

Development of EU legislation and policy on Batteries





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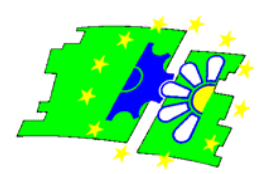


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Part 1

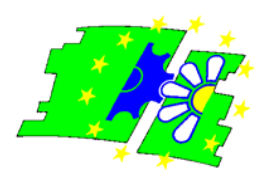
Current EU legislation on Batteries



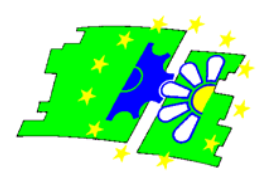
1. **Directive 91/157/EEC, on batteries and accumulators containing certain dangerous substances as amended by Directive 98/101/EC**

http://europa.eu.int/eur-lex/en/consleg/main/1991/en_1991L0157_index.html

- **Legal basis: Article 95 (ex 100A)**
 - **Objective: “approximate laws of MS on the recovery and controlled disposal of those spent batteries and accumulators containing dangerous substances”**
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- Main provisions:
 - MS to set up efficient collection systems for these batteries with a view to their recovery or disposal
 - MS to draw up four-yearly programs to reduce the heavy metal content of batteries and their disposal in household waste
 - Prohibition on the use of more than 5ppm mercury as from 1 January 2000, with exemption for button cells
 - Removeability requirement
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2. Commission Directive 93/86/EEC

http://europa.eu.int/eur-lex/en/search/search_lif.html

- **Main provisions: Labelling requirements for batteries covered by Directive 91/157/EEC**
 - **Crossed-out wheel bin**
 - **Heavy metal symbol**
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Part 2

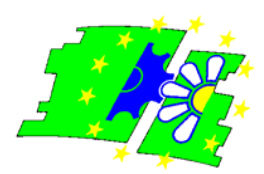
Commission's Proposal for a new
Battery Directive



- **Commission Proposal of 21 November 2003
(COM 2003 723final)**

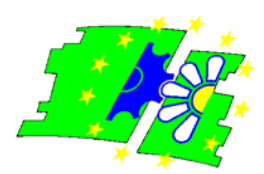
<http://europa.eu.int/comm/environment/waste/batteries/index.htm>

- **Once adopted, will repeal and replace existing EU legislation on batteries and accumulators**
 - **Legal basis: Art. 95 and 175 EC Treaty**
 - Article 95 applies to Articles 4 (substance ban), Article 5 and 18 (labelling)
 - Article 175 applies to the remainder of the Directive
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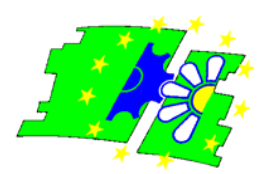


- **Objectives:**

- **Environmental objective: avoid the incineration or disposal in a landfill of waste batteries and accumulators**
 - **Internal market objective: establish minimum rules for the proper functioning of the national collection and recycling schemes**
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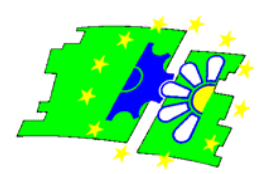
- **Main policy measures to achieve the environmental objective:**
 - **Ban on landfilling/incineration of automotive and industrial batteries**
 - **Minimum collection targets for portable batteries**
 - **Minimum recycling targets for all batteries**
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Collection targets:

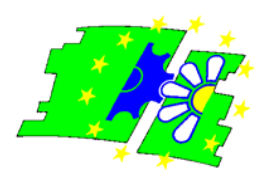
- **25%, to be achieved 4 years after transposition date**
- **45%, to be achieved 8 years after transposition date**





Collection targets:

- **Targets only apply to portable batteries**
 - **Targets are calculated as % of average annual sales over past 3 years**
 - **Targets include batteries collected on the basis of the WEEE Directive**
 - **Transitional arrangements can be established on the basis of comitology for MS with specific national circumstances**
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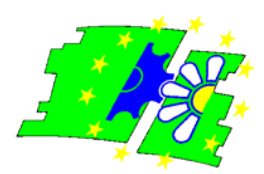


Recycling targets and efficiencies:

- In principle: obligation to recycle collected batteries
 - to be achieved one year after transposition date
 - Minimum recycling efficiencies:
 - **Best lead recycling possible, recycling min. 65% of lead-acid batteries**
 - **Best cadmium recycling possible, recycling min. 75% nickel-cadmium batteries**
 - **Min. 50% average weight of other batteries**
 - **To be achieved 3 years after transposition date**
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- Possibility for Member States to dispose collected hazardous batteries in a landfill or underground storage, instead of recycling them.
 - **Details still under discussion in the co-decision procedure.**
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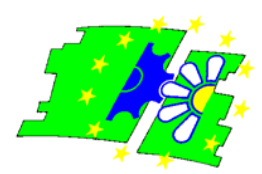
- **Main policy measures to achieve the internal market objective:**
 - **Harmonisation of product requirements (substance ban and labelling)**
 - **Minimum rules for producer responsibility**
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- **Substance ban**
 - **It is prohibited to use more than 5 ppm mercury**
 - Except for button cells with less than 2% mercury by weight
 - **It is prohibited to use more than 20 ppm cadmium**
 - Except for emergency lighting and alarm systems
 - Cordless power tools
 - Medical equipment
 - **Exemption for cordless power tools will be reviewed 4 years after entry into force of the proposed Directive**
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- Labelling
 - **Crossed-out wheel bin**
 - **Chemical symbol (Hg, Pb, Cd)**
 - **Capacity labelling**
 - details still under discussion in the co-decision procedure
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- **Producer responsibility**

- **Who is the producer?**

- The person in a MS who places a battery/accumulator or an appliance/vehicle with a battery/accumulators inside, on the market of that MS for the first time on a professional basis

- **What are the responsibilities?**

- Organisational responsibility

- ◆ Set up collection schemes for industrial and automotive batteries
- ◆ Set up treatment and recycling schemes for all batteries

- Financial responsibility

- ◆ Finance net costs of collection, treatment, recycling
 - ◆ MS to avoid any double counting with financing producer responsibilities under the WEEE Directive
 - ◆ Registration
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Part 3

Co-decision procedure





- The EP and the Council formally adopt new EU legislation, on the basis of a co-decision procedure
 - The co-decision procedure is almost finalised;
 - It is expected that the European Parliament and the Council will reach agreement in May/June of this year.
 - After publication of the Directive, Member States have 2 years to transpose the requirements into the national law
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**Thank you
for your attention !**





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<http://europa.eu.int/comm/environment/waste/batteries/index.htm>
