

Exemption Of Flame Retardant Deca-BDE, Annulled By European Court Of Justice

On April 1, 2008, the European Court of Justice (ECJ) annulled the decabromodiphenyl ether (Deca-BDE) exemption to the EU Restriction of Hazardous Substances (RoHS) directive dated October 13, 2005 (2005/717/EC), stating that the European Commission used an incorrect criterion—an EU risk assessment—as the basis for the exemption. The exemption has allowed for the continued use of the Deca-BDE flame retardant in electrical and electronic products. Deca-BDE is commonly used to protect the plastic components of electronic devices from the risk of fire. It is used in the formulations for the housings of televisions and appliances and in wire and cable applications. The ECJ has allowed a 3-month transition period for the phase-out of Deca-BDE. According to the ECJ and the European Commission, electrical and electronic products placed on the market as of July 1, 2008 may not contain Deca-BDE.