

## SE comments on exemptions for mercury in double-capped linear fluorescent lamps for general lighting T5 and T8 in Annex III to the RoHS Directive

Sweden is of the opinion that the exemptions 2.a.2 and 2.a.3 for mercury in double-capped linear fluorescent lamps for general lighting T5 and T8 in Annex III to the RoHS Directive should not be renewed for the following reasons:

- **There are alternatives available on the market.** In Pack 9, 2016, the consultant recommended not to extend the exemptions. Today the possibilities for substitution are even better than in 2016.
- **There are no legal grounds for renewing the exemptions.** According to the Commission's guidance on exemptions the criteria for exemptions in RoHS are not fulfilled and therefore no socio-economic analysis is needed in this case. The fact that the Ecodesign Directive allows a continued use is not a reason for granting exemptions according to RoHS, since the Directives have different purposes and there are no provisions stating that the Ecodesign Directive should prevail over the RoHS Directive.
- **Renewal of the exemptions is contrary to the purpose of the Minamata Convention when alternatives are available.** Sweden has a record of being a driving force in phasing out all use of mercury. Mercury is one of the most environmentally hazardous substances and poses a threat to both the environment and human health. Mercury cannot be degraded but enrich in soil, water and living organisms. The more mercury added to society, the more the levels in the environment increase. It is therefore of significant importance to eliminate the use and emissions of mercury, i.e. not to renew the exemptions. Furthermore, the EU has ratified the Minamata Convention on mercury, where one of the targets is to reduce the use of mercury in, among other things, lighting equipment.
- **The new Commission has presented "the European green deal" in which they aim to establish the first European climate legislation that describes the climate neutrality target 2050 in the law.** By not renewing the exemptions, less energy-consuming LED alternatives will be used to a greater extent. That would result in a significant decrease in energy consumption.