

EN

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Answer given by Mr Sinkevičius  
on behalf of the European Commission  
(29.4.2021)

Current exemptions for the use of mercury in lamps falling under the scope of Restriction of Hazardous Substances (RoHS) Directive<sup>1</sup> concern a very large proportion of lamps placed on the EU market, widely used in residential and non-residential buildings, and amounting to millions of units. The Commission received applications from the industry in 2015 and 2020 to renew these exemptions. In line with the RoHS Directive, an exemption remains valid until the decision on the renewal application is taken by the Commission<sup>2</sup>.

The Commission undertook the technical, scientific and socio-economic assessments in relation to these exemptions renewal requests on the basis of the criteria laid down in the Directive<sup>3</sup>. Extensive and diverging information received from the industry applicants but also from non-governmental organisations and Member States sources concerning the availability of mercury-free substitutes for these lamps required additional assessment to thoroughly consider possible environmental, health and consumer impacts, including the socio-economic dimension, as required in the Directive.

Based on these comprehensive assessments<sup>4</sup>, the Commission is currently in the process of finalising the draft delegated acts to decide on the pending exemption applications regarding the use of mercury in lamps, which will soon be made available for public feedback for a period of four weeks.

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<sup>1</sup> Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment, OJ L 174, 1.7.2011, p. 88–110.

<sup>2</sup> Article 5(5), second sub-paragraph.

<sup>3</sup> Article 5.

<sup>4</sup> Assessment studies available at: <https://op.europa.eu/en/publication-detail/-/publication/a3fdcc8c-4273-11e6-af30-01aa75ed71a1>;

[https://rohs.exemptions.oeko.info/fileadmin/user\\_upload/reports/FWCW\\_RoHS\\_Lamps\\_SEA\\_20190729\\_Final.pdf](https://rohs.exemptions.oeko.info/fileadmin/user_upload/reports/FWCW_RoHS_Lamps_SEA_20190729_Final.pdf);

<https://op.europa.eu/en/publication-detail/-/publication/f44f2383-dd0a-11ea-adf7-01aa75ed71a1/language-en/format-PDF/source-146144383>, starting on page 92.