Commission Directive (EU) 2016/774 of 18 May 2016 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (Text with EEA relevance)

COMMISSION DIRECTIVE (EU) 2016/774

of 18 May 2016

amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles[(1)], and in particular Article 4(2)(b),

Whereas:

(1) Article 4(2)(a) of Directive 2000/53/EC prohibits the use of lead, mercury, cadmium or hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003.

(2) Annex II to Directive 2000/53/EC lists vehicle materials and components exempted from the prohibition set out in Article 4(2)(a) thereof. Exemptions 8(e), 8(f), 8(g), 8(h), 8(j) and 10 (d) of Annex II shall be reviewed in 2014.

(3) An assessment of technical and scientific progress has demonstrated that the use of lead in the applications covered by exemptions 8(h), 8(j) and 10(d) should not be prolonged because the use of lead in these applications has become avoidable.

(4) The assessment of technical and scientific progress has also demonstrated that the use of lead in the applications covered by exemptions 8(e), 8(f) and 8(g) remains unavoidable as substitutes have not become available yet. However, since information exists on possible future lead substitutes in these applications, it is appropriate to introduce a review date allowing to establish if the use of lead in these applications can be discontinued.

(5) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council[(2)].

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 2000/53/EC is replaced by the text set out in the Annex to this Directive.

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Article 2

1 Member States shall adopt and publish, within six months of its publication in the *Official Journal of the European Union* at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 May 2016.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

‘ANNEX II

Materials and components exempt from Article 4(2)(a)

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 4(2)(b)(iv)
Lead as an alloying element		
1(a). Steel for machining purposes and batch hot dip galvanised steel components containing up to 0,35 % lead by weight		
1(b). Continuously galvanised steel sheet containing up to 0,35 % lead by weight	Vehicles type-approved before 1 January 2016 and spare parts for these vehicles	
2(a). Aluminium for machining purposes with a lead content up to 2 % by weight	As spare parts for vehicles put on the market before 1 July 2005	
2(b). Aluminium with a lead content up to 1,5 % by weight	As spare parts for vehicles put on the market before 1 July 2008	
2(c). Aluminium with a lead content up to 0,4 % by weight	[a]	
3. Copper alloy containing up to 4 % lead by weight	[a]	
4(a). Bearing shells and bushes	As spare parts for vehicles put on the market before 1 July 2008	

a This exemption shall be reviewed in 2015.

b This exemption shall be reviewed in 2019.

c Dismantling if, in correlation with entry 10(a), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

d Dismantling if, in correlation with entries 8(a) to 8(j), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

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4(b). Bearing shells and bushes in engines, transmissions and air conditioning compressors	As spare parts for vehicles put on the market before 1 July 2011	
Lead and lead compounds in components		
5. Batteries	[a]	X
6. Vibration dampers	Vehicles type-approved before 1 January 2016 and spare parts for these vehicles	X
7(a). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/ metal parts in the chassis applications, and engine mountings	As spare parts for vehicles put on the market before 1 July 2005	
7(b). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/ metal parts in the chassis applications, and engine mountings containing up to 0,5 % lead by weight	As spare parts for vehicles put on the market before 1 July 2006	
7(c). Bonding agents for elastomers in powertrain applications containing up to 0,5 % lead by weight	As spare parts for vehicles put on the market before 1 July 2009	
8(a). Lead in solders to attach electrical and electronic components to electronic circuit boards and lead in finishes on terminations of components other than electrolyte aluminium capacitors, on	Vehicles type-approved before 1 January 2016 and spare parts for these vehicles	X[c]

a This exemption shall be reviewed in 2015.

b This exemption shall be reviewed in 2019.

c Dismantling if, in correlation with entry 10(a), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

d Dismantling if, in correlation with entries 8(a) to 8(j), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.