



## **EuPC position paper on the Recast of the Rohs Directive<sup>1</sup>**

EuPC is the leading EU-level Trade Association, based in Brussels, representing European Plastics Converters. EuPC totals about 51 European Plastics Converting national and European industry associations, it represents close to 50.000 companies, producing over 45 millions tonnes of plastic products every year. More than 1.6 million people are working in about 50.000 companies (mainly small and medium sized companies in the converting sector) to create a turnover in excess of 280 billion € per year.

### **Introduction:**

EuPC fully supports the RoHS recast position papers of PlasticsEurope, and Orgalime (see Annexes 1 and 2). With this EUPC position paper we want in addition to the above mentioned papers draw the attention to the following specific problems of the plastics converters, represented by EuPC, with the present version of the draft RoHS recast.

### **Content:**

#### 1. Safety:

- a. The draft report of the rapporteur MEP Jill Evans (2008/0240(COD)) regarding the recast of the RoHS Directive might put **consumers safety seriously at risk**, as it is drafted today for the following reasons:
  - i. PVC in itself has excellent fire retardant properties compared to other plastic polymers; a potential ban of this polymer would automatically seriously increase the risk of fire in EE (Electric & Electronic) products if not counterbalanced by the introduction of suitable flame retardants in the alternative polymers (i.e. in case of use of polyolefin's, instead of PVC, flame retardants must be added in order to respect European and national legislation and standards regarding fire safety);

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<sup>1</sup> Recast of the Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment.



- ii. The draft report not only calls for a ban of PVC but also for a ban of many other flame retardants (brominated, chlorinated and other halogenated flame retardants plus eventually also the antimony trioxide flame retardant); because suitable flame retardants are required in alternative polymers these proposals to ban all above mentioned flame retardants would therefore also put consumer safety at risk. The industry is very concerned by the fact that there are no suitable substitutes available to replace (with the same effectiveness) most flame retardants indicated above in many applications;
- iii. A potential ban on a product or substance as proposed in the recast of the Rohs Directive, with the proposed “extended scope”, will also have a very negative snowball effect on consumer safety in other downstream users sectors which are at a first view not part of the RoHS (i.e. use of electric equipment in building and construction<sup>2</sup>, in cars, in airplanes, in trains, in ships.....etc). What represents the highest risk to society: the real risk of many people killed in accidental fires, or the hypothetical risk of exposure to above mentioned substances which can only be used under the REACH legislation in applications without significant environmental or health risks?

## 2. SME's impact:

- a. The European Plastic Converting industry (represented by EuPC), as stated above is mainly composed of SME's (they represent +/- 85% of the entire the plastics converting industry); the recast of the RoHS Directive will severely impact SME's for the following reasons:
  - 1. Problems to find and test several possible alternative substitutes.
  - 2. It may eventually be required to rewrite existing standards.
  - 3. Once found the substitute must be fully tested including e.g. very time consuming “ageing conditions”.

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<sup>2</sup> Essential requirements on fire safety in the “new approach directives” such as Building and Construction.

4. Once tested it must be approved by the relevant Public Authorities, e.g. CEBEC in Belgium, VDE in Germany, KEMA in the Netherlands, etc.
  5. Often the customers want to test the new product themselves with their own standards (aeronautic, automotive...) which again require long periods of time".
  6. All these activities are not only very time consuming (it can take years from the development of a new substance to the commercialization of the final EE product) but also very costly for SME's.
- b. Several products will no longer be produced as no alternative substances are available today; the result will be a loss of business and turnover for SME's. The same may happen due to the high costs involved. A loss of turnover will automatically lead to cost savings and diminishing employment.
  - c. The current economic crisis that has already seriously weakened many SMEs will make it even more difficult for all these SMEs to substitute the substances that might be phased out by RoHS.
  - d. One should not forget that on top of this the same SMEs will also have to find suitable substitutes for all the substances that will require authorization or fall under restrictions imposed by REACH during the coming years. We here refer to the plastic additives that are already in the first and second Candidate list, and those that will be added later on.
  - e. One should take here also into consideration that many EE products cannot be made without fire resistant plastics. Fire resistant plastics are e.g. required in EE applications to protect consumers from electric currents, to "save energy" and to reduce "carbon emissions" thanks to the weight reduction and the heat insulating properties of plastics, etc.
  - f. Furthermore, the SME's will not be able to follow the eco marketing strategies of the multinational companies; the EE is not only a consumer product, there are also other sectors in which it is used.
3. Recycling:
- a. Furthermore, the proposed ban of so many substances would also have a negative effect on the recycling<sup>3</sup> of EE equipment for the following reasons:

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<sup>3</sup> Mechanical recycling



- i. Many plastic parts have a very long life time. When these parts become waste in 10 or more years the banned substance(s) in EE waste will result in the fact that, the recycled plastic can no longer be sold in the EU market;
- ii. One of the consequences will be that the export of EE waste to non EU countries may inevitably increase and that recycling infrastructure capacities will close down in the EU.

4. Overall Conclusions:

- a. The proposed Jill Evans report is not only a danger to the consumer in terms of fire safety but it also puts at risk thousands of jobs in a sector of SME's (converting and recycling of plastic products).



## ANNEX I



Plastics Europe RoHS  
views Rev 1.pdf

## ANNEX II



ORGALIME\_PP\_RoHS  
\_Recast\_Proposal\_20