

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) - 20/11/2013 - Final act

PURPOSE: to gradually diminish the amount of cadmium and mercury released into the environment given that substitute are available on the market.

LEGISLATIVE ACT: Directive 2013/56/EU of the European Parliament and of the Council amending Directive 2006/66/EC of the European Parliament and of the Council 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, and of button cells with low mercury content, and repealing Commission Decision 2009/603/EC.

CONTENT: the Directive amends Directive 2006/66/EC as regards the 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.

Placing on the market prohibitions:

1) Directive 2006/66/EC prohibits the placing on the market of portable batteries and accumulators, including those incorporated into appliances that contain more than 0,002% of cadmium by weight. However, portable batteries and accumulators intended for use in cordless power tools are exempted from that ban.

The new Directive **extends the prohibition of the use of cadmium to portable batteries and accumulators intended for use in cordless power tools** because suitable cadmium-free substitutes for such applications are available on the market, namely nickel-metal hydride and lithium-ion battery technologies.

In order to enable the recycling industry and consumers to adapt to the substitute technologies, **the existing exemption** for portable batteries and accumulators intended for use in cordless power tools **should continue to apply until 31 December 2016**.

2) Directive 2006/66/CE 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.

Under the terms of the new Directive, **the prohibition on marketing shall not apply to button cells with a mercury content of no more than 2% by weight until 1 October 2015**.

As regards **button cells for hearing aids**, the Commission shall maintain under review the exemption and report on the availability of button cells for hearing aids which are in compliance with the Directive no later than 1 October 2014.

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: the Directive obliges manufacturers to design appliances in such a way that waste batteries and accumulators can be readily removed. It provides that appliances in which batteries and accumulators are incorporated shall be accompanied by instructions on how those batteries and accumulators can be safely removed by either the end-user or by independent qualified professionals.

ENTRY INTO FORCE: 30/12/2013.

TRANSPOSITION: by 01/07/2015.

DELEGATED ACTS: the Commission may adopt delegated acts to supplement Directive 2006/66/EC as regards the assessment of equivalent conditions regarding treatment and recycling outside the Union, capacity labelling of portable and automotive batteries and accumulators and exemptions from the labelling requirements.

The power to adopt such acts is conferred on the Commission for a period of five years with effect from **30 December 2013**. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (this period may be extended by two months). If the European Parliament or the Council objects to the delegated act shall not enter into force.