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## Vendor admits to RoHS misconduct

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The electronics industry has seen its first prosecution for noncompliance with the RoHS directive.

At the end of September, a U.K. company whose name was not disclosed was accused of marketing lead-containing products that violated the RoHS restrictions on lead, said Chris Smith, head of the RoHS team at the U.K.'s National Weights and Measures Laboratory, which is in charge of [compliance](#) testing.

The company admitted guilt and the matter was settled without financial penalty, according to Smith. A documented warning, which can support legal action if the company has further violations, has been filed with the enforcement authorities.

"Effectively, it was an out-of-court settlement, but under U.K. judicial rules it still counts as a case brought to justice," Smith said.

The national lab wouldn't provide further details, because the level of failure wasn't serious enough to warrant public disclosure, he added.

Earlier this year, Denmark nearly had a RoHS prosecution when officials were tipped off by an investigative TV news report on noncompliant disposable cameras. Denmark's Environmental Protection Agency ran its own tests and found some noncompliant units. The importer removed them from the Danish market, and authorities considered the matter resolved, said Torben Norlem, head of RoHS enforcement at Denmark's EPA.

Smith of the British lab said his agency is finding that most electronics products it tests violate the directive's substance restrictions, "but the degrees of failure are small or questionable."

Recurring failures involve lead sneaking into solder that's supposed to be RoHS-compliant. The [contamination](#) usually results from a company's running both RoHS and non-RoHS lines. Smith has also found hexavalent chromium on screws, and liquid mercury was found inside a device.

No high-profile RoHS cases have occurred, Smith said, because companies have been cooperative in addressing problems, often with the highest-level executives getting involved.

"Our policy from the beginning has been to work with cooperative companies to meet RoHS objectives rather than get . . . heavy-handed," he said.

The British lab has some compliance advice. The first is to watch outsourcing, because that's where a company tends to lose control of the production process. Second, companies running RoHS and non-RoHS lines should focus attention on preventing cross-contamination.

Another important point is to ensure that personnel are trained to read compliance documents provided by

suppliers and third parties.

"We've had several cases where the compliance information demonstrated noncompliance, but the staff was not capable of reading certificates they were presented with," Smith said.

Meanwhile, enforcement is stepping up. The British lab has bought off-the-shelf products--some on the Internet--for testing, Smith said.

And Scandinavian countries are testing products after a massive sweep across Denmark, Sweden and Finland. Officials selected a range of consumer items from 25 categories and are examining them for RoHS violations, Norlem said. Results are expected by December.

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