

EGMF position paper

EGMF comments

on the inclusion of lead metal in REACH Annex XIV

29 April 2022

EGMF is the European federation representing major **garden, landscaping, forestry and turf equipment manufacturers**. Through its 30 European corporate members and 7 National Associations, EGMF represents about 18 million units placed on the European market every year, accounting for around 80% of garden machinery, and EGMF members employ over 120,000 people in the EU.

EGMF would like to comment on the draft recommendation for inclusion of lead metal in Annex XIV. Thus, EGMF aims to contribute to shaping an EU legislative framework that protects the environment and health of European citizens without entailing excessive regulatory burdens for the European industry. Therefore, EGMF would like to raise concerns regarding the potential REACH Authorisation Listing of Pb metal.

1. Lead in alloys is essential for the reliability and durability of garden and outdoor power equipment

Garden and outdoor power equipment mainly uses lead in metal alloys, notably aluminium, copper and steel alloys, which have several applications.

These metal alloys containing lead are used to manufacture various components assembled in a wide variety of equipment such as lawnmowers, brush cutters, lawn trimmers, scarifiers and hedge trimmers. Metal alloys containing lead are generally used to manufacture turned parts, broached parts, forged and machined brass parts as well as casted aluminium parts.

The addition of lead in metal alloys offers significant benefits for equipment manufacturers: higher lubricity, lower reactivity and higher machinability of metal parts. It is necessary to ensure a smooth manufacturing process of certain components, notably broached parts. The absence of lead significantly increases production costs for manufacturers and ultimately end-users.

For example, the use of a lead-free alloy increases the need for service for manufacturing tools and broaches in particular. Manufacturing tools need to be replaced more often since the broach degradation implies higher amounts of rejection of the produced components. In addition, lead eases the production of chips during the machining surface. On the contrary, the use of lead-free steels results in chip breaking, thus causing frequent production stops, tool degradation and finally rejection of the manufactured components.



The use of lead in metal alloys is therefore necessary to ensure the required high level of quality, durability and safety of garden, landscaping, forestry and turf equipment. Our equipment is designed for both consumer and professional use: affordability, long-term reliability and durability are therefore essential.

Furthermore, lead-free metal alloys are difficult to source. For example, aluminium casting alloys are mainly manufactured via secondary metallurgical processes by using scrap metal. The lead is not added on purpose, but enters as a contamination in these recycled materials. Although purification might be envisaged, this will result in substantial additional costs without significant benefits for the environment or health, and would be against the European Commission objectives for a Circular Economy.

2. Lead is already heavily regulated in the EU legislative framework

The use of lead is already heavily regulated by multiple pieces of EU legislation, such as the RoHS Directive and restrictions under REACH Regulation. They encourage substitution and already foresees risk management measures.

Indeed, lead is one of the substances restricted in electrical and electronic equipment (EEE): the RoHS Directive restricts the use of lead in EEE above the maximum concentration value (0.1%) by weight in homogeneous materials. A large share of garden and outdoor power equipment currently falls under the scope of the RoHS Directive. Due to its scope extension, a substantial amount of combustion engine powered equipment must also comply with the RoHS 2 Directive since 22 July 2019.

Furthermore, worker exposure is also regulated through the current occupational safety and health legislation, notably the Chemicals Agents Directive. It sets exposure limits and protective measures for the use of lead in the workplace. This provides binding and enforceable requirements for the control of risks from industrial use of lead and lead compounds.

Sufficient specific Community legislation imposing minimum requirements relating to the protection of human health and the environment that ensures proper control of the risks is therefore already in place.

Moreover, an ECHA's Enforcement Forum's project¹ showed that illegal levels of heavy metals, including lead, are still being found in consumers products, such as jewellery. It concluded that national enforcement authorities *"should target the kinds of products for which regulatory action can bring the most benefit to health and the most protection to the environment."*

An effective enforcement of the legislation is likely to be more efficient than unjustified risk management measures. Additional regulatory requirements will result in unnecessary administrative and regulatory burdens without significant benefits for EU citizens and the environment in light of the existing framework.

¹ [ECHA newsletter – Issue 1, February 2018: Improving compliance with restrictions](#)



3. Garden and outdoor power equipment manufacturers miss alternatives

The European garden machinery and outdoor power industry is very innovative: it spends on average over 5% of its turnover on R&D, three times more than the EU average.

Our industry has been proactively working on a substitution strategy for lead. Companies are already using available alternatives to the greatest extent. However, lead is an essential and irreplaceable substance for numerous specific applications in the manufacturing of garden and outdoor power equipment, including lead-based batteries, with no substitute readily available.

This is acknowledged under the RoHS Directive: exemptions for specific applications have been granted when duly justified by industry and are subject to regular review. In addition, the use of lead in metal remains indispensable for maintaining existing equipment in safe operational conditions and ensuring appropriate maintenance throughout its use phase.

No standardised lead-free alternative material is currently available. For example, an unleaded brass alloy exists but it contains arsenic above the declaration limit of 0,05%. Therefore, sufficient time is needed to develop appropriate alternatives based on material technology knowledge and to adapt manufacturing processes.

4. The consistency of the EU legislative framework must be ensured

EGMF would like to highlight the need for a consistent regulatory framework: the REACH Regulation should not jeopardise the exemptions granted under the RoHS Directive.

Therefore, EGMF reiterates the existence of the [Common Understanding Paper on the Interface between REACH and RoHS](#) and the necessity to apply its main principles. Should lead be included in the Authorisation List, EGMF calls decision makers to exclude exemptions granted under the RoHS Directive from the authorisation process according to Article 58.2 REACH.

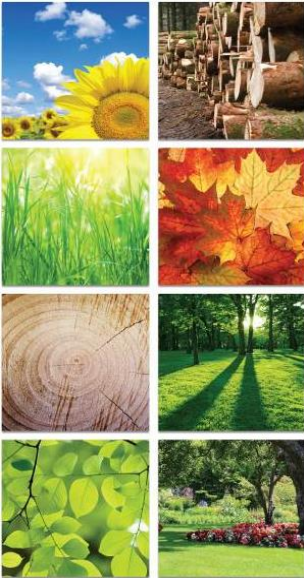
5. The competitiveness of the EU industry must be properly considered: ensuring a level playing field with non-EU competitors on the EU market!

EGMF strongly believes that setting REACH authorisation requirements for the use of lead in metal alloys and lead-based batteries is neither a justified, nor a proportionate regulatory action.

Indeed, REACH authorisation requirements do not apply to imported products: the inclusion of lead in Annex XIV REACH would only affect the industry manufacturing in Europe. This would significantly undermine the competitiveness of the European industry without delivering any additional benefit for the environment and the control of risk to human health. This conflicts with the EU industrial policy that aims to revitalise the European industry.



For further information, please contact: EGMF Secretariat, secretariat@egmf.org



The European Garden Machinery Industry Federation – EGMF – has been the voice of the entire garden machinery industry in Europe since 1977. With 30 European corporate members and 7 National Associations representing manufacturers of garden, landscaping, forestry and turf maintenance equipment, we are the most powerful network in this sector in Europe.

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