Batteries and waste batteries

2020/0353(COD) - 22/02/2022 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the legislative report by Simona BONAFÈ (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020.

As a reminder, the Commission presented the proposal for a regulation concerning batteries and waste batteries with the aim of strengthening the functioning of the internal market, promoting a circular economy and reducing environmental and social impacts throughout all stages of the battery life cycle. This proposal should overhaul current legislation to take into account technological developments and amended provisions in several areas, including the introduction of a new category of **'batteries for 'light means of transport' (LMT)', such as e-bikes.**

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject matter

The amended Regulation establishes requirements on **environmental, economic and social sustainability** , safety, labelling and information to allow the placing on the market or putting into service of batteries. It should lay down measures to protect the environment and human health by preventing and reducing the generation of waste batteries and the adverse impacts of the generation and management of such batteries, as well as by reducing the overall impacts of resource use and by improving the efficiency of such use.

Scope

Members suggested that this Regulation should apply to all batteries, namely portable batteries, light means of transport batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It should also apply to batteries incorporated in or added to other products.

Carbon footprint and due diligence

Members stressed that compliance with the carbon footprint declaration, recycled content such as cobalt, lead, lithium and nickel from waste for reuse in new batteries, as well as human rights and battery value chain due diligence obligations should be fully ensured.

Removability and replaceability of portable batteries

The report stipulates that by 1 January 2024 portable batteries incorporated in appliances and batteries for light means of transport should be designed in such a manner that they can be readily and safely removed and replaced with basic and commonly available tools and without causing damage to the appliance or the batteries.

Clear and detailed instructions for removal and replacement should be provided by the relevant economic operator at the time of purchase of the appliance and, should be made available permanently online in an easily understandable way for end users, including consumers, on its website for the expected lifetime of the product.

Common chargers

By 1 January 2024, the Commission should assess how best to introduce harmonised standards for a common charger, to be applicable no later than 1 January 2026, for a variety of rechargeable batteries.

Labelling of batteries

Members proposed that:

- from 1 January **2027**, portable batteries, light means of transport batteries and automotive batteries should be marked with a label containing information on their nominal energy capacity and marked with a label containing information on their minimum average duration when

used in specific applications and the expected lifetime in terms of number of cycles and calendar years;

- from 1 January **2023**, non-rechargeable portable batteries of general use should be marked with a label indicating '**non-rechargeable**';

- from 1 July **2023**, batteries should be labelled with a symbol indicating a harmonised colour code based on the battery type and its **chemical composition**.

Waste management

The report called for more stringent collection targets for portable batteries (70% by 2025, compared to the Commission's original proposal of 65%; and 80% by 2030 instead of 70%). They also introduced minimum collection rates for batteries for light means of transport (75% by 2025 and 85% by 2030). All waste automotive, industrial and electric vehicle batteries must be collected.

All waste batteries collected should undergo preparation for reuse, preparation for repurposing or a recycling process, except batteries containing mercury, which shall be disposed of in a manner that does not entail any negative impacts on human health or the environment;

Union-wide deposit return systems for batteries

Members proposed that the 31 December 2025, the Commission should assess the feasibility and potential benefits of establishment of Union-wide deposit return systems for batteries, in particular for portable batteries of general use.

Union testing facility

Members called on the Commission to designate a Union testing facility specialised in batteries providing independent technical and scientific advice to the Commission.

National battery competence centres

Market surveillance authorities should agree with the organisations representing economic operators and research centres to set up a national battery competence centre in each Member State. These centres aim to carry out activities that have the aim of promoting compliance, identifying non-compliance, raising awareness and providing guidance and technical advice in relation to the requirements of this Regulation.

Penalties

By 1 January 2023, the Commission should develop harmonised criteria for effective, proportionate and dissuasive penalties and for compensation of damages to individuals.