

Placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content

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The Committee on the Environment, Public Health and Food Safety adopted the report by Vladko Todorov PANAYOTOV (ALDE, BG) on the proposal for a directive of the European Parliament and of the Council amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools.

The committee recommends that Parliament adopt its position in first reading following the ordinary legislative procedure, and amend the Commission proposal. The main amendments are as follows:

Scope: the directive will apply to **button cells with low mercury content**. The committee sees this as an opportunity to remove an exemption that is clearly out of date. It points out that Directive 2006/66/EC prohibits the placing on the market of all batteries or accumulators, whether or not incorporated into appliances, that contain more than 0.0005% of mercury by weight. However, button cells with a mercury content of no more than 2% by weight are exempted from that prohibition. It is important to reduce the risk of mercury being released into the environment, as button cells easily escape separate collection. The Union button cell market is already experiencing a shift towards Hg-free button cells. It is therefore appropriate to prohibit the marketing of button cells with a mercury content exceeding 0.0005% by weight. As a consequence of such a prohibition, it is expected that countries exporting large amounts of button cells to the Union market would be encouraged to accelerate the switch to the manufacture of Hg-free button cells, which can have a global impact on the use of mercury in this industry sector.

The prohibition will apply from 31 December 2014. The exemption for the use of cadmium in portable batteries and accumulators intended for use in cordless power tools will end on 31 December 2015.

Alignment with WEEE: the producer registration requirements and format should be consistent with the registration requirements and format to Directive 2012/19/ on waste electrical and electronic equipment (WEEE). They should also remain consistent with the registration requirements and format adopted by the Commission Decision 2009/603/EC establishing requirements for registration of producers of batteries and accumulators in accordance with Directive 2006/66/EC.

Delegated powers: the Commission will be empowered to adopt delegated acts in respect of establishing a common methodology for the calculation of annual sales of portable batteries and accumulators to end-users.

Removal of batteries: manufacturers must design appliances in such a way that waste batteries and accumulators can be readily removed. Where they cannot be removed by the end-user, manufacturers must design appliances in such a way that waste batteries and accumulators can be easily removed by professionals that are independent of the manufacturer. Appliances into which batteries and accumulators are incorporated shall be accompanied by instructions how they can be removed safely by the end-user or by independent professionals. Where appropriate, the instructions shall also inform the end-user of the type of the incorporated batteries and accumulators. These provisions shall not apply where, for safety,

performance, medical or data integrity reasons, continuity of power supply is necessary and requires a permanent connection between the appliance and the battery or accumulator.'

Consultation with stakeholders: Before amending or supplementing Annex III (Detailed treatment and recycling requirements) the Commission shall consult with relevant stakeholders, in particular producers, collectors, recyclers, treatment operators, environmental organisations, consumer organisations and employee associations.

Transposition: this will be 12 months after entry into force of the directive (rather than 18 as the Commission proposed.)