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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	25 October 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2023) 7088 final - Annex
Subject:	ANNEX to the Commission Delegated Directive amending Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium and lead in plastic profiles in electrical and electronic windows and doors containing recovered rigid polyvinyl chloride

Delegations will find attached document C(2023) 7088 final - Annex.

Encl.: C(2023) 7088 final - Annex



EUROPEAN
COMMISSION

Brussels, 25.10.2023

C(2023) 7088 final

ANNEX

ANNEX

to the

Commission Delegated Directive

amending Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium and lead in plastic profiles in electrical and electronic windows and doors containing recovered rigid polyvinyl chloride

ANNEX

In Annex III to Directive 2011/65/EU, the following entry 46 is added:

‘46	<p>Cadmium and lead in plastic profiles containing mixtures produced from polyvinyl chloride waste (hereinafter referred to as ‘recovered rigid PVC’), used for electrical and electronic windows and doors, where the concentration in the recovered rigid PVC material does not exceed 0,1 % cadmium by weight and 1,5 % lead by weight.</p> <p>From 28 May 2026, rigid PVC recovered from electrical and electronic windows and doors shall only be used for the production of new articles under the categories specified in entry 63, points 18 (a) to (d) of Annex XVII to Regulation (EC) No 1907/2006.</p> <p>Suppliers of PVC articles containing recovered rigid PVC with a concentration of lead equal to or greater than 0,1 % by weight of the PVC material shall ensure, before placing those articles on the market, that they are visibly, legibly and indelibly marked with the statement: “Contains \geq 0,1 % lead”. Where the marking cannot be provided on the article due to the nature of the article, it shall be on the packaging of the article.</p> <p>Suppliers of PVC articles containing recovered rigid PVC shall submit to national enforcement authorities upon request documentary evidence to substantiate the claims on the recovered origin of the PVC in those articles. Certificates issued by schemes to provide proof of traceability and recycled content, such as those developed according to EN 15343:2007 or equivalent recognised standards, may be used to substantiate such claims for PVC articles produced in the Union. Claims made on the recovered origin of the PVC in imported articles shall be accompanied by a certificate that provides equivalent proof of traceability and recycled content, issued by an independent third party.</p>	Applies to category 11 and expires on 28 May 2028.’
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