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ROHS REGULATION ON MERCURY- CONTAINING UV LAMPS CURRENT STATUS

Dear Sir or Madam,

The RoHS Directive (2011/65/EU) restricts the use of certain hazardous substances in electrical and electronic equipment, including mercury. Our mercury-containing UV lamps are currently covered, among others, by exemptions 4(a)-I and 4(f)-IV.

Applications for the renewal of these exemptions were submitted within the applicable deadlines. Therefore, the expiry dates originally specified in the RoHS Directive should not currently be regarded as the actual end dates of the exemptions. According to information provided by the European Commission, existing exemptions for which renewal applications have been submitted in due time remain valid until the Commission has taken a decision on the respective application.

The public consultation conducted by the Öko-Institut on the review of the relevant exemptions has now been completed. The contributions received are currently being evaluated and will be incorporated into the Öko-Institut's assessment. This assessment is expected to be submitted to the European Commission at the end of 2026.

It is not yet known when the European Commission will subsequently take a decision or what the outcome will be. Therefore, it is currently not possible to make a definitive statement regarding the future duration or scope of the exemptions.

From our perspective, however, the publicly available contributions from the consultation (<https://rohs.exemptions.oeko.info/exemption-consultations/2026-consultation-1>) clearly demonstrate that there continues to be a need for mercury-containing UV lamps in numerous industrial and technical applications. In particular, for certain high-power applications and specific UV wavelengths, technically and economically equivalent alternatives are not yet available in all areas.

What does this mean for replacement lamps in existing systems?

For operators of existing UV systems, the long-term availability of replacement lamps is an important issue.

As the existing exemptions currently remain valid due to the renewal applications having been submitted within the applicable deadlines, the mercury-containing UV lamps covered by these exemptions may, according to the current state of affairs, continue to be manufactured and placed on the market, provided that the respective conditions of the exemption are met.

In addition, the RoHS Directive provides, under certain conditions, for specific provisions concerning spare parts. These provisions may be relevant for the repair, reuse, updating of functions, or upgrading of the capabilities of electrical and electronic equipment that has already been placed on the market.

For the specific classification of a replacement lamp, factors such as the date on which the original system or equipment was placed on the market, the RoHS classification applicable to that equipment, and the specific function of the lamp are decisive.

Therefore, any possible future restriction or expiry of a RoHS exemption does not automatically mean that existing UV systems can no longer be maintained using corresponding replacement lamps.

For new systems, on the other hand, the legislation applicable at the time they are placed on the market is decisive. A general statement regarding the future use of mercury-containing UV lamps in new systems is therefore not possible at this time.

What happens next?

Hoenle is closely monitoring the further development of the process and, together with industry associations and users, is advocating for the continued need for mercury-containing UV lamps, as well as the technical limitations of currently available alternatives, to be taken into account in the further assessment.

As soon as the European Commission has decided on the renewal applications and the future legal framework has been established, we will inform our customers about the specific implications and the resulting options.