

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

ELECTRICAL & ELECTRONIC

NO. 176/09 OCTOBER 2009

THE 2009 RECAST OF THE ROHS DIRECTIVE

On 3rd September 2009, the Council of the EU's secretariat published a compromise text as an updated proposal for the recast of the [RoHS Directive](#). This document comments on the first proposal of 3rd December 2008 in which the European Commission made suggestions for changes of the RoHS Directives, regarding the directive's scope, increased producer responsibility, and market surveillance in EU.

Most important subjects of the new document are given below:

- Inclusion of all electrical and electronic equipment (EEE) in RoHS scope unless there is a specific exemption of a certain product (already added to these exclusions are large-scale stationary industrial tools and musical pipe organs)
- Consequently Annexes I and II of the first draft proposal (namely the EEE categories and products falling within their scope) have been deleted from the recent document
- The approach to broaden the scope of restricted substances is changed. Annex III is deleted and the four additional restricted substances in the list have been re-assigned as priority substances for



assessment. Article 4 §7 suggests that the commission shall adopt a methodology bringing RoHS restricted substances closer to REACH. The remaining Annex IV lists substances which are currently prohibited under the existing RoHS Directive, namely, lead, mercury, cadmium, hexavalent chromium, PBB and PBDE.

SGS



SGS, the world's leading third party for testing, has established procedures to cover a large variety of legal requirements related to your products and is committed to informing you about developments concerning hazardous substances in Electrical & Electronic products as a complementary service. Through our global network of laboratories, we are able to provide services including analytical testing and consultancy work for technical and non-technical parameters in a comprehensive range of E&E products and consumer products in the chemical field worldwide. Please do not hesitate to contact us for further information.

- The draft contains the obligations of manufacturers, importers and distributors. For example, before placing EEE on the EU market, the importers will have to ensure that the appropriate conformity assessment procedure has been carried out by the producer. Importers will also need to indicate their name, registered trade name or registered trade mark, and the address at which they can be contacted.
- Articles 13 and 14 require both EC declaration of conformity and CE marking. This requirement was not included in the initial RoHS directive.
- Another change to the initial directive is an amendment to the exemption procedures. Interested parties will need to actively re-apply every 4 years in order to pro-long existing exemptions.
- Medical device and monitoring/control instrument exemption will phase out with the upcoming RoHS amendment . Specific substance exemptions for these products are given in Annex VI.



FOR ENQUIRIES:

Global Competences Support Centre: gcsc@sgs.com
 Vincent Huang +886 2 22993279 ext 3130 or Vincent.Huang@sgs.com
 Udo Krischke +49 6128 744 235 or Udo.Krischke@sgs.com

Asia – Hong Kong. Tel: +852 2334 4481 Fax: +852 2144 7001 mktg.hk@sgs.com
 Australasia _ Perth. Tel: +61 (0) 3 9790 3418 Fax: +61 (0) 3 9701 0988 au.cts@sgs.com
 Europe – London —UK. Tel: +44(0) 20 8991 3410 Fax: +44 (0) 20 8991 3417 gb.cts.sales@sgs.com
 Africa & Middle East – Turkey. Tel: +90 212 368 40 00 Fax: +90 212 296 47 82 sgs.turkey@sgs.com
 Americas – USA. Tel: +1 973 575 5252 Fax: +1 973 575 1193 Marketing.CTS.US@sgs.com

www.sgs.com Global Competences Support Centre: gcsc@sgs.com
 If you wish to unsubscribe to this technical bulletin, go here: [Unsubscribe](#)

© 2009 SGS SA. All rights reserved. This is a publication of SGS, except for 3rd parties' contents submitted or licensed for use by SGS. SGS neither endorses nor disapproves said 3rd parties contents. This publication is intended to provide technical information and shall not be considered an exhaustive treatment of any subject treated. It is strictly educational and does not replace any legal requirements or applicable regulations. It is not intended to constitute consulting or professional advice. The information contained herein is provided "as is" and SGS does not warrant that it will be error-free or will meet any particular criteria of performance or quality. Do not quote or refer any information herein without