

COMMISSION DELEGATED DIRECTIVE 2014/72/EU**of 13 March 2014****amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment, ⁽¹⁾ and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of lead in electrical and electronic equipment placed on the market.
- (2) Ignition modules and other electrical and electronic combustion engine control systems, which have to be mounted close to the moving parts of handheld tools and which are indispensable for the operation of the engine, are exposed to high vibrations and intense thermal stress. These harsh environmental conditions require the use of lead. Neither the substitution nor the elimination of lead in these components is technically practicable.
- (3) Manufacturers need additional time to make possible lead-free alternatives technically practicable and to demonstrate reliability. The use of lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems should therefore be exempted from the prohibition until 31 December 2018. This is a relatively short transition period which is unlikely to have adverse impacts on innovation.
- (4) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by the last day of the sixth month after entry into force at the latest. 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*.

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 March 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

In Annex III to Directive 2011/65/EU the following point 41 is added:

'41	Lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems, which for technical reasons must be mounted directly on or in the crankcase or cylinder of hand-held combustion engines (classes SH:1, SH:2, SH:3 of Directive 97/68/EC of the European Parliament and of the Council (*)	Expires on 31 December 2018
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(*) Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ L 59, 27.2.1998, p. 1).'