Batteries and accumulators and waste batteries and accumulators

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The Commission presents its second report on the implementation and the impact on the environment and the functioning of the internal market of Directive 2006/66/EC on batteries and accumulators (the Batteries Directive). The Directive aims to minimise the negative impact of batteries and waste batteries on the environment, to help protect, preserve and improve the quality of the environment. It also aims to ensure the smooth functioning of the internal market. The evaluation is part of a process that could lead to the Directive's revision to take account of social and policy developments such as the shift towards a circular economy and low carbon policies, which involve an increased use of batteries for electric mobility and for decentralised power storage. The related strategic action plan on batteries includes the commitment to design innovative and future-proof regulation, of which the Directive will be a key component.

Impact on the environment

The report states that the Directive contributed to reducing the use of hazardous substances in batteries and to preventing waste portable batteries from being landfilled or incinerated, but not up to the level envisaged. Risks for the environment therefore persist.

- Chemicals: whilst the Directive has reduced the amount of mercury and cadmium in batteries, it has not led to a reduction in the other hazardous substances. 'Old' types of batteries containing mercury and cadmium are still in use and the 'new' batteries contain harmful substances such as cobalt and some organic electrolytes. The Batteires Directive does not specify the criteria to identify the substances concerned (including heavy metals) or the type of management measures that could be adopted. Consequently, the evaluation suggests that these issues could be more appropriately addressed by other legal instruments.

- Collection and recycling of waste batteries: most Member States have met or exceeded the 2012 target for the collection of waste portable batteries (set at 25 %), but only 14 Member States have met the 2016 target (set at 45 %). The evaluation points out that these targets are generally insufficient to ensure a high level of collection of waste portable batteries.

The management of used batteries remains a concern within the EU. An estimated 56.7 % of all waste portable batteries are not collected, annually. This has led to around 35 000 tonnes of waste portable batteries entering municipal waste streams, causing negative environmental impacts and a loss of resources. This amount is significant enough to jeopardise the achievement of the directive's environmental protection objectives.

On the level of recycling, the vast majority of waste batteries collected in the EU are recycled in line with the directive's requirements. However, the Directive's overall objective to achieve a high level of material recovery is not being met. The Directive only targets two substances — lead and cadmium — and does not consider other valuable components, as cobalt or lithium. In the light of technical progress and practical experience gained, the report states that the current minimum collection targets for waste portable batteries and the minimum recycling requirements are not appropriate. Further targets for collection and recycling should therefore be considered.

Impact on the internal market

The Commission considers that the Directive has contributed significantly to the smooth functioning of the single market for batteries when compared with the previous situation of individual requirements at national level. The Batteries Directive has had a positive economic impact on the sectors linked to the manufacturing and recycling of batteries. While it has entailed significant costs for industrial operators, stakeholders generally agree that these are outweighed by present and future benefits.

The evaluation underlines how the Directive's requirement that all collected batteries undergo treatment and recycling, is key to ensuring the viability of recycling activities. In addition to lowering the EU's reliance on imports of particularly important raw materials, recycling may have economic benefits. The Directive, however, limits these positive effects as it only establishes efficiency targets for lead and cadmium.

The report adds that certain aspects of the Directive need further clarification including; (i) differences in the classification of spent batteries according to the List of Waste; (ii) the criteria for granting exemptions to removability or labelling obligations,(iii) the obligations for collecting waste industrial batteries; (iv) the consideration of slag as a finished recycled product.

The report goes on to evaluate the Directive in terms of its relevance, its coherence and internal consistency and the EU added value. It also stresses that whilst the Directive has been effective in ensuring that portable and automotive batteries are labelled, improvements are needed to ensure that information reaches end-users. The difficulties in meeting the collection targets for waste portable batteries illustrate the need to strengthen the provisions aiming to ensure that end-users are properly informed.

The report concludes that further work should particularly aim to identify and assess the feasibility of measures to improve the Directive's impact on environmental protection, the proper functioning of the internal market, the promotion of circular economy and low carbon policies and the ability to adapt to technological and economic developments.