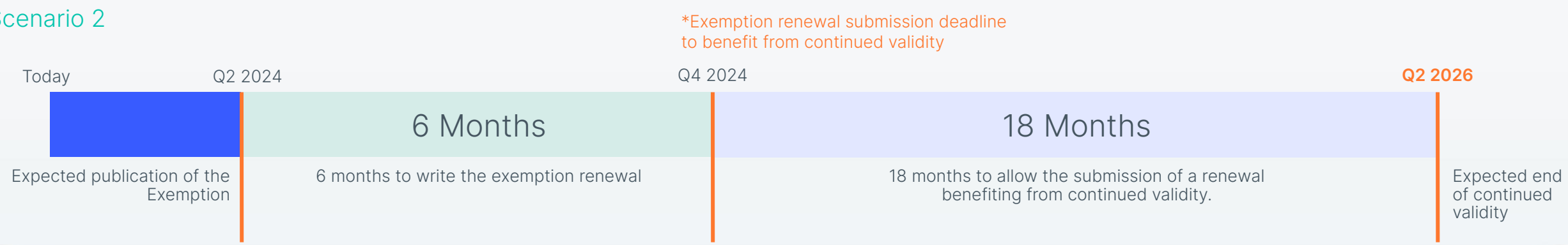
Example of effect on renewal timeline

The following are extrapolated timelines based on Pack 22 likely publication date, as the embedded dates in the recommendations are not able to be retained as the process has taken longer than originally envisaged.

Scenario 1



Scenario 2



What happens if I have continued validity?

If you have applied for Exemption renewal 18 months prior to Exemption expiration you will be granted continued validity during the course of:

- Exemption renewal review process,
- The recommendations from the consultant have been published,
- The Commission has adopted the recommendations,
- If Expiration date has passed but the process is still ongoing.

You are not granted continued validity after:

- The amendment to the Directive has been published in the Official Journal

What happens if and Exemption is not granted?

If an exemption is not revoked or rejected, then the exemption is then valid from the point of publication.

If the exemption is revoked or rejected, (and in some circumstances there has been a large change) then a transition period is granted:

- 12-18 months,
- With the exact time period based on socioeconomic evidence presented

Currently Exemption 15 has not been recommended for renewal and the consultation period to provide socioeconomic information in support of the transition period has closed.

Exemption 15: Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages).

UK RoHS vs EU RoHS

Since December 31, 2020 the UK has left the EU starting the divergence between EU RoHS and UK RoHS. EU and UK RoHS set the same concentration limits and the same restricted substances.

The UK government are taking a two-part approach given the role of exemptions in these Regulations:

- Where products meet the maximum concentration values set out in Annex II to the EU RoHS Directive the UK will continue to recognise current EU regulations and CE marking.
- Where a product relies on an exemption, the UK will also continue to recognise current EU regulations and CE marking, provided there is an equivalent exemption under the RoHS 2012.

UK RoHS:

- Application fee applies for applications submitted following April 2023 (£39,721)

Recommended course of action

How to be ahead of increasingly demanding RoHS requirements:

Proactive Compliance: the importance of proactive compliance planning and the potential costs of reacting to regulatory changes.

- Review the Exemption that your business relies on and what applications are you implementing them in.
- Actively monitor the status of Exemption renewal and expiration dates by reviewing the consultant's recommendation and the rolling action plan.

Innovation as Key: The need to continuously innovate and research alternatives to hazardous substances.

- Continuously investigate alternatives that do not rely on Exemptions.

Transparency with Stakeholders: the value of maintaining open communication with consumers and stakeholders regarding compliance and environmental impact.

- Make sure you have preparedness of information

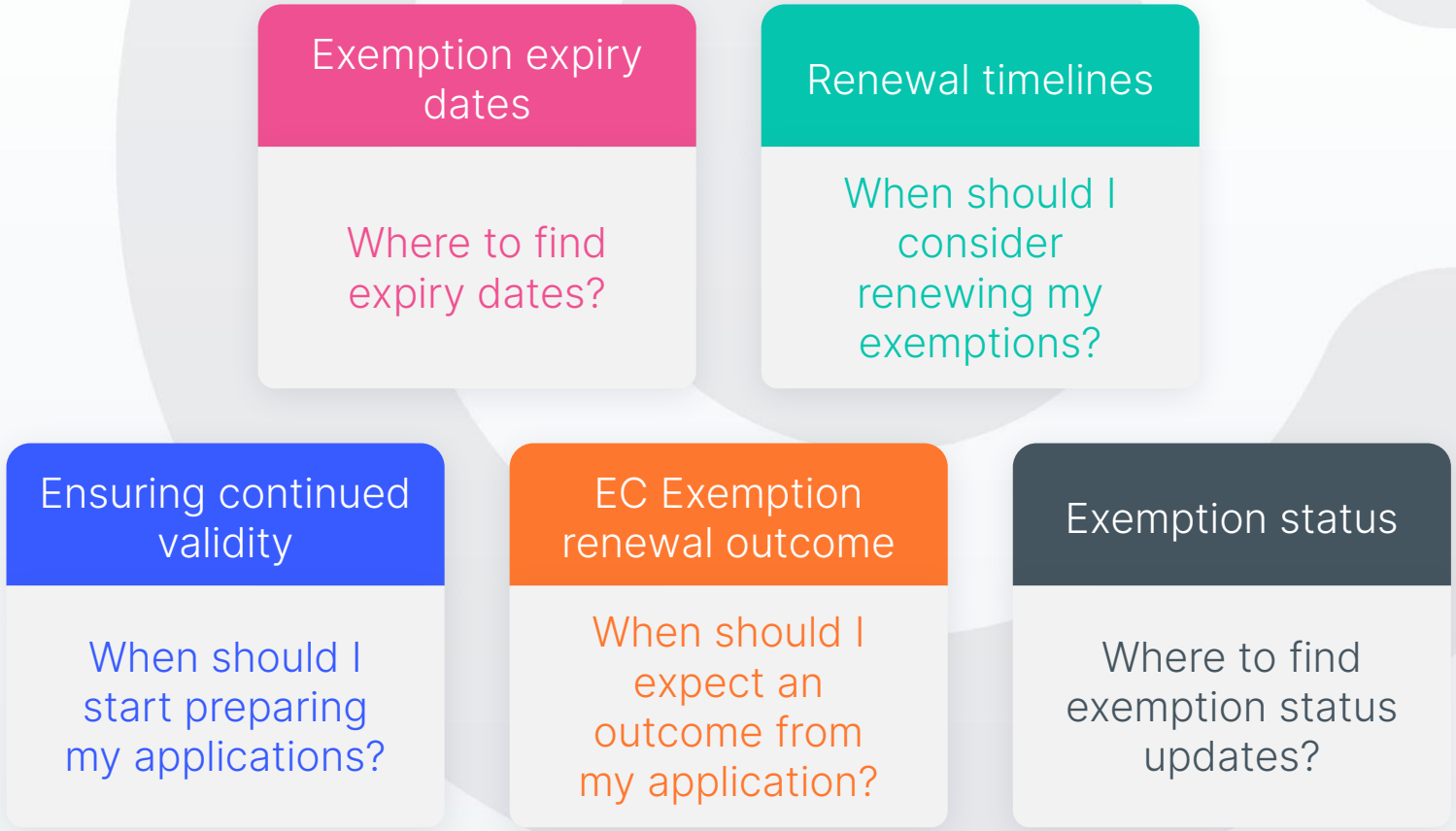
Manufacturers operating on multiple jurisdictions have to be even more proactive in anticipating regulatory trends on a global scale.

Recommended course of action

If you use this exemption it is recommended:

- Review the recommended exemption scopes to ensure that these cover all uses (this may require the engagement of your supply chain to confirm)
- Engage with your supplier to inquire availability of alternatives that do not rely on this exemption and where possible try to move to the exemption-free alternative,
- Evaluate the timeframe you require to qualify your systems, ensure that any proposed exemptions cover this timeframe,
- Engage with your trade association to advocate for an appropriate transition period or consider engaging directly yourself.

To conclude... What to be aware of...



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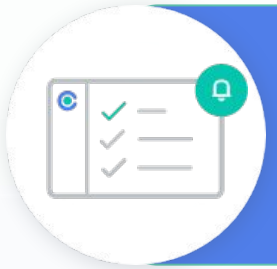
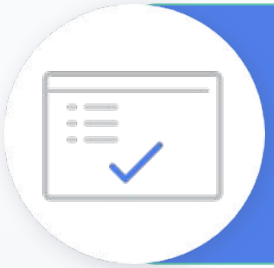
A Smarter Way to Manage Product Compliance

Holistic Market Access Solutions

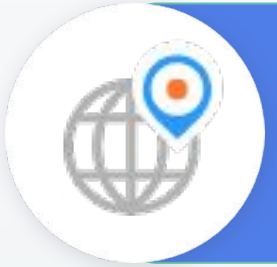
Unlock Market Access, by ...



Demonstrating Compliance



For what is required



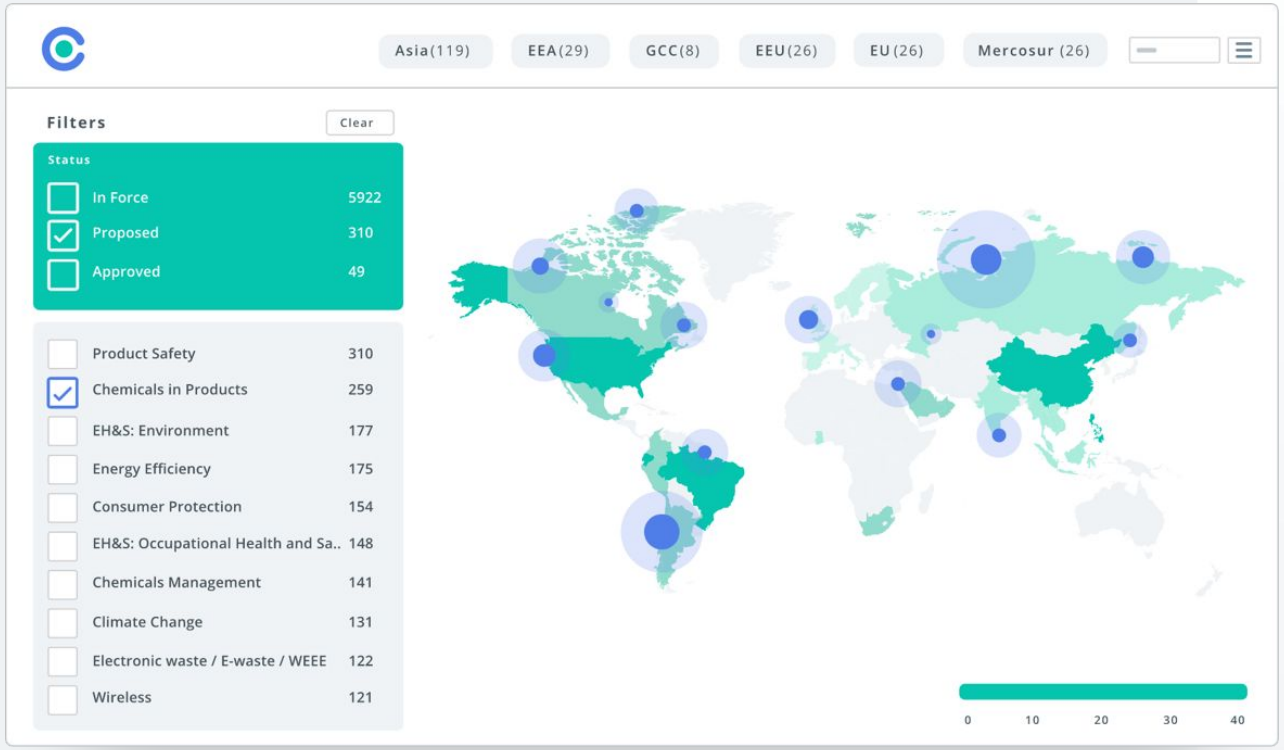
Driven by Global Regulations & Standards

TECHNOLOGY - C2P

C2P

The Key to Unlocking Market Access

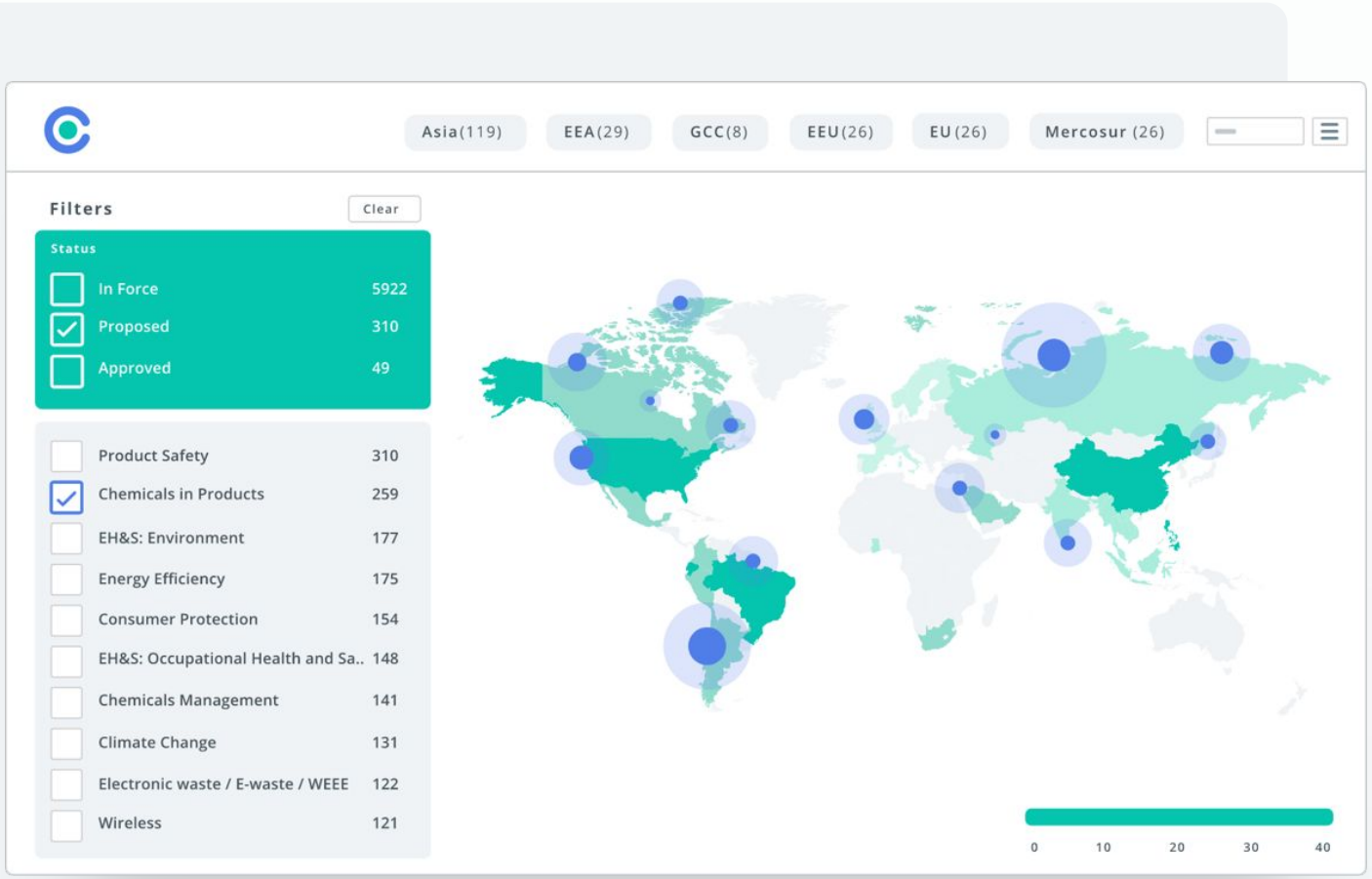
- Enterprise grade technology
- Cloud based platform
- Access to regulatory coverage in 195 countries
- Heatmaps with what's hot & where
- Intelligent search
- AI powered probability analysis
- Productivity tools to improve team collaboration



TECHNOLOGY - C2P

Manage everything in One Place...

- Design, build, and collaborate on new products with confidence
- Keep all compliance evidence up to date & live linked back to their Regulations, Standards & Requirements
- Continually monitor regulatory changes & keep ahead of proposed changes before they happen
- Integrate with other systems to enable streamlined business processes

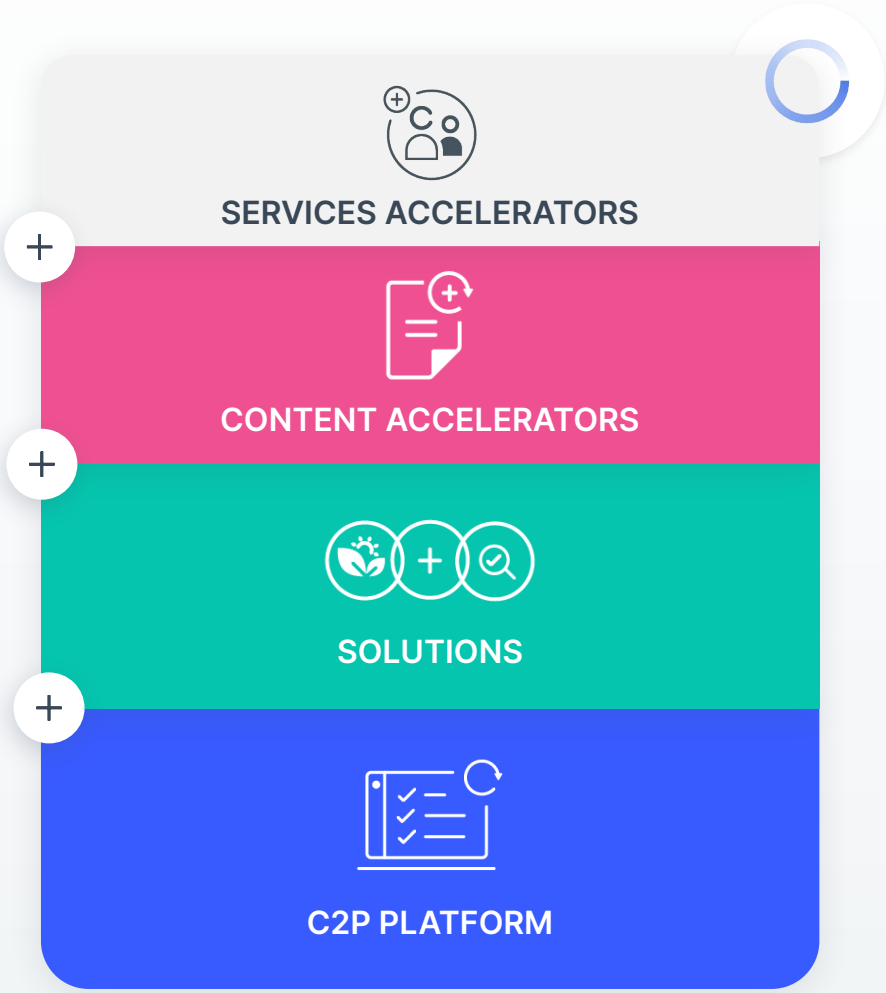


TECHNOLOGY - C2P

Tailored to meet your needs...

- Comprehensive capabilities that enable enterprise-wide management of regulations, standards, requirements and evidence

- Add-on packages to accelerate market access through:
  - Use-case specific solutions
  - Global regulatory content
  - Professional services



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Q&A

Thank you!

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