Published on The National Law Review https://natlawreview.com

## Changes Might Be Coming to the EU's Restriction of Hazardous Substances Directive (RoHS Directive)

Article By:

Mintz

The **European Commission** likely will propose an amendment to the European Union's 2011 Restriction of Hazardous Substances Directive (<u>RoHS Directive</u>) before the summer. The Directive, which was adopted in February 2003 and took effect in July 2006, restricts the use of certain hazardous materials from electronic and electrical goods.

A new proposed amendment would add substances to Annex II of the Directive, which specifies the prohibitions. Although there are no final recommendations yet for the banned substances, research organizations have started proposing chemicals to ban (as detailed below).

According to one recent report, a study by the Environment Agency Austria (EAA) has provisionally recommended adding the brominated flame retardant hexabromocyclododecane and three phthalates—bis (2-ethylhexyl) phthalate (DEHP), butyl benzyl phthalate (BBP) and dibutyl phthalate (DBP)—for listing in Annex II of RoHS. The effects of diisobutyl phthalate (DIBP) are also being analyzed by the German Institute for Applied Ecology.

Final recommendations will be available at the end of this month. Until then, the European Commission is <u>accepting comments</u> until March 10 for possibly changing the electronic and electrical products covered by the Directive. An exclusion for electric bicycles is being considered.

Importers are likely to be most affected by an EU ban on more substances in electronic and electrical goods and should be aware of the proposed changes to the Directive.

The Directive currently restricts the use of lead, cadmium, mercury, hexavalent chromium, polybrominated biphenyls (PBB) and polybrominated diphenyl ether (PBDE) in the manufacture of electronic and electrical equipment. Products currently affected by the Directive include household appliances, IT and telecommunications equipment, lighting equipment (including lightbulbs), electrical and electronic tools, toys and sports equipment, medical devices, automatic dispensers, monitoring and control instruments and semiconductor devices.

The Directive was previously <u>amended</u> in 2011.

Alice Kilpatrick authored this article.

©1994-2025 Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. All Rights Reserved.

National Law Review, Volume IV, Number 38

Source URL:<u>https://natlawreview.com/article/changes-might-be-coming-to-eu-s-restriction-hazardous-substances-directive-rohs-dire</u>