

COMMISSION DELEGATED DIRECTIVE (EU) 2020/362**of 17 December 2019****amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles as regards the exemption for hexavalent chromium as anti-corrosion agent of the carbon steel cooling system in absorption refrigerators in motor caravans****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles ⁽¹⁾, and in particular Article 4(2)(b) thereof,

Whereas:

- (1) Pursuant to Article 4(2)(a) of Directive 2000/53/EC, Member States are to prohibit the use of lead, mercury, cadmium and hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003.
- (2) Annex II to Directive 2000/53/EC lists vehicle materials and components exempt from the prohibition pursuant to Article 4(2)(a) thereof. Exemption 14 regarding the use of hexavalent chromium needs to be amended to align for coherence the wording of that exemption with similar exemptions for the use of hexavalent chromium provided for in Directive 2011/65/EU of the European Parliament and of the Council ⁽²⁾ and Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽³⁾.
- (3) The assessment of exemption 14 in view of technical and scientific progress led to the conclusion that although suitable alternative substances to hexavalent chromium have become available, they cannot yet be used in products. It is expected that suitable alternatives to the use of hexavalent chromium may become available in the future. It is hence appropriate to split the current exemption in three sub-entries and set an expiry date for two of the sub-entries to the exemption.
- (4) Directive 2000/53/EC should therefore be amended accordingly.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 2000/53/EC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish by 5 April 2020 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

⁽¹⁾ OJ L 269, 21.10.2000, p. 34.

⁽²⁾ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88).

⁽³⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law, which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 17 December 2019.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Annex II to Directive 2000/53/EC, entry 14 is replaced by the following:

'14. Hexavalent chromium as an anti-corrosion agent of the carbon steel cooling system in absorption refrigerators up to 0,75 % by weight in the cooling solution: (i) designed to operate fully or partly with electrical heater, having an average utilised electrical power input < 75W at constant running conditions; (ii) designed to operate fully or partly with electrical heater, having an average utilised electrical power input ≥ 75W at constant running conditions; (iii) designed to fully operate with non-electrical heater.	Vehicles type approved before 1 January 2020 and spare parts for these vehicles Vehicles type approved before 1 January 2026 and spare parts for these vehicles	X'
--	--	----