

Comments of the Swedish Chemicals Agency and the Swedish Environmental Protection Agency on the consultation of exemption 8(e) ELV Directive

We do not know when lead is required in solders in vehicles. However, to avoid any unclarities we support a new wording of the exemption which specifies in what applications the exemption can be used. With such a wording of the exemption, for example the suggestion by the consultant for the exemption in the RoHS Directive, the enforcement authorities will be able to stop products with more than 85 % lead that should not benefit from the exemption, from being placed on the market.

The Swedish Chemicals Agency has many years of experience as a market surveillance authority to conduct enforcement activities on the RoHS Directive and especially on the exemption 7a “Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more lead)”. With the current wording we cannot stop products with more than 85 % lead from being placed on the market even though it is obvious that there is no need for high melting temperature type solders.

The products that we have this problem with are typically cheap non-complex products with a short lifespan. Only in 2023 we have analysed seven products that contain more than 85 % lead in solders and to our knowledge should not benefit from this exemption.