



European Semiconductor Industry Association

## **ESIA response to Oko-Institut Stakeholder consultation held as part of a “Study to support the review of the list of restricted substances and to assess a new exemption request under RoHS 2 (Pack 15)**

**November 7 2019**

---

The European Semiconductor Industry Association that represents the European Semiconductor Industry welcomes the opportunity to respond to the consultation on the revised inventory and 4 of the substances under review.

ESIA is a member of the Commission Expert Group accompanying future substance reviews under the RoHS 2 and supports the objective of the RoHS Directive on the restriction of the use of hazardous substances in Electrical and Electronic Equipment (EEE) with a view to contributing to the protection of human health and the environment, including the environmentally sound recovery and disposal of waste EEE. RoHS with its defined criteria, annex II and exemptions remains one of the critical directives for the European Semiconductor manufacturers as it frames the conditions for the product design for semiconductors that will end up in final pieces of electrical and electronic equipment.

### **Substance Review**

ESIA agrees with the Oko-Institute restriction recommendations for the 4 substances.

### **EEE Inventory Pre Prioritised Excel File 25/9/2019**

The substance inventory contains over 800 substances and polymers which could have a relevance for EEE products. It does not add value to create such an inventory of all substances with a connection to EEE. Instead, the inventory should only list the hazardous substances contained in EEE, which is a subset of the inventory of hazardous substance (Step P I-1). A lot of common substances (e.g. copper, gold, silver) and polymers (e.g. PS, PU, LC-Polymer) are listed, which are not considered as hazardous. It remains unclear why the interpretation proposed in this consultation on the inventory and the priority pre-assessment does not align with annex II for substances that are contained in EEE as per Article 4 (1) of the Directive itself. Correcting and bringing clarity on this element is crucial to have an effective methodology and related inventory going forward under RoHS.

*ESIA is an Industry Association of:*

**EECA** : European Electronic Component Manufacturers' Association

Rue de la Duchesse 11/13, B-1150 Brussels

Tel: +32 2 290 36 60 · Fax: +32 2 290 36 65 · E-mail: [secretariat@eusemiconductors.eu](mailto:secretariat@eusemiconductors.eu) · Web: [www.eusemiconductors.eu](http://www.eusemiconductors.eu)

EECA is registered in the EU Transparency Registry: 22092908193-23

The Semiconductor industry does not put finished EEE on the market and therefore does not have an overview on the total quantity of substances that may be contained in the EEE that may be present in Europe, as the final EEE products in Europe can be composed of many substances from many thousands of electronic suppliers worldwide.

Registration amounts under REACH or EU production or EU import volumes of substances should not be used as a proxy or correlation to identify volume amounts in EEE. They are not relevant for EEE content volumes. More clarity as to how volume is to be used in the prioritization pre assessment is crucially important to avoid future inadvertent and disproportionate activities.

The substance inventory included those in Group 1 includes many substances that are identified as Substances of very high concern (SVHC) under the REACH regulatory framework or are already under scrutiny within that framework. It remains unclear the value of this duplication of an inventory list with REACH in terms of overall EU better regulation and the REACH/RoHS common understanding paper.

ESIA has some comments and questions on the structure of the inventory excel file itself to try to bring more clarity to the inventory tool itself.

- The sources of the inventory remain unclear for the prioritisation. .
- Column H: refers to *Presence in EEE plausible?* it is unclear how this column helps to provide clear information.
- Column L :what is the basis of the references to ; *true, false and nano?*
- Column E: The reasons behind the categorisation chosen in column E are not determined. Electronic industry works with IEC62474 Material Classifications. They should be used. The current data is somewhat random and cannot be seen as a clear standardized categorization of materials.

## **About ESIA**

The European Semiconductor Industry Association (ESIA) is the voice of the Semiconductor Industry in Europe. Its mission is to represent and promote the common interests of the Europe-based semiconductor industry towards the European Institutions and stakeholders in order to ensure a sustainable business environment and foster its global competitiveness. As a provider of key enabling technologies the industry creates innovative solutions for industrial development, contributing to economic growth and responding to major societal challenges. Being ranked as the most R&D intensive sector by the European Commission, the European Semiconductor ecosystem supports approx. 200.000 jobs directly and up to 1.000.000 induced jobs in systems, applications and services in Europe. Overall, micro- and nano-electronics enable the generation of at least 10% of GDP in Europe and the world.