

RoHS II Directive: 2 new exemptions as of 1 May

Article by Philipp Reusch

Directive [2011/65/EU](#) (the RoHS II Directive) restricts the use of certain hazardous substances in electrical and electronic equipment and is implemented into German law by the Ordinance on the Restriction of Hazardous Substances in Electrical and Electronic Equipment (the RoHS Ordinance). Annex III of the Directive contains a list of exemptions from these restrictions. This Annex was amended in August 2019, but the changes will not take effect in the member states until 1 May 2020.

Specifically, Entries [Nos. 43](#) and [44](#) have been added to Annex III. Both these entries create exemptions for specific engine components. The exemptions are subject to the requirements defined in the entries and relate to the substance di(2-ethylhexyl)phthalate (DEHP) and to the use of lead in solders.

What are the consequences of adding these new substances to the list?

In general, both DEHP and lead are subject to the restrictions imposed by the RoHS Ordinance. Both substances generally may not exceed a concentration of 0.1 percent by weight for each homogenous material in electrical or electronic equipment. The provisions which take effect on 1 May introduce (further) exemptions for certain applications, and therefore loosen the requirements which are currently in effect.

For how long do the exemptions apply?

Both exemptions expire on 21 July 2024, but the RoHS II Directive provides for the possibility of renewing an exemption. To obtain such a renewal, an application must be submitted no later than 18 months before the exemption is due to expire. An existing exemption will remain in effect until the Commission makes a decision on the renewal application.

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Company contact: Melanie Schaumann | Head of Marketing & Communications | T > +49 30 / 2332895 0 | E > melanie.schaumann@reuschlaw.de