Batteries and accumulators and waste batteries and accumulators

2003/0282(COD) - 13/12/2005 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Hans **BLOKLAND** (IND/DEM, NL) and made some amendments to the common position. The rapporteur admitted that in order to reach an agreement with the Council he would have to weaken the proposals adopted by Parliament in first reading. The debate preceding the vote illustrated contrasting approaches among Members and within the EPP and PES political groups. Some members criticised the collection targets adopted by the Environment Committee, namely 40% of waste batteries after 6 years and 60% after 10 years, as unrealistic. (Please see the preceding summary.) Others felt that the targets set were attainable.
The following amendments were adopted:
Collection: Parliament finally left the collection targets outlined in the Council's common position unchanged: 25% of portable batteries after 6 years and 45% after 10 years. Member States must ensure that, when supplying portable batteries, distributors are obliged to take back waste portable batteries from end-users at no charge. The common position authorised Member States to use economic instruments to promote the collection of waste batteries and accumulators or the use of less pollutants ones, but Parliament stated that they must respect Internal Market rules and the need for consultation with all the parties concerned. Member States must inform the commission of the measures which they intend to adopt under this provision.

Limited prohibitions: The Council's common position only incorporates EP amendments prohibiting all batteries and accumulators including more than 0.0005 % of mercury and portable batteries containing more than 0.002 % of cadmium. A number of amendments were re-tabled namely in order to prohibit batteries and accumulators including more than 0.004% of lead but they did not reach the required qualified majority.

An amendment stipulates that batteries and accumulators cannot be incorporated in appliances unless they can be readily removed, when spent, by the consumer. However some appliances escape this prohibition, such as some applications in information technology, medical devices, and portable appliances, where replacement of the batteries by unqualified personnel could present safety hazards.

Treatment: Parliament introduced more stringent requirements on recycling than in the Council's common position:

-65% of lead-acid batteries and accumulators and a closed loop for allthe leadcontained;

-75% of nickel-cadmium battery and a closed loop for allthe cadmiumcontained;

-55% of other waste batteries and accumulators should be recycled, instead of 50% in the Council's common position.

The proposed minimum recycling efficiencies are to be evaluated regularly and adapted to best available technology and scientific and technical progress in accordance with the prescribed procedure.

Financing: Responsibility for meeting the costs of collection, treatment, recycling and environmentally sound disposal of waste batteries and accumulators placed on the market before entry into force of this Directive ("historic waste"), shall lie with producers. Parliament deleted the de minimis derogation for small producers.

Information and labelling: A new clause states thatMember States shall ensure that distributors of portable batteries or accumulators inform end-users about the possibility of discarding waste portable batteries or accumulators at their sales points. They must also ensure that the capacity of all batteries, accumulators and battery packs is indicated on them in a visible, legible and indelible form.