

**Newsletter No. 4 June/July 2005**



**Editorial**

Welcome to the fourth NZTE/Electronics South RoHS and WEEE news letter. Again I would like to welcome everyone who has subscribed in the past month, I hope you find the content of this newsletter of use.

I was honored to be invited to address the Asia Electronics Forum in Qingdao last month – one reason for the lack of a June Newsletter. It has been 4 years since my last visit to China and I was awestruck by the massive changes since. Driving change through an organization is a challenge enough but I am staggered by how quickly change has been driven through and adopted by a whole country. Of course I only saw a few major cities and the rural life no doubt continues as it has done for centuries but that aside there is a lesson there for anyone trying to modify culture or engender change in a large company. It is possible.

There was a very informative webcast in the wee hours of Friday morning by Steve Andrews of the Department of Trade and Industry in the UK. Steve is the UK representative on the TAC and the Chairman. Steve is clearly keen for industry and the enforcement authorities to work issues out collaboratively. He stated that he would view a repeat of the Sony Playstation 2003 cadmium prosecution in Holland as a failure of the system.

Finally, in recognition that most companies are now getting on with the process of compliance for both RoHS and WEEE I

have added a section advertising commercial services supporting RoHS and WEEE Compliance. Many companies will be struggling to resource this project and there is a huge amount of detail needed to be understood. As an example each EU state has different WEEE registration requirements, some states like Finland will not allow a foreign body to register, so you either have to register a company in Finland or subscribe to a scheme that is registered in Finland. Many states have shown an aversion to foreign companies registering as producers due to issues in enforcement. Add to this that many states are not producing their documentation in English, plus many savvy distributors are starting to treat the WEEE fees as a negotiated item with their suppliers then it is time to seek some professional help.

Roland Sommer  
 Editor

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**The long awaited RoHS and WEEE Christchurch Seminar**

As a consequence of the release of the grey area clarification document we will be holding a one day seminar in Christchurch on the 22 August. Harvey Stone of The GoodBye Chain Group will be co-presenter along with Roland Sommer of RoHS and WEEE Specialists (NZ) Ltd. Harvey will present either over video link or polyphone as other business commitments prevent him from attending in person.

Harvey is MD of the Goodbye Chain Group which is one of the premier RoHS and WEEE Consultancies in the USA. Harvey has presented prolifically in the USA and is the primary facilitator for SMTA for RoHS and WEEE workshops. A separate flyer and enrolment form are included as separate attachments with this newsletter and are also be available from the support website [www.electronicssouth.com](http://www.electronicssouth.com) under RoHS and WEEE / Upcoming Events. Please note this

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seminar will cover the wider aspects of RoHS and WEEE and will NOT include lead free soldering.

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**WEEE Deadline, 13 August 2005**

The WEEE deadline is only a couple of weeks away, bottom line all finished product within scope needs to be marked with the CENELEC 50419 crossed out wheelie bin symbol and supporting documentation amended to include the following.

- a) the requirement not to dispose of WEEE as unsorted municipal waste and to collect such WEEE separately;
- b) the return and collection systems available to them;
- c) their role in contributing to reuse, recycling and other forms of recovery of WEEE;
- d) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
- e) the meaning of the symbol shown in Annex IV. (Crossed out Wheelie Bin)

*Note that products that form subcomponents of a larger product are not required to be labeled. The requirement is on the parent product only.*

Please see [www.electronicssouth.com](http://www.electronicssouth.com) for more comprehensive information on WEEE requirements

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**Technical Adaptation Committee Update**

The TAC met on 6<sup>th</sup> July and discussed the following:

- 1. RoHS exemptions process,

- 2. Status of the CENELEC WEEE Marking Standard
- 3. Deca BDE- which is back in with a chance of an exemption,
- 4. Maximum Concentration Values,
- 5. Review of status of category 8 and 9 (Medical devices, Monitoring and Control Equipment),
- 6. Grace Periods
- 7. Summary report of the DTI workshop on the implementation of the RoHS directive.

The minutes can be found on the RoHS/legislation section of [www.electronicssouth.com](http://www.electronicssouth.com) and are well worth reading.

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**Maximum Concentration Values (MCV)**

The Minutes from the TAC 6 July stated:

The commission announced that the 3 month period for council consideration of the proposed MCVs decision had expired that day; as a result the MCVs should be adopted and formally notified to Member States by the end of July. The Commission Decision would then be published in the Official Journal, amending the original directive.

Of significance is the removal of the original requirement for the MCV levels to be by contamination only. The restricted substances can be intentionally added up to the MCV levels.

**Footnote on lead(Pb) content of Lead free solder**

Be aware that lead-free solder does not typically contain 0% lead. One company I am working with was surprised to find 0.07%

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lead in their SAC solder. Upon investigation to find out where this had come from – an internal policy was that no lead containing parts were to go anywhere near the NZ\$32k worth of lead free solder in the wave solder pot – it transpired that the 0.07% was within the suppliers' specification for lead content. This needs to be borne in mind if calculations are being done to assess what proportion of lead bearing parts can be put through a wave solder machine whilst keeping the lead content below 0.1%

number of places including Brady labels. If anyone needs Hexane test performed see [www.raws.co.nz](http://www.raws.co.nz) for a hexane testing service.

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### UK announce their RoHS Enforcement agent

The UK have now appointed the National Weights and Measures Laboratory as the enforcement agency in the UK. They are intending to implement some support infrastructure which will be most welcome. I will be engaging with them to forward the interests of the New Zealand Electronics Industry and will keep this newsletter informed of any developments and clarification of their enforcement intentions.

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### Pb-free Reliability webcast

Surprise of the month was a webcast through SMTA by Dr Craig Hillman of DfR Solutions on Pb reliability which quoted a Motorola study showing that lead-free BGAs could be compatible with traditional eutectic tin/lead solder given the right profile. The bottom line was the balls needed to reach liquidus. The study is available from Motorola or email me for a copy. When time permits I will add it to the [www.electronicssouth.com](http://www.electronicssouth.com) website.

Dr Hillman also made a comment regarding potential issues with bismuth containing component finishes in eutectic Tin Lead process. If anyone has, or knows of any studies on this could you please email me. Dr Hillman also gave an anecdotal story on Tin Whiskers. After photographing a unit with a bad case of tin whiskers he removed it from its static location and transported it back to his lab on the back seat of his car. When he arrived at the lab and unloaded the unit and opened it up, all tin whiskers had gone from the circuit boards and were lying in the bottom of the unit. Lesson learnt: Tin Whiskers are very brittle and when they grow to any appreciable length they fall off. My personal opinion is that Tin Whiskers are only a major concern in static environments and fine pitch applications. Consumer equipment designers may want to consider adding a sticky patch to the inside of their units to catch any broken off tin whiskers – a bit reminiscent of the magnet on the oil drain plug of a car.

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### Cenelec EN50419 Standard

The European Commission have concluded that ENpr50419 does not comply exactly with the requirements of the Directive in two specific instances. They hope that these problems could be resolved at a meeting that was due to take place on 11/12<sup>th</sup> July.

Editors note: Given the timeframes I would suggest that companies go with the Enpr50419 standard as it is not realistic to wait. Off the shelf labels are available from a

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### Feature Article

**WEEE-zing into August** by Mark Myles

#### A report from Europe

I recently returned from Prague, where I was one of a small handful of Americans to attend a late-June conference on the implementation of the WEEE Directive in the various EU Member States. It was quite an eye-opener, especially in light of what hasn't been done ahead of the August 13th WEEE deadline - now less than a month away.

It was most striking to see how much Europeans themselves are upset about how WEEE has been implemented. Words like 'fiasco', 'disaster', and 'chaos' were liberally sprinkled throughout formal presentations and private conversations alike. Few attendees - ministry officials, recyclers, producers, and other assorted veteran WEEE-watchers - expected to see a smooth August start of WEEE collection and recycling across Europe. Most were frustrated with the delays, the country-to-country disparities, the lack of definitive information, the contradictory regulations, and on and on.

Make no mistake - the great majority of Europeans agree with the objectives of the Directive. WEEE will come into force, despite the grumbling and the recent rejection of the EU Constitution. But an incredible array of issues remains. Few will be resolved before the August deadline. Many will be resolved in ways as yet unanticipated.

The situation will undoubtedly be confounding for many on this side of the pond. One fellow attendee, a Brit with extensive business experience in the US, sympathized with the frustration likely to be felt in North America: "You Americans are good problem solvers. You see a problem; you want to fix it right away. But with WEEE, the problem just isn't clear yet, despite the

deadlines. You wouldn't let this happen in America, but it is what is happening here."

So what's happening? With far too much to detail in a brief column, I can only offer a few highlights:

- About a third of the EU Member State countries have yet to 'transpose' the Directive into national law, as they are required to do under their EU treaty obligation. [On July 15, the European Court announced that it would take legal action against the miscreants.] Surprisingly, the ten new EU members admitted in 2004 are ahead of many of the original 15.
- Among those that have transposed, many are behind in implementing the 'nuts-and-bolts' of setting up regulatory authorities, specific regulations, and all of the bureaucratic infrastructure necessary to administer a law of WEEE's complexity.
- Yet, incredibly, the August 13th deadline remains in force in several of these countries. If you are a producer, you are required by law to register by the deadline, even though there is no registry!
- Most countries are requiring an in-country legal entity to register as a producer. This means that the local importer, not the manufacturer, is expected to register. For companies that sell direct without a distributor, this creates a conundrum - either stop selling to those countries, quickly establish a local subsidiary, or find a local representative. For distributors, taking on the responsibility of WEEE registration also means taking on legal liability should the products they handle be found to be non-compliant.
- Key terms in the Directive - 'producer', 'placed on the market', and so on - do not have a consistent definition from country to country.

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- Many Member States have not - and will not - offer English translations of their laws, ministerial decrees, registration and reporting forms, and other supporting documents.
- On a more positive note, several Producer Responsibility Organizations are being formed to implement collection and recycling schemes. These include single-nation organizations as well as companies serving multiple countries.

penalties needs to be clearly spelled out. Savvy distributors are already taking the initiative in proposing contract clauses that work to their advantage. Non-EU manufacturers need to be quick studies to protect their own interests.

- And finally, start establishing business relationships with one or more Producer Responsibility Organizations that will be able to assist you with collection, logistics, and reporting.

So what is a North American electronics company to do?

- Don't rely exclusively on information coming from the UK. Sure, they speak our language, but UK government documents pertain only to their own expected national regulations. Variance among the Member States is considerable; you'll need to have the means to track them all.
- Do implement the CENELEC marking standard for the 'crossed-out wheelie bin' label. It's not entirely free of disagreement, but even those countries who have delayed most aspects of WEEE implementation will be expecting the WEEE label on products placed on the market after the deadline.
- Also, register with those Member States who have started registries - currently about seven, with the number changing weekly.
- Don't expect a new, separate WEEE transposition law in every Member State. Many Member States have had laws on the books that partially satisfy their WEEE transposition obligations, or that need only relatively minor amendment.
- Above all, pay close attention to your contracts with European resellers and distributors. Make sure that roles are clearly defined. Liability for potential financial

Europe is WEEE-zing into August, and they will be WEEE-zing long after. Don't look for any quick fixes. And don't hold your breath.

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**How to subscribe**

Send an email to [rsommer@raws.co.nz](mailto:rsommer@raws.co.nz) with "RoHS and WEEE Newsletter subscribe" in the subject heading

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This newsletter and the [www.electronicssouth.com](http://www.electronicssouth.com) RoHS and WEEE website are made possible by an initiative and funding from New Zealand Trade and Enterprise, Electronics South and the Canterbury Electronics Group.

**Where to go for Help**

*Supplement on next page*

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## Further RoHS and WEEE Support

### Websites

[www.electronicssouth.com](http://www.electronicssouth.com)

[www.dti.gov.uk/sustainability/weee/](http://www.dti.gov.uk/sustainability/weee/)

<http://uk.farnell.com/static/en/rohs/>

### Commercial Support Services.

#### **RoHS and WEEE Specialists (NZ) Ltd**

- Scope and exemption assessments. Includes formal report to place in technical file to substantiate any claim to an exemption or claim for out of scope
- Training and Seminars
- Strategy advice and facilitation
- WEEE label testing (Hexane).

Phone Roland on ++64 (0)3 337 8068, ++64 (0)21 716 208

[www.raws.co.nz](http://www.raws.co.nz)

Do you have a commercial RoHS or WEEE support to offer? Please contact Roland Sommer at [rsommer@raws.co.nz](mailto:rsommer@raws.co.nz) to discuss advertising here.

#### **The Goodbye Chain Group**

Cost-effective RoHS and WEEE service packages.

- RoHS packages include the MDW 3.6 desktop application that is fully compliant with the emerging IPC 1752 standard.
- WEEE packages include everything you need to fulfill your registration, recycling and reporting requirements.

[www.goodbyechain.com](http://www.goodbyechain.com)

#### **Parkside Laboratories Ltd**

We offer help with the ROHS and WEEE directive with the following product testing:

- HALT (highly accelerated life testing) of your product once the changes have been made to comply with the directive.
- Full compliance to international standards following your changes including Europe, Asia, Middle East, Australasia and the USA.
- Through our partnership with USA-based laboratory UL we also offer testing for the hazardous substances themselves.

Phone Matt 03 339 1670, 021 667 868 or [matt.toohey@parksidelabs.co.nz](mailto:matt.toohey@parksidelabs.co.nz)

#### **University of Canterbury**

- Material composition analysis
- Micro-sectioning

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