



22 September 2016

European Chemicals Agency
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P.O. Box 400
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RE: Comments on ECHA guidance on requirements for substances in articles, July 2016, Version 4.0

IPC – Association Connecting Electronics Industries, a global industry association, represents more than 3,700 member facilities in the electronics industry, including design, printed board manufacturing and electronics assembly. IPC appreciates the opportunity to comment on ECHA's draft guidance on the above referenced ECHA guidance document.

IPC represent companies throughout the electronics supply chain, from raw materials to component and bare printed circuit board manufacture, to final assembly of finished goods. As goods move through the supply chain, and articles are built and assembled with additional articles, substances and mixtures, they become increasingly complex. It is important to all of our members that ECHA's guidance and member states' interpretation and enforcement of requirements for articles be as clear as possible.

General Comments

IPC is concerned that guidance is confusing and lengthy. In attempting to interpret the European Court of Justice ruling (ruling) for the broad ranges of affected industries, the guidance has become unwieldy. Overall, IPC believes that the guidance should be simplified to reflect the intentions of the ruling to provide useful and meaningful information to the user for the purpose of promoting safe use of substances and articles containing substances.

As articles move through the supply chain they are combined with materials and other articles to become increasing complex articles. The guidance should more carefully consider what information should be passed through the supply chain and appropriate due diligence. Without this consideration, the guidance runs the risk of lacking proportionality.

IPC recommends that ECHA carefully review the ruling and adjust the guidance to provide proportionality between the burdens of compliance and the goals of REACH. Specifically, we would recommend that the guidance avoid recommending or providing examples of sharing of information beyond that required by the ruling - the identity of any substances of concern present in the article above the threshold and any information necessary to ensure safe use of the article.

Additionally, we recommend that ECHA clarify that the burdens of due diligence for any company is limited to the articles directly supplied to the company, along with any materials that may be added by the company during their manufacturing process. In this manner, relevant data will be passed through the supply chain without burdening manufacturers of complex products with due diligence that will duplicate that of their suppliers.

In addition to these general comments, we have some specific comments regarding examples in Appendix 3.

Manufacture of printed circuit boards

Printed circuit boards (PCBs), the basis of all electronics, are manufactured by combining a number of raw materials and mixtures including prepreg, which is a fiberglass mat impregnated with epoxy resin polymer and laminate, and copper foil. In the manufacture of PCBs, copper patterns are etched or printed onto the prepreg layers which are then pressed together under heat, which joins the layers and cures the resin into its final shape forming the PCB into an article. This process shares some characteristics with the formation of carbon composite described in Example 6 of Appendix 3. Based on our understanding of the guidance, the 0.1% threshold for a PCB should be calculated by dividing the amount of any substance of very high concern (SVHC) in the PCB by the weight of the PCB to determine whether the 0.1% threshold is exceeded.

Following the production of the PCB, substances, components (such as resistors, capacitors, micro-chips, etc.) are added to the circuit board using substances such as solder, die attach, adhesives, etc., to make a printed circuit assembly (PCA or Assembly). Based on our understanding of the guidance and according to Example 6 in Appendix 3 of the Guidance Document, if any assembly materials contained an SVHC, the amount of that SVHC would be divided by the weight of the PCA to determine whether the 0.1% threshold is exceeded.

Formation of articles from chemicals and mixtures

The guidance needs to be more clear regarding substances that evaporate, are consumed, or react during the manufacturing process. For example, lines 23-25 of Example 2 in Appendix 3 states that the “PVC mixture used in the coating contains 40% w/w of a Candidate list substance used as a plasticizer - and hence in the insulator- is 40% w/w,” completely ignores the possibility of a change in the weight as the coating (mixture) is formed into the insulator (article). Although this is mentioned in Note 40, a topic of this importance should warrant a separate example and not be relegated to an easily overlooked note.

Example 6 is overly complex

Finally, we would like to note that Example 6 is overly confusing and should be simplified, perhaps by using several separate examples to address each concept contained in the example.

Conclusion

IPC appreciates the opportunity to offer these comments. Please feel free to contact me at fabrams@ipc.org should you have any questions.

Sincerely,

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IPC