EU Directive 2011/65/EU (RoHS)

EU RoHS Position Statement

In January 2003, the European Parliament and the Council of the European Union (“EU”) adopted Directive 2002/95/EC on the Restriction of the Use of certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) with the purpose of reducing the environmental impact of waste electrical and electronic equipment. This directive became effective in July 2006 and restricted the use of Lead, Mercury, Cadmium, Hexavalent chromium, Polybrominated biphenyls (PBB) and Polybrominated diphenyl ethers (PBDE) in certain categories of equipment.

Directive 2011/65/EU adopted in June 2011, recast the original RoHS Directive and brought into scope Industrial Monitoring and Control equipment effective from July 2017. On 31 March 2015, Directive 2011/65/EU was amended by Directive (EU) 2015/863 increasing the number of restricted substances to include Bis(2-ethylhexyl) phthalate (DEHP), Butyl benzyl phthalate (BBP), Dibutyl phthalate (DBP) and Diisobutyl phthalate (DIBP).

VIAVI is committed to compliance with all applicable requirements and has established processes to ensure that products being placed on the EU market and which fall within the scope of Directive 2011/65/EU meet the hazardous substance restrictions in accordance with Article 4. This does not apply to products which are excluded from the scope of the Directive as allowed by Article 2, such as, for example:

- Equipment which is necessary for the protection of the essential interests of the security of Member States, including arms, munitions and war material intended for specifically military purposes;
- Equipment which is specifically designed, and is to be installed, as part of another type of equipment that is excluded or does not fall within the scope of this Directive, which can fulfil its function only if it is part of that equipment, and which can be replaced only by the same specifically designed equipment;
- Large-scale fixed installations.

In addition, the Directive provides for specific exemptions from the substance restrictions for certain applications subject to defined conditions, as set out in Annexes III and IV, which may be amended, renewed or revoked over time.

This statement is provided for general information purposes only and reflects a high-level summary of the applicable regulatory framework.