



Brussels, 30 April 2008

BSEF position on the European Court of Justice ruling on Deca-BDE

The effect of the European Court of Justice ruling on 1 April 2008 is that Deca-BDE can no longer be used in electronics and electrical applications from 1 July 2008. However, BSEF firmly believes that Deca-BDE meets the RoHS exemption criteria and that it should either be exempted or deleted from the RoHS Directive.

As expected, the Commission has made clear that it will abide by the European Court judgment. It is understood that this means that the Commission will proceed to delete its exemption Decision as it pertains to Deca-BDE and its use in electronics and electrical equipment. The Commission will, nevertheless, have to evaluate how the resulting contradiction between the RoHS Directive and the EU's risk assessment on Deca-BDE can be addressed. Indeed, the Commission has scheduled a stakeholder workshop in June specifically on the Deca-BDE RoHS exemption status as an input into this process.

The EU has established that Deca-BDE is completely safe for use in all its applications, so there is no basis whatsoever for the EU restricting Deca-BDE under its Directive on hazardous substances in electronics and electrical equipment.

BSEF will be working to ensure that the restriction is lifted.

-ends-

BSEF is the international organisation of the bromine chemical industry, whose remit is to inform stakeholders and commission science on brominated chemicals such as flame retardants.