

ELC submission to UNEP INC2

Preparation of a global legally binding instrument on mercury

(2011)

ELC very much welcomes the Secretariat's "Draft Elements Paper".

Most energy efficient lamps marketed world-wide do contain a small but certain amount of mercury, it is intentionally added and it is needed.

- Our member companies are working on mercury free alternatives, for example on lamps and light sources using LED
- Are working on improvement of energy efficiency of mercury containing as well as of mercury free lamps, which leads to lower mercury emissions to air, whenever energy is produced by coal fired power plants
- Are working on the reduction of the mercury content of all our lamp types, when this is technologically feasible. This is a very time consuming task as the number of different lamps for general lighting or for special purposes is very high. Lifetime of these lamps is long while there is a certain dependency between lifetime and required mercury content. It therefore takes time to develop and test products with decreased mercury content.

In the EU we do already have a ban of mercury in electrical and electronic equipment, including lighting equipment. This is the RoHS Directive which became effective in 2006. Mercury in lamps is exempted in this regulation for most lamp types. These exemptions are under regular revision taking into account the scientific and technological progress. The last update was published and entered into force in September 2010. Overall currently all the different lamp types and families are divided in 28 groups with specific limitations regarding the maximum mercury content. This detailed exemptions list is generally well accepted, only in some few examples this also leads to legal uncertainty and to risks regarding availability of certain lamp types demanded by the EU market.

ELC wants to make clear:

- ELC Lamp manufacturers will also in the foreseeable future need mercury in energy efficient lighting. So mercury must be available for our products. If there is no technical alternative available, exemptions need to be extended.
- ELC Lamp manufacturers nowadays use mercury containing pre-materials, the so-called dosing units, which are produced in controlled, safe production area's, often different to the production site of the lamps. These mercury containing pre-materials need to be transported



to the production sites thus reducing the environmental and health risks during production processes.

- ELC members welcome the introduction of well-defined limits for certain lamp types, however without compromising high performance and specifications of the lamps. This introduction of limits has to be defined in such a way that no lamp types which are demanded or required in a certain market or application are accidentally or unjustified banned without having an alternative.
- Limitation of mercury in certain lamps shall be based on scientific grounds. Technical feasibility, market demands and socio-economic aspects have to be taken into account.
- Limitation of mercury in certain lamps shall be harmonised as far as possible and appropriate. A race: “Who can demand lower limits and within shorter transition times?” will lead to the unjustified phase out of certain lamp types, it will reduce reliability, light efficiency and lifetime of lamps.
- When limits are introduced or changed appropriate transition times are required in order to have legal certainty as well as a level playing field regarding economical aspects.
- When ELC members started to reduce the amount of mercury in their lamps decades ago the main reason was occupational health and safety in the production sites. Therefore clear regulation and control is needed, so that people involved in the production are not harmed.
- Wherever limits are introduced it is necessary to control also the market. Market surveillance is task of the different countries, not of the lamp manufacturers. If there is no control more mercury will be put on the markets than necessary giving also financial advantages to those companies not complying with the regulations.
- ELC strongly encourage the parties to combine the regulation of mercury in lamps with the installation of take-back and recycling schemes for lamps.
- Even if the content of mercury per lamp is low lamps should be collected and recycled. They contain also many materials which can be recovered, like metals, glass, plastics, rare earths.

About the European Lamp Companies Federation (ELC)

For over 20 years the European Lamp Companies Federation (ELC), has represented the leading European lamp manufacturers. ELC members include the leading eight European lamp manufacturers. These companies account for 95% of total European lamp production, employ more than 50.000 people in Europe, and generate more than 5 billion Euros turnover annually.

ELC is dedicated to promoting efficient lighting practice for the benefit of the global environment, human comfort and the health and safety of consumers. More information about the ELC can be found at www.elcfed.org.