



June 11, 2008

Günter Verheugen, Vice-President
Stavros Dimas, Commissioner for Environment
Peter Mandelson, Commissioner for External Trade
European Commission
Rue de la Loi 200
1049 Brussels Belgium

Dear Vice-President Verheugen, Commissioner Dimas and Commissioner Mandelson,

I am writing to you on behalf of IPC-Association Connecting Electronics Industries to express our concerns regarding the Öko -Institute's report, "Study on Hazardous Substances in Electrical and Electronic Equipment, Not Regulated by the RoHS Directive." We are concerned that the Öko-Institute has exceeded the mandate given to it by the Commission and reached scientifically unsustainable conclusions. We therefore urge the Commission to avoid publication of the Öko report.

IPC represents all facets of the electronics interconnect industry, including design, printed circuit board manufacturing and electronics assembly. The issue of the potential extension of the RoHS Directive to new substances is of vital importance to our over 2,700 member companies around the globe, and especially to our nearly 400 members who manufacture electronics in the European Union. IPC is internationally recognized for its technical expertise and has the capability to continue to provide significant insight into the technical issues raised by RoHS substance bans. For more information about our scope, mission and membership, please visit our website at www.ipc.org.

As you know, the Öko-Institute was retained by the EU Commission to study the potential inclusion of additional substances to the RoHS Directive. The Commission specified the criteria to be used by the Öko-Institut to identify high priority substances. Some of the substance categories which the Öko-Institute examined do not comply with the Commission's criteria for inclusion in the RoHS Directive. Instead of limiting themselves to the criteria provided by the EU Commission, the Öko-Institute created new criteria, including observance in the environment and concerns about combustion for certain substance categories. The selection of substances based on the criterion of being found in the environment is very broad and did not follow a scientific approach. If applied consistently, this approach would result in the listing of thousands of substances simply because they can be detected in the environment.

Specifically, the Öko report recommends that the flame retardant TBBPA should be included in the substances to be restricted under the RoHS Directive. TBBPA is the primary flame retardant used to protect more than 80 percent of printed circuit boards and has found to be safe by a comprehensive European Union Risk Assessment. The Öko-Institute's recommendation on TBBPA expressly contradicts the findings of the EU Risk Assessment, which found no need for TBBPA to be restricted.

The Öko-Institute also recommends listing the entire family of chlorinated and brominated organic compounds without adequate scientific justification. Also proposed is the substitution of plasticizers and the possibility to ban PVC, and only two phosphate plasticizers are discussed as possible substitutes in the report. In addition to the technical hurdles posed by the elimination of this broad category of substances, testing for all chlorinated and brominated organics would be prohibitively expensive for both manufacturers and authorities.

The Institute also ignored the ongoing objectives of unifying European chemicals regulation through REACH because of their concern that there was a need for a more focused legislation on electronic and electrical equipment. There is significant concern among industry that the ongoing expansion of RoHS will be largely inconsistent with the implementation of REACH, which is meant to be an overarching policy.

We are also concerned that the Institute did not fully consider all relevant information in the preparation of their report. In order to ensure that all relevant technical information is considered, IPC is holding a workshop on June 18th in Brussels and is delighted to have members of the Commission attending. During the workshop, a number of technical issues will be discussed which will shed further light on the unsuitability of the Institute's recommendations.

It is our understating that the Öko report is scheduled for publication on June 13, 2008. Substances that have undergone years of testing and assessment should not face negative market implication based on unscientific conclusions being drawn in a report sponsored by the Commission. The publication of a report of this kind, given that it will inevitably be linked to the policy of the Commission, places a responsibility upon the Commission to ensure that the report is accurate, science-based and unpoliticized.

IPC understands and supports the need for cost effective, science-based regulations that are protective of the public welfare and environment. We urge the Commission to prevent the Öko-Institute from publishing the report until its contents reflect the mandate given to the Institute by the Commission and its conclusions are science-based.

Yours sincerely,

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