



SESEC Webinar on China RoHS 2.0

Q&A

Introduction

China RoHS 2.0, officially known as the Administrative Measures for the Restriction of the Use of Hazardous Substances in Electrical and Electronic Products is a Chinese government regulation to control certain hazardous substances contained in EEPs (Electrical and Electronic Products). Jointly released by 8 Chinese ministries on 21 January 2016, this regulation was a revised version of China RoHS 1.0, and formally came into force on 1 July, 2016.

SESEC organised an informative webinar on China RoHS 2.0 on 3 November 2016. More than 90 participants from European industries attended the webinar, and about 60 questions were asked after the presentation on site.

Below are the answers of these questions by SESEC.

1.Q: EU RoHS the CE marking can only be placed on packaging (and not on the product) in exceptional cases (device too small, or the shape does not allow to accommodate the CE mark). Is in China different? Marking of only the packaging is allowed?

A: Yes, it is the same. Marking can be placed on the product, or provided in the product instructions, i.e. in a paper manual, or packaging material; in addition to the abovementioned methods, the China Rohs DoC for products that can only be purchased for manufacturing can also be provided on the company website. In this case, the product instructions shall include clarification of the related steps for looking up the related marking information on the website.

2.Q: Could you please clarify, if products, which contain hazardous substance above the threshold value and are/will be listed in the catalogue, can be sold in the future or have to fulfill the values (only green label allowed)?

A: Theoretically, products, which contain hazardous substance above the threshold value and are/will be listed in the catalogue, can not be sold in the future, and have to fulfil the values (only green label allowed). It is the intention of the government to reduce the hazardous substance in the listed catalogue products.

However, according to MIIT, exemptions may be issued for products captured by the catalogue. Therefore, if products, which contain hazardous substance above the threshold value and are/will be listed in the catalogue are not exempted, they cannot be sold. If the products are exempted, they still can be sold, but how to mark these products is still under discussion.

3.Q: question: declaration is only required for products exceeding the MCV?



A: yes. Green Label do not need to DoC.

4.Q: Do you think also that Rail Vehicles / Rail Systems out of scope in accordance to FAQ Q14 from EuropElectro "Electrical transportation machines and tools are not EEP"?

A: Rail vehicles/Rail systems are out of scope. (See MIIT FAQ 14, and confirmed again with CESI and MIIT on 8th Nov 2016 by phone)

5.Q: Do you cooperate with CESI (Chinese electronics standardization insitute) and here especially with the research center for pollution prevention technology & new materials

A: Yes. We remain good relation and cooperation with CESI. For the research center for pollution prevention technology & new materials, we are also have very good contacts.

6.Q: is testing in line with IEC 62123?

A: **Yes. GB/T 26125--2011** *Electrotechnical products – Determination of levels of six regulated substances (lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls, polybrominated diphenyl ethers)* is IDT adoption and is in line with IEC 62321: 2008

7.Q: what about marking components

A: You do not need to mark the components. only the ending product need the mark or label. However, components need to make DoC if they are directly on the market, and you have to prepare DoC for you customer if you sell directly to them.

8.Q: You mentioned that electronics in cars are expected to be excluded. Would that extend to rolling stock (trains)

A: yes, rolling stock products and electronics in rolling stock are excluded. (See MIIT FAQ 14, and confirmed again with CESI and MIIT on 8th Nov 2016 by phone)

9.Q: when do you expect catalog

A: So far there is no news on that. (things in China are still sometimes unpredictable ☺)

10.Q: for machines like drives and valves

A: If they are included in a product under China Rohs regulation, they need to make DoC. If they are components only and they are sold in the market, they do not need to make China Rohs.

machines like drives and valves with electrical or more other functions, you have to check the definition of EEPs: DC < 1500 volts and AC < 1000 volts.

11.Q: Sorry I didn't quite understand, in the future, will the DOC have to be done but a third party and not self declaration?

A: In the future, if the products are not in the "catalogue", they still need only DoC and marking and labelling, no need third party testing or certification. If they are in the Catalogue, "other unknown conformity assessment model may apply", but more likely "third party".

12.Q: Which third party body is supposed to carry out conformity assessment, when applicable?

A: I guess CESI labs and some labs under AQSIQ ☺. Not sure when ☹.

13.Q: Dear Betty, it is allowed to label although a product is not in scope? (I think it is although)

A: yes, it is Ok and it is voluntary.

14 Q: if all components in a product are below MCV, can you confirm that Declaration Of Conformity is not required?

A: First, for the components in a product that are below MCV, Declaration of Conformity is not required for these components.

For the whole product with all the components you mentioned above, I am not a products expert and do not know what happens during the manufacturing. Some other processes, like heating, glue adding, or chemical changes may happen during manufacturing process and make the final products hazardous substance high than the MCV (even if all the components are below MCV). That is why I can not confirm the above declaration.

You have to make the judgement according to your products, your producing processes and your technologies.

15. Q: currently, products not covered by RoHS I, but covered by RoHS II need no marking/declaration. What about these products after publication of the catalogue, if not covered in the catalogue?

A: In this case, it will be as same as current situation.

16.Q: Are there some guidelines existing, how to group parts/assemblies within a finished product on its label?

A: I am not quite sure your question. But as far as I know, there is no such guidelines.

17. Q: What if an auxiliary component of an electrical product has no electrical feature ? Is it also covered ? Example : Filter in vacuum cleaner

A: If **component of an electrical product has no electrical feature** will be sold as parts of an electrical products, then they are covered by the regulation. If to be sold separately, then not covered.

18.Q: Do you have any information about "repair as build"?

A: First, it is not quite clear what is "repair as build". So we just assume it is attachments/fittings of EEPs for the after-sale services.

Because attachments/fittings of EEPs are typically used for repairing or upgrading products of same types, in order to avoid repeated marking, such attachments/fittings of EEPs for the after-sale services do not need to be marked.

19.Q: How likely is it that the EU exemptions will be overtaken by china Rohs?

A: So far there is no news on exemptions yet. My personal analysis is that **EU exemptions** will not be identically overtaken by China at all.

20.Q: Must the pollution control label be coloured

A: Not necessarily. However, do not make the "orange color" as "green".

21.Q: Regarding label question: It is probably grouping in the table

22.Q: My question was targetin, how to determine, how to group on the table, not the sign of EPUP.

A: I am not quite sure about you question ☹ , send you the email already.

23 Q: Is it planned that customs will check conformity (label, availability of declaration...) in the future ? If yes, when ?

A: The Customs should have started to check conformity since 1 July 2016. However, I heard that as many organizations need to properly understand "China Rohs II", it is a bit slowly in the Customs at this moment. I guess it will take several months.

However, I still recommend you do not take the risk of not comply. (as it is Nov 2016 already).

24 Q: EU-RoHS II has technical exemptions (e.g. lead in metal alloys) - If the future catalog will list a product and this product requires a technical application having substances above MCV - How to proceed??

A: exemptions may be issued later.

Or if there is no exemption like you mentioned in the future, it could be that such products are not allowed to sold in China

25 Q: Please could you confirm - Are we able to self-declare conformity, or is third-party approval mandatory for all categories?

A: Before the release of the catalogue, self-declaration is ok for all categories. However, after a catalogue is issued, products captured will be subject to conformity assessment model which is not known yet.

26.Q: how to determine the EFUP for a product made of several items with different EFUP values - is it the lowest value found among the items?

A: So far there is no confirmed way to determine EPUP values. For products covered by China Rohs I, a Chinese standard is available *SJ/Z 11388-2009 General guidelines of environment-friendly use period of electronic information products.*

Newly covered products, no standards yet.

27.Q: What are EEP for distribution in buildings? Also the wiring devices?

A: Again, it depends on if they are for the power distribution or not. If they are, no China Rohs II relevant, otherwise, do the China Rohs II.

This is also the grey area and the area that China Electrical Equipment Industry Association (CEEIA) is arguing with MIIT.

28.Q: In the context of the China RoHS II I heard something of a mandatory CCC certification needed for products listed in the catalogue. Is that right? or is it only a self certification process

A: A catalogue will be released later, and products captured by the catalogue will be subject to conformity assessment model which not known yet.

29.Q: Is there a definition on what "homogenous material" technically means for China RoHS2?

A: Yes, it is defined in **GB/T 26572-2011: Requirements of concentration limits for certain restricted substances in electrical and electronic products (previously SJ/T 11363-2006)**, Clause 3.3.

If I am not wrong IEC 62321 did not define “homogenous material”, and in EU official documents, it is not officially defined. but GB/T 26572-2011 defined “homogenous material” in Chinese language as follows (Translate from Chinese)

homogenous material : Materials with evenly distributed one or multiple components

I called CESI and the drafter of GB/T 26572-2011, and they said they tried to referred IEC or any other official definitions, but could not find it. Therefore, they made their own definition.

30.Q: I think the question earlier about guidance on labelling for the declaration of conformity (DoC) was that in a complex product there are many assembly levels - components on a PCB, PCB within case with other parts, case on side of main product. Does the DoC need to list every part, down to the individual component (could be thousands of rows in table)?!

A: How to list the parts in the DoC table is up to the manufacturers’ own judgement, and the basic principle of listing is for consumers and market surveillance officer to easily locate and identify which parts of the product contain hazardous substances. How detailed the list would be will be decided by the manufacturers themselves.

However, vague words such as “other parts” are not allowed to be used to explain the parts that contain the hazardous substances. In the case of PCB, words like PCB 1,2... is ok to help identify the parts of a product with no further mentioning of individual components.

31.Q: if exceeding the limits is not allowed for what do we need the orange label then?

A: Orange label is the products exceeding the MCV that are not captured by the catalogue.

32.Q: My last question was about CCC certification demand within China RoHS II??

A: See Q 28. A catalogue will be released later, and products captured by the catalogue will be subject to conformity assessment model which not known yet.

33.Q: Can you elaborate a bit more on the testing requirements?

A: **GB/T 26125--2011** Electrotechnical products – Determination of levels of six regulated substances (lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls, polybrominated diphenyl ethers) is IDT adoption of IEC 62321:2008

34.Q: Must the "e" be green or can it have a different color?

A: can be different colour, not necessarily green. (Can be grey, better not be orange ☺)

35.Q: How likely is it that the EU exemptions will be overtaken by china Rohs? (Same as Q 19)

A: So far there is no news on exemptions yet. My personal analysis is that **EU exemptions** will not be identically overtaken by China at all. See Q 19

36.Q: Will there be a transformation phase, when catalogue will be published, so that manufacturers can adapt their products?

A: Yes, there will a transition period for the manufactures. (Confirmed again by MIIT on 9th Nov 2016)

37.Q: Is the colour of the pollution control symbol mandatory i.e. does the compliant have to be green and the year one orange

A: not necessarily. Green and orange are recommended colours.

38.Q: recently, we received a advice file from Chinal electro technical commission, according to their advice some kind of UPS do not have to comply China RoHS 2.,could we follow their advice?

A: Again, prove that UPS is for "power generation, transmission or distribution", otherwise, China RohS II applicable.

MIIT confirmed UPS for computers, networks or other electrical electronics utilities are covered China Rohs II. (I made a phone call to confirm that)

39.Q: Is it allowed to fix the green label after the importation in China before placing the product on the market?

A: Label will be checked for compliance at the customs. Therefore, you have to do the labelling and marking before the importing.

40.Q: Will the third party labs need Bill of Materials and datasheets of product or will they analyse the actual product with machines?

A: it is not quite sure yet. I guess it will be clear after the catalogue is published

41.Q: Which manufacturers will have to do conformity assessment? Only manufacturers of products mentioned in catalogue?

A: Products not covered in the catalogue need to do the DoC only. Manufacturers of products mentioned in catalogue might have to check the conformity assessment requirements after the catalogue is published.

42.Q: Does the China RoHS cover combustion machines?

A: No. No electric, no China Rohs.

43.Q: Some of our Chinese customers are asking if our products comply to China RoHS II, how do we formally respond to them when they ask us this, if the full details of China RoHS II are not fully published yet (ref. listed categories)?

A: there could be a long time before **listed categories** be published, and it means products higher than MCV are still allowed to enter Chinese market before that time. Therefore, at this moment you just make the self-DoC and tell your customers you comply to China RoHS II requirements.

44.Q: Do you have some information about a possibility of an installation of exemptions using hazardous substances similar ROHS2 EU Annex III and IV

A: See Q 19 See Q 35. So far there is no news on exemptions yet. My personal analysis is that **EU exemptions** will not be identically overtaken by China at all.

45.Q: could you please provide us some example about the products inside "EPP and Auxiliary products relevant to power generation, transmission and distribution"?

A: i.e. transformers that are used for power transmission and distribution, or the cables, switches, control panels and soon no in/ between the power distribution stations. All the equipment if only intended to be installed in a distribution box.

46.Q: Do spare parts which are offered by online shops need the EPUP label or DoC?

A: If they are intended to be sold in mainland China markets, then covered by the China RoHS regulation. Labelling and DoC are required.

47.Q: these new parts will be adopted as reference standards?

A: A: I am not quite sure about you question ☺ , send you the email already.

48.Q: How can industry participate in the development of catalogues / product batch requirements? E.g. technical knowledge is critical since some applications require RoHS substances over limits. Is lobbying the only way forward or are there technical committees we could join?

A: For a long time there has been a “China RoHS experts working group”, organized by CESI and MIIT. They are combined with government officers from MIIT, staff of CESI, experts from IT/ICT equipment industries, household appliance industries and electrical equipment industries and soon on. It is a good lobby platform for the China RoHS rules.

Some representatives from Foreign Invested Companies in China are already in that group.

49.Q: How likely it is that standards like EN50581/ IEC63000 are accepted for demonstrating compliance with China RoHS?

A: As far as I know this standard is not discussed in the “China RoHS II experts working group” at all. So I think it is not likely to be accepted by China RoHS in a short time.

Just called MIIT and CESI, and they confirmed there is no intention to adopt EN 50581. Even if they finally decided to adopt IEC 63000, it would take 1-2 years, then referenced in China RoHS needs more time.

50.Q: Are industrial consumers (B2B) also seen as end users? So sole B2B products are covered by China RoHS 2 requirements?

A: B2B also means “place on the market”. B2B products are also covered by China RoHS 2.

51.Q: What about spare parts? Must these be marked?

A: Spare parts for after-sales maintenance are not covered by China RoHS 2.0 to avoid double labeling.

52.Q: Are Batteries of Power-tools Component, and need not to be marked separately?

A: Batteries and accumulators of all models, except those especially used by the products not covered by the regulation, have to comply with the regulation. If the batteries are not removable, no need to be marked separately, but the DoC shall cover all parts of the product including the battery.

53.Q: EU-RoHS II has technical exemptions (e.g. lead in metal alloys, ceramics, glass, etc) - If the future catalog will list a product that requires such an exemption in order to work properly but the MCV is exceeded - How to proceed ??

A: see Q 35. So far there is no news on exemptions yet. My personal analysis is that **EU exemptions** will not be identically overtaken by China at all.

54.Q: EU RoHS2 have exemptions, like Brass is allowed to have 4% lead content for machining purposes. Will China RoHS 2 have exemptions or will the logo have to be orange

A: At this moment, there is no exemptions in China Rohs. So far there is no news on exemptions. Exemptions may be allowed, however how to label the products exempted is still under discussion.

55.Q: Is a declaration of conformity required when the product is green labeled?

A: See Q 3. Green Label do not need to DoC.

56.Q: are sensors or valves, which are installed with flanges or threads in large industrial equipment (e.g. vessels, pipes) and perform their function only after installation be considered as components or finished products?

A: Large industrial equipment covered by China Rohs II.

If the products are sold individually to mainland China, then they are finished products. Products are sold together with large industrial equipment, they are considered components.

57.Q: Please - for my understanding: components like fans / ventilators which can be put on the market (separately) not just as part of machines - they do not need labelling - yes/no?

A: First no electric, no China Rohs. Components like fans / ventilators are not electric relevant, and are put on the market (separately), no China rohs

Second, (with electric power), put on the market (separately) means "place on the market", China Rohs II applicable.

Introduction of SESEC Project



The Seconded European Standardization Expert in China (SESEC) is a visibility project co-financed by the European Commission (EC), the European Free Trade Association (EFTA) secretariat and the three European Standardization Organizations (CEN, CENELEC and ETSI).

Since 2006, there has been two SESEC projects in China, SESEC I (2006-2009) and SESEC II (2009-2012). In Dec 2014, SESEC III was officially launched in Beijing, China. Dr. Betty XU was nominated as the SESEC expert and will spend the next 36 months on promoting EU-China standardization information exchange and EU-China standardization cooperation.

The SESEC project supports the strategic objectives of the European Union, EFTA and the European Standardization Organizations (ESOs). The purpose of SESEC project is to

- Promote European and international standards in China;
- Improve contacts with different levels of the Chinese administration, industry and standardization bodies;
- Improve the visibility and understanding of the European Standardization System (ESS) in China;
- Gather regulatory and standardization intelligence.

The following areas have been identified as sectoral project priorities by the SESEC project partners:

- Internet of Things (IoT) & Machine-to-Machine (M2M) communication,
- Communication networks & services,
- Cybersecurity & digital identity,
- Smart Cities (including transport, power grids & metering),
- Electrical & electronic products,
- General product safety, medical devices,
- Cosmetics,
- Energy management & environmental protection (including eco-design & labelling, as well as environmental performance of buildings).

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A project co-funded by CEN, CENELEC, ETSI, EC and EFTA

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