

# 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

2012/0066(COD) - 10/10/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 578 votes to 17 with 5 abstentions, a legislative resolution 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. Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. They amend the proposal as follows:

**Prohibition of mercury in button cells:** 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. The amended text states that the prohibition on the marketing of button cells with mercury content of no more than 2 % in weight will apply **from autumn 2015** (21 months after the entry into force of the directive.)

The existing exemption for portable batteries and accumulators intended for use in cordless power tools should continue to apply until 31 December 2016.

As regards **button cells for hearing aids**, the Commission will maintain under review the exemption referred to in the directive and report on the availability of button cells for hearing aids that are in compliance with the directive. Where justified due to the lack of availability of button cells for hearing aids which are in compliance), the Commission shall accompany its report by an appropriate proposal with a view to extending the exemption with regard to button cells for hearing aids.

Batteries and accumulators which do not meet the requirements of this Directive, but which were lawfully placed on the market prior to the date of application of the respective prohibitions, may continue to be marketed until stocks are exhausted.

**Removal of waste batteries and accumulators:** manufacturers must design appliances in such a way that waste batteries and accumulators can be readily removed. Appliances in which batteries and accumulators are incorporated must be accompanied by instructions on how those batteries and accumulators can be safely removed by either the end-user or by independent qualified professionals. Where appropriate, the instructions shall also inform the end-user of the types of battery or accumulator incorporated into the appliance.

These provisions shall not apply where, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and a permanent connection between the appliance and the battery or accumulator is required.

**Requirement to consult:** the Commission will be empowered to adopt delegated acts in order to grant exemptions from the labelling requirements set out in the directive. As part of the preparation of delegated

acts, the Commission must consult relevant stakeholders, in particular producers, collectors, recyclers, treatment operators, environmental and consumer organisations, and employee associations.

**Registration:** the amended text introduced a new Annex IV on procedural requirements for registration. Wherever appropriate, the producer registration requirements and format should be coherent with regard to the registration rules and format established pursuant to Directive 2012/19/EU on waste electrical and electronic equipment (WEEE).

**Transposition:** this must take by 18 months after the entry into force of the directive.