

Notes of EuroWindowor meeting with Karolina Zázvorková, DG ENV concerning ROHS II on April 12th, 2019 in Brussels

EuroWindowor President Joachim Oberrauch and Britta Tipsmark Hougaard participated together with Mr. Feigenbutz from EPPA to a meeting with Karolina Zázvorková from DG ENV.

Mr. Feigenbutz supported EuroWindowor with a Memo which covers very well the information received at the meeting:

Background

With regard to recycling of electric and electronic equipment (EEE), Directive 2011/65/EU Annex IV requires thresholds for specific legacy additives. One of the specified additives is lead, which can be found in recycled PVC window material. As this is used in new window profiles, PVC windows and doors as such are concerned by the above regulation. EuroWindowor and EPPA hence applied for an exemption regarding lead and cadmium in windows and doors containing EEE. Time is pressuring because the RoHS II restriction enter into force on the 22nd of July.

The application for an exemption was filed during a stakeholder consultation end of 2016. The answer is still pending. The meeting at DG Environment should give an idea where we are.

Meeting outcome in brief

EuroWindowor President Joachim Oberrauch presented the scope of EuroWindowor and in particular a technical background to underline, why windows and doors have to be classified as building products and hence are subject to the building and construction regulation but not to RoHS. According to him, even if fitted or retrofitted with electric equipment or components, windows and doors remain building products. He illustrated the example of a locking cylinder that contains lead elements exceeding the threshold of 0.1% w/w. In practice such a component cannot further be used and has to be substituted when RoHS II applies.

Britta Tipsmark Hougaard confirmed this position and pointed out, that according to her, windows and doors should not fall under RoHS II regulation. EEE can be easily separated from building products such as windows, she added. She furthermore pointed out, that building products should be labelled twice (CE and RoHS) by the manufacturer, if RoHS II would apply to windows and doors as intended.

G. Feigenbutz explained the specific situation of PVC windows. He focused on the controlled loop waste stream of used PVC windows which has been established by the industry aiming to outline, that EEE is identified at recycler's stage and hence easy to be dismantled. According to him, the risk of toxic pollution of either human beings or the environment is not given. From a logistic point of view profiles are not classified whether they will be equipped with EEE or not. EEE is chosen and added by the window manufacturer and will certainly grow in the course of smart home applications.

Ms Zázvorková pointed out that there will be no exemption of windows and doors with regard to RoHS II. However, commission attends the decision on the restriction of lead content in recyclates for the use in PVC window profiles. The restriction of lead will be formally proposed in April and shall be voted on in June. (As it stands, the restriction will foresee a 2% derogation for PVC window profile applications). DG Environment would like to await the outcome of the REACH restriction process. The restriction and derogation under REACH must enter into force before the 22nd of July, hence we expect a certain kind of flexibility in the meantime. Ms Zázvorková confirmed that no lead restriction would be implemented before a decision under REACH has been taken. She further confirmed that threshold values under RoHS II will be aligned to thresholds under REACH.

She assumed the forthcoming revision of RoHS regulation of which the public consultation phase will start in June/July 2019 and invited us to contribute. The revision is scheduled to become effective most likely in 2023.



The overall assessment looking ahead is that EuroWindoor probably has very limited options – either living with the regulation as it is including any future amendment of substances, or trying to get the scope changed during the revision Ms. Zázvorková was certain would come. That option would probably require a lot of work – not only to work with the EC but also with national authorities which will require broad outreach from EuroWindoor members. This item therefore needs to be discussed at the next EuroWindoor meeting.

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