



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 7.7.2009

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Draft

COMMISSION DECISION

of [...]

amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles

Text with EEA relevance

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COMMISSION DECISION

of [...]

amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles

Text with EEA relevance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles¹, and in particular Article 4(2)(b) thereof,

Whereas:

- (1) Article 4(2)(a) of Directive 2000/53/EC prohibits the use of lead, mercury, cadmium or hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003, other than in cases listed in Annex II to that Directive and under the conditions specified therein. Pursuant to Article 4(2)(b) of Directive 2000/53/EC, Annex II to that Directive shall be adapted to scientific and technical progress by the Commission on a regular basis.
- (2) Annex II to Directive 2000/53/EC lists vehicle materials and components exempted from the prohibition of Article 4(2)(a) of this directive. Vehicles put on the market before the expiry date of a given exemption may contain lead, mercury, cadmium or hexavalent chromium in materials and components listed in Annex II to Directive 2000/53/EC. In the case of solder in electronic circuit boards and other electrical applications except on glass and solder in electrical applications on glass as described respectively in points 8(a) and 8(b) of that Annex, a clause provided for a review of the exemptions in 2009.
- (3) In the case of lead and lead compounds in components in bonding agents for elastomers in powertrain applications containing up to 0.5% lead by weight, the exemption should not be prolonged because the use of lead in this type of applications has become avoidable.
- (4) Certain materials and components containing lead, mercury, cadmium or hexavalent chromium should continue being exempted from the prohibition of Article 4(2)(a), since the use of these substances in those specific materials and components is still technically or scientifically unavoidable. In some cases it is appropriate to review the expiry date of these exemptions in order to provide sufficient time to eliminate the prohibited substances in the future.

¹ OJ L 269, 21.10.2000, p. 34. Directive as last amended by Directive 2008/112/EC (OJ L 345, 23.12.2008, p. 68).

- (5) Annex II to Directive 2000/53/EC provides, in the third indent of the Notes, that spare parts put on the market after 1 July 2003 which are used for vehicles put on the market before 1 July 2003 are exempted from the provisions of Article 4(2)(a) of the Directive. This exemption allows for the repair of vehicles put on the market before the entry into force of the prohibition of Article 4(2)(a) with spare parts meeting the same quality and safety requirements as the parts with which they were originally equipped.
- (6) Spare parts for vehicles put on the market after 1 July 2003 but before the expiry date of a given exemption of Annex II to Directive 2000/53/EC are not covered by the third indent of the Notes thereto. Hence, spare parts for those vehicles must be heavy metal free, even if they are used to replace parts which originally contained heavy metals.
- (7) In certain cases it is technically impossible to repair vehicles with spare parts other than original ones as this would require changes in dimensional and functional properties of entire vehicle systems. Such spare parts cannot fit into the vehicle systems originally manufactured with parts containing heavy metals and these vehicles cannot be repaired and may need to be prematurely disposed of. As a result, Annex II needs to be amended accordingly. This decision should affect only a limited number of vehicles and vehicle materials and components and for a limited period of time.
- (8) As consumer safety is essential and the reuse, refurbishment and extension of life-time of products are beneficial for the environment, spare parts should be available for the repair of vehicles which were put on the market between 1 July 2003 and the expiry date of a given exemption. The use of lead, mercury, cadmium or hexavalent chromium in materials and components used in spare parts for the repair of such vehicles should thus be tolerated.
- (9) Directive 2000/53/EC should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee established under Article 18(1) of Directive 2006/12/CE of the European Parliament and of the Council of 5 April 2006 on waste².

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Directive 2000/53/EC is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision shall apply from [.....]

Article 3

This Decision is addressed to the Member States.

² OJ L 114, 27.4.2006, p. 9.

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

ANNEX

Annex II

Materials and components exempt from Article 4(2)(a)

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 4(2)(b)(iv)
<i>Lead as an alloying element</i>		
1. Steel for machining purposes and galvanised steel containing up to 0.35% lead by weight		
2(a). Aluminium for machining purposes with a lead content up to 2% by weight	As spare parts for vehicles put on the market before 1 July 2005	
2(b). Aluminium with a lead content up to 1.5% by weight	As spare parts for vehicles put on the market before 1 July 2008	
2(c). Aluminium with a lead content up to 0.4% by weight		
3. Copper alloy containing up to 4% lead by weight		
4(a). Bearing shells and bushes	As spare parts for vehicles put on the market before 1 July 2008	
4(b). Bearing shells and bushes in engines, transmissions and air conditioning compressors	1 July 2011 and after that date as spare parts for vehicles put on the market before 1 July 2011	
<i>Lead and lead compounds in components</i>		
5. Batteries		X
6. Vibration dampers		X

7(a). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings	As spare parts for vehicles put on the market before 1 July 2005	
7(b). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings containing up to 0.5% lead by weight	As spare parts for vehicles put on the market before 1 July 2006	
7(c). Bonding agents for elastomers in powertrain applications containing up to 0.5% lead by weight	As spare parts for vehicles put on the market before 1 July 2009	
8(a). Lead in solders to attach electrical and electronic components to electronic circuit boards and lead in finishes on terminations of components other than electrolyte aluminium capacitors, on component pins and on printed wiring boards	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X ¹
8(b). Lead in solders in electrical applications other than soldering on printed wiring boards or on glass	Vehicles type approved before 1 January 2011 and spare parts for these vehicles	X ¹
8(c). Lead in finishes on terminals of electrolyte aluminium capacitors	Vehicles type approved before 1 January 2013 and spare parts for these vehicles	X ¹
8(d). Lead used in soldering on glass in mass airflow sensors	Vehicles type approved before 1 January 2015 and spare parts of such vehicles	X ¹
8(e). Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more lead)	Review in 2014	X ¹
8(f). Lead in compliant pin connector systems	Review in 2014	X ¹

8(g). Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages	Review in 2014	X ¹
8(h). Lead in solder to attach heat spreaders to the heat sink in power semiconductor assemblies with a chip size of at least 1 cm ² of projection area and a nominal current density of at least 1 A/mm ² of silicon chip area	Review in 2014	X ¹
8(i). Lead in solders in electrical glazing applications on glass except for soldering in laminated glazing	Vehicles type approved before 1 January 2013 and spare parts for these vehicles	X ¹
8(j). Lead in solders for soldering in laminated glazing	Review in 2014	X ¹
9. Valve seats	As spare parts for engine types developed before 1 July 2003	
10. Electrical components which contain lead in a glass or ceramic matrix compound except glass in bulbs and glaze of spark plugs		X ² (for components other than piezo in engines)
11. Pyrotechnic initiators	Vehicles type-approved before 1 July 2006 and spare parts for these vehicles	
<i>Hexavalent chromium</i>		
12(a). Corrosion preventive coatings	As spare parts for vehicles put on the market before 1 July 2007	
12(b). Corrosion preventive coatings related to bolt and nut assemblies for chassis applications	As spare parts for vehicles put on the market before 1 July 2008	
13. Absorption refrigerators in motorcaravans		

<i>Mercury</i>		
14(a). Discharge lamps for headlight application	Vehicles type approved before 1 July 2012 and spare parts for these vehicles	
14(b). Fluorescent tubes used in instrument panel displays	Vehicles type approved before 1 July 2012 and spare parts for these vehicles	
<i>Cadmium</i>		
15. Batteries for electrical vehicles	As spare parts for vehicles put on the market before 31 December 2008	

⁽¹⁾ Dismantling if, in correlation with entry 10, an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

⁽²⁾ Dismantling if, in correlation with entries 8(a) to 8(j), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

Notes:

A maximum concentration value up to 0.1% by weight and in homogeneous material, for lead, hexavalent chromium and mercury and up to 0.01% by weight in homogeneous material for cadmium shall be tolerated.

The re-use of parts of vehicles which were already on the market at the date of expiry of an exemption shall be allowed without limitation since it is not covered by Article 4(2)(a).

Spare parts put on the market after 1 July 2003 which are used for vehicles put on the market before 1 July 2003 shall be exempted from the provisions of Article 4(2)(a)

* This clause shall not apply to wheel balance weights, carbon brushes for electric motors and brake linings.



