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Messrs.
Öko Institute
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Tradate, March 28, 2008

Dear Sir, Dear Madam,

I am writing to you on behalf of VIBA S.p.A. in the context of the ongoing Öko Institute consultation regarding the substances to be potentially added to the RoHS Directive.

The flame retardant Tetrabromobisphenol-A (TBBPA), which is for the moment included in your draft high priority list, does not meet any of the criteria outlined in the Commission tender. In fact, TBBPA is not a PBT, not a CMR, not a vBvP neither an endocrine disruptor.

We are adamant that TBBPA should not be added to the revision of the RoHS Directive as the EU has just finalised an 8-year Risk Assessment to evaluate its effects on human health and the environment. Subsequently the Risk Reduction Strategy did not foresee any legislative restriction. TBBPA is therefore approved for use by the EU for all its applications and it will subsequently go through REACH registration. The results of the Risk Assessment were confirmed by the SCHER committee of the European Commission,

TBBPA is used as a reactive component in the production of printed circuits boards (mainly of FR4 laminates) and, being integrated into the polymer of the board, it does no longer exists as such. .
For the additive use of TBBPA in E&E plastics casings, a low environmental risk was identified in one production plant in Europe only. After reviewing all possible EU legislative measures, including the RoHS Directive, the rapporteur and the Commission recommended IPPC as the most effective and proportionate measure to address the risk identified.

In addition the Öko Institute has included in the draft high priority list a number of other BFRs whose use in E&E equipment or in other consumer products is "intensively discussed". We question this criterion as it is discriminatory and not based on science. Some of the BFRs listed are not even used in E&E equipment (some are wood preservatives and some are used in foams). This wide list of brominated flame retardants is targeted without specifying whether they meet the criteria set out by the Commission for a priority substance. We currently request this list of BFRs to be removed completely from your priority list.

Yours sincerely,

VIBA S.p.A.
Laboratory Manager
Fabio Toscani