



RoHS Compliant and REACH

To our valued Vendor,

RoHS is the acronym for **R**estriction of **H**azardous **S**ubstances. RoHS, also known as “*Directive 2011/65/EU*”, originated in the European Union and was revised on June 8, 2011. This Directive applies to all electrical or electronic products and their components placed on the market after June 8, 2011. All applicable products in the EU market after July 1, 2006 must pass RoHS compliance.

The substances discussed under RoHS are **lead (Pb)**, **mercury (Hg)**, **cadmium (Cd)**, **hexavalent chromium (CrVI)**, **polybrominated biphenyls (PBB)** and **polybrominated diphenyl ethers (PBDE)**. The maximum concentration values tolerated by weight in homogenous materials for the substances included in this Directive are 0.1% (w/w). These restricted materials are hazardous to the environment and pollute landfills, and are dangerous in terms of occupational exposure during manufacturing and recycling.

REACH is a European regulation requiring the **R**egistration, **E**valuation, and **A**uthorization of **C**hemicals produced or imported into Europe. The REACH regulation took effect on June 1, 2007 and has been adding substances every year. REACH requires manufacturers and importers to gather and submit information on substance properties along with their effects on human health and the environment. Another obligation under REACH is compliance with Article 33 regarding the presence of **S**ubstances of **V**ery **H**igh **C**oncern (**SVHC**). Potential reporting and restriction requirements are required for articles containing SVHC at concentrations exceeding 0.1% by weight. **As of 12/16/2013 7 new substances were added** bringing the number of Substances on the SVHC Candidate List to **151 SVHC**.

Article 33(1) states that producers, importers and other suppliers of articles containing (SVHC), which are on the candidate list for authorization (*Annex XIV*) with a threshold above 0.1% (w/w), must provide information available to them about the substances to the recipients (*does not include customers*) of the articles. The minimum information that needs to be provided is the name of the substance. There is no trigger of quantity for this obligation, i.e. it applies below 1 ton per annum tonnage. The information has to be provided automatically as soon as a substance is included on the candidate list as a substance of very high concern (SVHC) for authorization. **There are no exemptions from this communication obligation under Article 33(1).**

The latest Candidate List of SVHC can be found at the URL below.

<http://echa.europa.eu/web/guest/candidate-list-table>

To continually provide our customers with a quality and safe product we at Victory Foam, Inc. require certification from our vendors that they are RoHS & REACH Compliant. Please respond with a Certificate or Statement from your Company stating that you are RoHS & REACH Compliant.

Please send any ICP or laboratory tests along with your response if available.

Best Regards,

Jim McKeown
Safety Manager/ISO-EMS Coordinator

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RoHS & WEEE -- Information Guide to RoHS Compliance

How are products tested for RoHS compliance?

Portable RoHS analyzers, also known as X-ray fluorescence or XRF metal analyzers are used for screening and verification of RoHS compliance.

Which companies are affected by the RoHS Directive?

Any business that sells applicable electronic products, sub-assemblies or components directly to EU countries, or sells to resellers, distributors or integrators that in turn sell products to EU countries, is impacted if they utilize any of the restricted materials.

What about RoHS 2?

The proposed changes to the original RoHS Directive in RoHS2 are minor. No additional substances have been added to the six currently restricted. Inclusion of RoHS categories 8 (medical devices) and 9 (control and monitoring instruments) products in RoHS is now proposed, with the proposed dates for inclusion being 2012 or later.

What is WEEE?

WEEE is the acronym for Waste from Electrical and Electronic Equipment. WEEE, also known as Directive 2002/96/EC, mandates the treatment, recovery and recycling of electric and electronic equipment. All applicable products in the EU market after **August 13, 2006** must pass WEEE compliance and carry the "Wheelie Bin" sticker. For the complete directive, see [Directive 2002/96/EC of the European Parliament](#).

How are RoHS and WEE related?

WEEE compliance aims to encourage the design of electronic products with environmentally-safe recycling and recovery in mind. RoHS compliance dovetails into WEEE by reducing the amount of hazardous chemicals used in electronic manufacture.

Put another way, RoHS regulates the hazardous substances used in electrical and electronic equipment, while WEEE regulates the disposal of this same equipment.

New RoHS directive: 2011/65/EU

Explanation of difference between old and new directive

The new RoHS Directive, 2011/65/EU, was published on 8 June 2011. The EU Member states must implement this new directive no later than 2 January 2013. DEKRA, as one of the leading test organizations, would like to inform you about the new RoHS Directive and especially those aspects in which it differs from the old directive (2002/95/EC).

Scope

The first aspect is the scope. The new RoHS Directive will apply to categories of products that were not covered by the old RoHS Directive. The categories of products and dates of applicability are as follows:

Medical devices (excl. active implantable medical devices) as of 22 July 2014
Monitoring and control instruments as of 22 July 2014
In-vitro diagnostic medical devices as of 22 July 2016
Industrial monitoring and control instruments as of 22 July 2017

Another category which is now included in the scope (Annex I) of the new RoHS Directive is "other Electrical and Electronic Equipment (EEE) not covered by the categories above" (where "categories above" refers to the categories defined in the old RoHS Directive). With the introduction of this "category" it was necessary to explicitly list the products to which the Directive does not apply. This list is provided in Article 2.4 of the Directive, and as it is quite long we refer you to Article 2.4 in the PDF copy of the Directive, which can be found here:

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<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:174:0088:0110:EN:PDF>

EEE that did not fall under the old RoHS Directive but to which the new RoHS Directive does apply and which do not belong in the four categories listed above do not have to comply with the requirements of the new Directive until 22 July 2019.

Another change to the scope with regard to EEE is that the new Directive also applies to “cables and spare parts for its repair, its reuse, updating of its functionalities or upgrading of its capacity”, where cables are to be understood to be “cables with a rated voltage of less than 250 volts that serve as a connection or an extension to connect EEE to the electrical outlet or to connect two or more EEE to each other”. These cables and spare parts do not have to comply with the directive if they are being used for EEE that does not have to comply with the or did not have to comply with the Directive at the time they were placed on the market.

Obligations

What is also new in the new RoHS Directive is that it lists the obligations of manufacturers, authorized representatives, importers and distributors. Simply put, these obligations see to it that EEE placed on the market has been designed and manufactured in accordance with the requirements of the Directive. Manufacturers must draw up technical documentation, carry out internal production control procedures, draw up an EU declaration of conformity and affix the CE marking to the product if it complies.

Importers and distributors must ensure that the above have been done by the manufacturer. If you have more specific questions about these obligations please contact your DEKRA representative within the DEKRA organization.

Annexes

What has also changed in the new RoHS Directive is that the use of lead, mercury, cadmium, hexavalent chromium, PBBs and PBDEs is no longer completely forbidden. Annex II now lists the maximum concentration values tolerated by weight in homogeneous materials, which are as follows:

- Lead 0.1%
- Mercury 0.1%
- Cadmium 0.01%
- Hexavalent chromium 0.1%
- Polybrominated biphenyls (PBB) 0.1%
- Polybrominated diphenyl ethers (PBDE) 0.1%

Annex III of the Directive lists all the applications which do not have to comply with the requirements of the Directive; this list is unchanged since the latest version of the old RoHS Directive (dated 8 September 2011). Annex IV is completely new and lists the applications which do not have to comply with the restrictions of the directive specific to medical devices and monitoring and control equipment. Finally, Annex VI lists the requirements for the contents of the EU declaration of conformity.

Summary

The new RoHS Directive, which will replace the old Directive as of 2 January 2013, will be applicable to medical devices and monitoring and control instruments. The new Directive requires manufacturers to draw up technical documentation and a declaration of conformity and to affix the CE marking to a product if it complies with the Directive. If you have any further questions please do not hesitate to contact your DEKRA representative within the DEKRA organization for further assistance.