

140 BT BY CORRESPONDENCE – Item 7.4.3

Deadline: 2011-12-13

SUBJECT

EC MANDATE M/499 TO CEN, CENELEC AND ETSI TO DEVELOP STANDARDISATION IN THE FIELD OF THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT (RoHS RECAST DIRECTIVE 2011/65/EU)

BACKGROUND

See Annex 1.

The same mandate is being submitted to the CEN Technical Board, with the proposal to leave its execution to CENELEC according to the work repartition between both organizations.

PROPOSED DECISION(S)

BT accepted EC Mandate M/499 'Mandate addressed to CEN, CENELEC and ETSI to develop standardisation in the field of the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS recast directive 2011/65/EU)'.

BT allocated the work in response to Mandate M/499 to CLC/TC 111X 'Environment'.

BT asked CCMC to inform the EC services that financial support might be a precondition to carry out part of the work and that the timeframe in the mandate might be subject to change.

CEN Reference: [Annex 1 to BT N 8779](#)
CENELEC Reference: [Annex 1 to BT140/DG8576/DV](#)

Background

The European Commission sent in October 2011 a standardization mandate M/499 to CEN, CENELEC and ETSI for the development of European Standards in the field of the restriction of the use of certain hazardous substances in electrical and electronic equipment.

The purpose of the mandate is to develop a standard providing guidance on the technical documentation for the assessment of electrical and electronic products with respect to the conformity with the requirements of the RoHS (recast) Directive 2011/65/EU, in view of their CE-marking under that Directive.

The full text of the mandate is provided in Annex 2.



EUROPEAN COMMISSION
 DIRECTORATE-GENERAL
 ENVIRONMENT
 Directorate C - Sustainable Resource Management, Industry and Air
ENV.C.2 - Waste Management

Brussels, 21 October 2011
M/499 EN

**MANDATE TO CEN, CENELEC AND ETSI IN THE FIELD OF THE RESTRICTION OF THE
 USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC
 EQUIPMENT (ROHS RECAST DIRECTIVE 2011/65/EU)**

1. TITLE

Technical documentation for the assessment of electrical and electronic products with respect to the conformity with the requirements under the RoHS Directive on the restriction of hazardous substances.

2. PURPOSE

To develop a standard providing guidance on the technical documentation for the assessment of electrical and electronic products with respect to the conformity with the requirements of the RoHS (recast) Directive 2011/65/EU,¹ in view of their CE-marking under that Directive.

3. RATIONALE

The regulatory framework governing the Restriction of Hazardous Substances in electrical and electronic products is the

- (1) Directive 2011/65/EU on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS recast Directive).

The purpose of the RoHS Directive is to achieve the chosen level of protection of human and animal health and the environment. The substances covered by the Directive are scientifically well researched and evaluated and have been subject to different measures both at Union and at national level. Restricting the use of those hazardous substances is likely to enhance the possibilities and economic profitability of recycling of WEEE and decrease the negative health impact on workers in recycling plants.

The RoHS Directive does not make reference to a specific European Harmonised Standard. However, such Harmonised Standards are needed to provide "presumption of conformity". Article 16 (2) of the new RoHS Directive stipulates that "materials, components and EEE on which tests and measurements demonstrating compliance with the requirements of Article 4 have been performed, or which have been assessed, in accordance with

¹ OJ L 174/88, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:174:0088:0110:EN:PDF>.

harmonised standards, the references of which have been published in the Official Journal of the European Union, shall be presumed to comply with the requirements of this Directive."

4. DESCRIPTION OF THE MANDATED WORK

The Commission requests the European Standardisation Bodies to review the existing standards and if necessary to prepare a new standard or a set of new standards in order to meet the purpose of this mandate.

Account should be taken of the need to meet the limits specified in the RoHS Directive at "homogenous material" level. Therefore, testing the final product may not be sufficient, relevant or even possible. The evaluation process shall thus consider other types of evidence for the compliance of materials, components and EEE. Examples of documents to be used alone or in combination to demonstrate compliance are:

- Analytical test results;
- Material declarations;
- Supplier declarations.

Such documents may be collected at various steps in the supply chain and be ideally based on European or International standards. An assessment may be required to determine the quality and trustworthiness of documents provided by different actors.

Since the Directive applies to all manufacturers, regardless their size and market segment, it should be possible to meet the requirement of the mandated standard(s) with minimal administrative burden.

5. PROPOSED SCHEDULE

2 months after acceptance	Time schedule for the execution of the mandate
6 months after acceptance	Presentation of the work program to be developed (if more than one new standard is needed to fulfil the mandate)
12 months after acceptance	Adoption of the first standard for listing in the Official Journal of the European Union

6. ALIGNMENT WITH OTHER INTERNATIONAL WORK

Where appropriate, alignment with equivalent activities in the ITU and in ISO/IEC should be ensured. Due account should be taken of regulations and draft regulations adopted in other economies so as to ensure a global market for equipment. The ESOs will further ensure a due involvement of all stakeholders (consumers, manufacturers).

7. STANDSTILL

Acceptance of this mandate by the responsible standardisation organisation starts the standstill period referred to in Article 7 of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998.

8. PUBLICATION IN THE OFFICIAL JOURNAL

The titles of the standards developed shall be forwarded to the Commission in the official languages of the European Union.

9. BODIES TO BE ASSOCIATED

As appropriate, CEN, CENELEC and ETSI will invite the industry representatives, such as ORGALIME, DIGITALEUROPE and CECED, as well as the representative organisations of consumers' interests (ANEC), environmental protection (ECOS), workers (ETUI) and small and medium-size enterprises (NORMAPME) to take part in the standardisation work.

CEN, CENELEC and ETSI are also requested to consult with the European Commission Directorate-General Joint Research Centre in order to explore if the Commission's research institutes dispose of specific competence to support the standardisation work.