

Re: New Battery Legislation

A new Battery Directive - 2006/66/EC – was agreed by the EU in September 2006. This is intended to harmonize environmental arrangements for batteries across Europe. Like the WEEE Directive this includes: labeling obligations, restriction of materials used and requirements on 'producers' to take back collected batteries and to recycle the materials in them. End users will be encouraged to dispose of batteries separately from other waste.

UK Legislation

The UK Government has implemented this legislation in two stages:

- Batteries and Accumulators (Placing on the Market) Regulations 2008 – came into force on 26th Sept 2008: regulations concerning content and labelling of new batteries
- Waste Batteries and Accumulators Regulations 2009 – came into force on 5th May 2009: regulations concerning collection and recycling

Types of Batteries

Batteries are divided into three types: portable, industrial and automotive

- Portable batteries: small standardized batteries for general purpose use including in consumer devices
- Industrial batteries: batteries designed specifically for professional devices
- Automotive batteries: batteries designed for powering or starting vehicles (not within the scope of H-Squared's business)

Batteries and Accumulators (Placing on the Market) Regulations 2008

Marking

Batteries must be labeled with the crossed out wheelee bin symbol and with the chemical symbol for lead, cadmium or mercury if any of these are present. Where the battery is small (e.g. AAA cells and smaller) the symbol can be on the packaging.



Content

Batteries must not contain more than 0.0005% by weight mercury (with the exception of button / specialist cells which are allowed up to 2%).

Nickel cadmium batteries are prohibited from sale except in a number of exempt applications (medical devices, emergency lighting, and power tools) or where they can only be used in professional or industrial applications.

Battery powered equipment

Where batteries are incorporated into products, instructions showing how to remove them must be provided with the equipment.

All batteries supplied by H-Squared meet the labeling and content requirements of the legislation.

Waste Batteries and Accumulators Regulations 2009

Portable Batteries

Producers

'Producers' are those organisations – manufacturers and importers - that first place a battery on the market in a specific country (even if the batteries are included in equipment). This means that if you buy your batteries from a UK supplier then you will not be a producer.

Producers that place more than 1 tonne of *portable* batteries on the UK market each year must join a compliance scheme. Through this, they are responsible for financing, reporting and communicating arrangements for the collection and recycling of a targeted proportion of those batteries placed on the market each year (for example: 25% in 2012). Producers who place less than 1 tonne of batteries on the market each year must register with the Environment Agency.

Seven compliance schemes have been approved although it is not expected that all of them will become fully operational. They will set up collection networks: collecting from retailers and distributors (as the regulations require), collecting from other major collection points (e.g. significant end users, local authorities) and communicating where smaller end users can dispose of their waste batteries free of charge.

Distributors

'Distributors' are those organisations – retailers, wholesalers and distributors - that sell more than 32Kg of *portable* batteries to any end users each year. From 1st February 2010, they are required to take back waste batteries at any place they supply.

In practice this means that waste battery bins will be sited in retailers and wholesalers with trade counters where anyone can dispose of spent batteries. Compliance schemes must collect and recycle these free of charge.

For wholesalers and distributors that deliver to their customers (distance distributors) – and whose premises are not set up to allow public access – other arrangements can be made. They can collect waste batteries when they deliver or they can make arrangements with other collection organisations (retailers or compliance schemes) to allow their customers to dispose of waste batteries via their collection networks. Please be aware that collection of waste batteries is not a simple process: it requires waste carrier licensing, training to meet transport of hazardous goods regulations and also sufficient load capacity so that vehicles are not overloaded.

Targets

For portable batteries, the compliance schemes must, in 2010, recycle 10% of the batteries placed on the market rising to 45% by 2016.

Guidance for customers

H-Squared is distributor but not a producer of portable batteries.

All of the compliance schemes are interested in collecting batteries to meet their targets. The complete list of approved schemes is available on: <http://www.environment-agency.gov.uk/business/regulation/107939.aspx>.

If you are a distributor then you should contact one of the schemes to arrange for suitable bins or boxes to be delivered and for subsequent collection as the regulations require. There may be a charge for the bins to offset their cost and to encourage sensible usage.

If you are an end user then many of the schemes will be still be interested in collecting from you, so long as the quantity is economically and environmentally viable.

H-Squared has an arrangement with Batteryback (www.batteryback.org), which has a very extensive waste collection network in place already and is interested in collecting quantities of 50Kg and over (equivalent to 2100 alkaline AAs). For smaller quantities, the compliance scheme websites will be able to direct you to the nearest free collection point.

Contact Batteryback direct to set up collection arrangements.

Industrial Batteries

More specialist Industrial Batteries cannot be disposed of in landfill and so special arrangements have to be made.

H-Squared has placed limited quantities of industrial batteries of the following chemistries on the market for the first time in the compliance period and is a registered producer (BPRN00201):

Alkaline
Nickel Metal Hydride
Nickel Cadmium
Lithium primary

Where appropriate, we will offer to take back waste industrial batteries of any of these chemistries, from any end user where we supply replacements in the compliance period.

For further details and any other take back queries please contact: H-Squared Electronics Ltd. 01462 851155