

NB! It does not contain last amendments which entered into force 02.11.2009.

Detailed List of Dangerous Substances which are Prohibited in Products of Concern and Prohibitions and Restrictions Established for Products of Concern¹

Regulation No. 154 of the Government of the Republic of 6 July 2006
(RT² I 2006, 33, 254), entered into force 20.07.06

Amended by the following Regulations:

21.12.06 entered into force 31.12.06 - RT I 2006, 60, 447

21.06.07 entered into force 01.07.07, partially 26.09.2008- RT I 2007, 42, 310

The Regulation is established on the basis of subsections 27 (2) and (4) of the Waste Act.

§ 1. Scope of application

This Regulation establishes:

- 1) a detailed list of dangerous substances which are prohibited in products of concern;
- 2) maximum limits of dangerous substances in certain products of concern up to which the content of dangerous substances is not subject to the prohibition of placing the products of concern on the market;

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

- 3) placing on market of certain products of concern and terms for the application of prohibition on use;

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

- 4) areas of application of certain products of concern, the technical conditions and requirements to which the prohibitions on manufacturing, import, sale and use of products of concern do not apply.

§ 2. A list of dangerous substances which are prohibited in products of concern

It is prohibited to place on the market the products of concern containing the following:

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

- 1) banned industrial chemicals specified in Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals (OJ L 63, 6.03.2003, pp. 1–26) and Commission Regulation (EC) No 1213/2003

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amending Annex I to Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals (OJ L 169, 8.07.2003, pp. 27–29);

- 2) hexavalent chromium compounds;
- 3) polybrominated diphenyl ether (PBDE);
- 4) polybrominated biphenyls (PBB);
- 5) lead and its compounds;
- 6) mercury and its compounds;
- 7) cadmium and its compounds.

§ 3. Restrictions established for accumulators and batteries

(1) The prohibition specified in clause 27 (1) 2) of the Waste Act does not apply to batteries and accumulators containing up to 0.0005 per cent mercury by weight and to button cells and batteries consisting of button cells which contain up to 2 per cent mercury by weight.

(2) The prohibition specified in clause 27 (1) 2) of the Waste Act does not apply to batteries and accumulators which have been rigidly connected to the equipment if it is difficult to remove them after disposal of equipment and they contain the following in addition to the provisions of subsection (1) of this section:

- 1) up to 0.025 per cent cadmium by weight;
- 2) up to 0.4 per cent lead by weight.

(3) The prohibition specified in clause 27 (1) 2) of the Waste Act does not apply to batteries and accumulators which have been rigidly connected to the equipment, provided that the equipment is supplied with instructions which inform the users of the composition of environmentally hazardous accumulators and batteries and regulate the safe removal thereof from the equipment.

(4) The equipment specified in subsection (3) of this section is the following:

- 1) appliances whose batteries or accumulators are soldered, welded or in some other way permanently attached to terminals to ensure continuity of power supply in demanding industrial usage, to preserve the memory of information technology and business equipment and guaranteeing data functions, where use of the batteries and accumulators specified in this clause is technically necessary;

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2) reference cells of scientific and professional equipment, medical devices ensuring life functions and pacemakers, where uninterrupted functioning is essential and the batteries and accumulators can be removed only by qualified personnel;

3) portable appliances, where batteries or accumulators shall not be replaced by an unqualified person since it may present safety hazards to the users or could affect the operation of the appliance, and professional equipment intended for use in highly sensitive surroundings (e.g. in the presence of volatile substances).

(5) The prohibition specified in clause 27 (1) 2) of the Waste Act does not apply to portable batteries and accumulators, including batteries and accumulators installed into equipment that contain up to 0.002 per cent cadmium by weight.

(21.06.07 entered into force 26.09.08 - RT I 2007, 42, 310)

(6) The prohibition specified in clause 27 (1) 2) of the Waste Act does not apply to portable batteries and accumulators containing more than 0.002 per cent cadmium by weight intended for use in the following:

- 1) emergency alarm systems, including emergency lighting equipment;
- 2) medical devices;
- 3) cordless power tools.

(21.06.07 entered into force 26.09.08 - RT I 2007, 42, 310)

§ 4. Terms for the application of prohibition on use of equipment containing PCBs

(1) The holders of equipment containing PCBs, which is in good working order, shall discard or decontaminate the equipment and remove the PCBs contained therein as soon as possible but not later than by 31 December 2010.

(2) Decontamination means an operation which enables equipment, objects, materials or fluids contaminated by PCBs to be reused, recycled or disposed of, including replacement in which PCBs are replaced by suitable fluids not containing PCBs.

(3) For the purposes of this Regulation, PCBs means polychlorinated biphenyls, polychlorinated terphenyls, monomethyl-tetrachlorodiphenyl methane, monomethyl-dichloro-diphenyl methane, monomethyl-dibromo-diphenyl methane and any mixture containing any of the abovementioned substances in a total of more than 0.005 per cent by weight.

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§ 5. Restrictions established for motor vehicles and their parts

(1) It is prohibited to place on the market motor vehicles or their parts containing the following:

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

- 1) more than 0.1 per cent mercury or its compounds by weight;
- 2) more than 0.01 per cent cadmium or its compounds by weight;
- 3) more than 0.1 per cent lead or its compounds by weight;
- 4) more than 0.1 per cent hexavalent chromium compounds by weight.

(2) Subsection (1) of this section applies to the motor vehicles and their parts specified in clause 25 (3) 3) of the Waste Act which belong to categories M₁ and N₁ established pursuant to addition B of Annex 1 to Regulation No. 50 of the Minister of Transport and Communications of 18 May 2001 “Requirements for the technical condition and equipment of motor vehicles and their trailers”.

(3) The prohibition specified in subsection (1) of this section does not apply to the following materials and parts of motor vehicles:

- 1) steel for machining purposes and galvanised steel containing up to 0.35 per cent lead as an alloying element by weight;
- 2) aluminium for machining purposes containing up to 1.5 per cent lead as an alloying element by weight;
- 3) aluminium for machining purposes containing up to 0.4 per cent lead as an alloying element by weight;
- 4) copper alloy containing up to 4 per cent lead as an alloying element by weight;
- 5) bearing shells and bushes, where lead is an alloying element;

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- 6) lead-acid accumulators;
- 7) vibration dampers containing lead;
- 8) bonding agents for elastomers in powertrain applications containing up to 0.5 per cent lead by weight;
- 9) solder containing lead and lead compounds in electronic circuit boards and other applications;

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- 10) copper in friction materials of brake linings containing more than 0.4 per cent lead by weight;
 - 11) valve seats containing lead;
 - 12) electrical components which contain lead in a glass or ceramic matrix compound except glass in bulbs and glaze of spark plugs;
 - 13) pyrotechnic initiators containing lead or lead compounds from vehicles or engines type-approved before 1 July 2006 or intended for servicing of the abovementioned vehicles;
 - 14) corrosion preventive coatings containing hexavalent chromium compounds;
 - 15) corrosion preventive coatings containing hexavalent chromium compounds related to bolt and nut assemblies for chassis applications;
 - 16) absorption refrigerators containing hexavalent chromium compounds used for motorcaravans;
 - 17) discharge lamps and instrument panel displays containing mercury;
 - 18) nickel-cadmium batteries for electrical vehicles;
 - 19) optical components containing cadmium in glass matrixes used for Driver Assistance Systems.
- (4) The prohibition specified in subsection (1) of this section does not apply to the spare parts of motor vehicles placed on the market before 1 July 2003 used for the maintenance of motor vehicles which have been placed on the market before 1 July 2003.

§ 6. Terms of validity of restrictions established on motor vehicles and their parts

The prohibition specified in subsection 5 (1) applies to the materials and parts of motor vehicles listed in subsection 3 as follows:

- 1) to the material specified in clauses 5 (3) 2) and 15) as of 1 July 2008;
- 2) to the material specified in clause 5 (3) 10) as of 1 July 2007;
- 3) after 31 December 2008, nickel-cadmium batteries may be placed on the market only as replacement parts for vehicles put on the market before this date;
- 4) to the parts specified in clauses 5 (3) 11), 14) and 19) as of 1 July 2007.

§ 7. Restrictions established for electrical and electronic equipment and their parts

- (1) It is prohibited to place on the market electrical and electronic equipment or their parts containing the following:

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- 1) more than 0.1 per cent mercury or its compounds by weight;
 - 2) more than 0.01 per cent cadmium or its compounds by weight;
 - 3) more than 0.1 per cent lead or its compounds by weight;
 - 4) more than 0.1 per cent hexavalent chromium compounds by weight;
 - 5) more than 0.1 per cent poly-brominated biphenyls (PBB) by weight;
 - 6) more than 0.1 per cent poly-brominated diphenyl ethers (PBDE) by weight.
- (2) The prohibition specified in subsection (1) of this section applies to electrical and electronic equipment which belong to categories 1, 2, 3, 4, 5, 6, 7 and 10 specified in Annex 1 to the Regulation No. 376 of the Government of the Republic of 24 December 2004 "Requirements and Procedure for Marking Electrical and Electronic Equipment, and Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets" and to electric bulbs and household luminaries.
- (3) The prohibition specified in subsection (1) of this section does not apply to the following materials and parts of the following electrical and electronic equipment containing lead, mercury, cadmium and their compounds, hexavalent chromium compounds, poly-brominated biphenyls (PBB) and poly-brominated diphenyl ethers (PBDE):
- 1) compact fluorescent lamps containing up to 5 mg mercury per lamp;
 - 2) mercury-containing straight fluorescent lamps, containing less than 10 mg of halophosphate, less than 5 mg of triphosphate with normal lifetime, less than 8 mg of triphosphate with long lifetime;
 - 3) straight fluorescent lamps for special purposes containing mercury;
 - 4) other lamps containing mercury not specifically mentioned in this subsection;
 - 5) glass of cathode ray tubes, electronic components and fluorescent tubes containing lead;
 - 6) steel containing up to 0.35 per cent lead as an alloying element by weight, aluminium containing up to 0.4 per cent lead by weight and copper alloy containing up to 4 per cent lead by weight;
 - 7) high melting temperature type solders containing lead (i.e. tin-lead solder alloys containing more than 85 per cent of lead);
 - 8) solders for servers, storage and storage array systems containing lead;

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- 9) solders for network infrastructure equipment for switching, signalling, transmission as well as network management for telecommunication containing lead;
- 10) electrical contacts containing cadmium and its compounds and surface coatings containing cadmium except for applications banned by a regulation of the Minister of Social Affairs pursuant to clause 11 (1) 3) of the Chemicals Act;
- 11) carbon steel cooling system in absorption refrigerators containing hexavalent chromium as anti-corrosion;
- 12) materials and equipment containing decaBDE polymers;
- 13) bearing shells and bushes containing lead;
- 14) electronic ceramic parts (e.g. piezoelectric devices) containing lead;
- 15) pin connector systems containing lead;
- 16) coating material for the thermal conduction module c-ring containing lead;
- 17) optical and filter glass containing lead and cadmium;
- 18) lead-containing solders consisting of more than two elements with a lead content of more than 80 % and less than 85 % by weight and used for the connection between the pins and the package of microprocessors;

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- 19) lead-containing solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit Flip Chip packages;
- 20) linear incandescent lamps with silicate coated tubes containing lead;
- 21) lead halide as radiant agent in High Intensity Discharge (HID) lamps used for technical reprography applications;

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- 22) sun tanning lamps containing 1 per cent or less lead by weight as activator in the fluorescent powder of discharge lamps and containing phosphors such as BSP ($\text{BaSi}_2\text{O}_5:\text{Pb}$) as well as speciality lamps containing 1 per cent or less lead by weight as activator in the fluorescent powder for diazo-printing, reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ($(\text{Sr},\text{Ba})_2\text{MgSi}_2\text{O}_7:\text{Pb}$);
- 23) specific compositions containing lead with PbBiSn-Hg and PbInSn-Hg as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact Energy Saving Lamps (ESL);

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- 24) glass containing lead oxide used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCD);
(21.06.2007 entered into force 01.07.2007 - RT I 2007, 42, 310)
- 25) crystal glass containing lead, the categories of which are specified in Annex 1 to Regulation No. 79 of the Minister of Economic Affairs and Communications of 15 April 2004 “Requirements for labelling of crystal glass products and methods for determination of the properties of crystal glass products”;
(21.06.2007 entered into force 01.07.2007 - RT I 2007, 42, 310)
- 26) printing inks containing lead and cadmium for the application of enamels on borosilicate glass;
(21.06.2007 entered into force 01.07.2007 - RT I 2007, 42, 310)
- 27) rare earth iron garnet (RIG) Faraday rotators used for fibre optic communications systems containing lead as impurity;
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- 28) fine pitch components containing lead in finishes other than connectors with a pitch of 0.65 mm or less with NiFe lead frames and fine pitch components containing lead in finishes other than connectors with a pitch of 0.65 mm or less with copper lead frames;
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- 29) lead-containing solders for the soldering to machined through hole (PTH) discoidal and planar array ceramic multilayer capacitors;
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- 30) structural elements containing lead oxide used in plasma display panels (PDP) and surface conduction electron emitter displays (SED); notably in the front and rear glass dielectric layer, the bus electrode, the black stripe, the address electrode, the barrier ribs, the seal frit and frit ring as well as in print pastes;
(21.06.2007 entered into force 01.07.07 - RT I 2007, 42, 310)
- 31) glass envelopes of Black Light Blue (BLB) lamps containing lead oxide;
(21.06.2007 entered into force 01.07.2007 - RT I 2007, 42, 310)
- 32) solder containing lead alloys for transducers used in high-powered (designated to operate for several hours at acoustic power levels of 125 dB SPL and above) loudspeakers;
(21.06.2007 entered into force 01.07.2007 - RT I 2007, 42, 310)

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(4) The prohibition specified in subsection (1) of this section does not apply to the parts intended for the repair of electrical and electronic equipment placed on the market before 1 July 2006 and to reuse of electrical and electronic equipment.

§ 8. (Repealed - 21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

§ 9. Application of regulation

(1) As regards equipment containing PCB which has been put into service before 1 May 2004 and which comply with the technical regulations and standards therefor during the lifetime of the equipment, which are in good working order, do not leak nor emit dangerous chemicals contained therein into the environment in any other way, this Regulation shall apply from 31 December 2010.

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

(2) (Repealed - 21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

(3) (Repealed - 21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

(4) The subsections 3 (2), (3) and (4) apply until 25 September 2008.

(21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

§ 10. [Omitted from this text]

§ 11. [Omitted from this text]

¹ Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances (OJ L 78, 26.03.91, p. 38-41);

Council Directive 1996/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) (OJ L 243, 24.09.1996, p. 31-35);

Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 269, 21.10.00, p. 34-43);

Directive 2002/95/EC of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 37, 13.02.2003, p 19–23);

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Commission Directive 98/101/EC of adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances (OJ L 001, 5.01.1999, p 1–2);

Council Decision 2005/438/EC amending Annex II of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 152, 15.06.2005, p 19);

Council Decision 2005/673/EC amending Annex II of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 254, 30.09.2005, p. 69-72);

Commission Decision 2005/618/EC amending Directive 2002/95/EC of the European Parliament and of the Council for the purpose of establishing the maximum concentration values for certain hazardous substances in electrical and electronic equipment (OJ L214, 19.08.2005, p 65);

Commission Decision 2005/717/EC amending for the purposes of adapting to technical progress the Annex to Directive 2002/95/EC of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 271, 15.10.2005, p 48–50);

Commission Decision 2005/747/EC amending for the purposes of adapting to technical progress the Annex to Directive 2002/95/EC of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 280, 25.10.2005, p 18–19);

Commission Decision 2006/310/EC amending, for the purposes of adapting to the technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of lead (OJ L 115, 28.04.2006, p. 38-39);;

Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 26.9.2006, p. 1-14);

Commission Decision 2006/690/EC amending, for the purposes of adapting to technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of lead in crystal glass (OJ L 283, 14.10.2006, p. 47);

Commission Decision 2006/691/EC amending, for the purposes of adapting to technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of lead and cadmium (OJ L 283, 14.10.2006, p. 48–49);

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Commission Decision 2006/692/EC amending, for the purposes of adapting to technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of hexavalent chromium (OJ L 283, 14.10.2006, p. 50–51). (21.06.07 entered into force 01.07.07 - RT I 2007, 42, 310)

² RT = *Riigi Teataja* = *State Gazette*