



EUROPEAN PARLIAMENT

2009 - 2014

---

*Committee on the Environment, Public Health and Food Safety*

---

**2012/0066(COD)**

18.3.2013

# **COMPROMISE AMENDMENTS**

## **1 - 3**

**Draft report**  
**Vladko Todorov Panayotov**  
(PE497.921v01-00)

proposal for a directive of the European Parliament and of the Council  
amending Directive 2006/66/EC 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

Proposal for a directive  
(COM(2012)0136 – C7-0087/2012 – 2012/0066(COD))

AM\930276EN.doc

PE506.350v01-00

AM\_Com\_LegCompr

**Compromise amendment 1**  
**EPP, S&D, ALDE, Greens/EFA, ECR, GUE/NGL**

Compromise amendment replacing Amendments 2, 8, 10, 11, 18, 19, 21, 20, 22, 26, 27, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43

**Part 1**

**Proposal for a directive**

**Article 1 – point 1**

Directive 2006/66/EC

Article 4 – paragraph 3 – point c

*Text proposed by the Commission*

(c) cordless power tools, until 31 December 2015.

*Amendment*

(c) cordless power tools, until 31 December 2015.

**Part 2**

**Proposal for a directive**

**Recital 4**

*Text proposed by the Commission*

(4) The existing exemption for that use should continue to apply until 31 December 2015 in order to enable industry to further adapt the relevant technologies.

*Amendment*

(4) The existing exemption for that use should continue to apply until 31 December 2015 in order to enable ***producers, the recycling industry and consumers along the whole value chain*** to further adapt the relevant ***substitute*** technologies ***across all the regions of the Union in a uniform manner.***

**Part 3**

**Proposal for a directive**

**Article 1 – point 1 a (new)**

Directive 2006/66/EC

Article 6 – paragraph 2

*Text proposed by the Commission*

*Amendment*

***Article 6(2) is replaced by the following:***

***'2. Member States shall take the***

necessary measures to ensure that batteries or accumulators that do not meet the requirements of this Directive are not placed on the market, [...].

*Member States shall take the necessary measures to ensure that batteries or accumulators which do not meet the requirements of this Directive are no longer made available on the market three years after the respective phase-out date.*

Batteries and accumulators which do not meet the requirements of this Directive and which are placed on the market after the respective phase-out dates shall be withdrawn from the market.'

#### **Part 4**

##### **Proposal for a directive**

##### **Article 1 – point -1 (new)**

Directive 2006/66/EC

Article 3 – point 13 a (new)

*Text proposed by the Commission*

*Amendment*

**-1. In Article 3 the following point (13a) is inserted:**

**'(13a)'making available on the market' means any supply of a battery or an accumulator for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;'**

#### **Part 5**

##### **Proposal for a directive**

##### **Article 1 – point -1a (new) Directive 2006/66/EC**

Article 3 – point 14

*Text proposed by the Commission*

*Amendment*

***-1a. In Article 3 point (14) of is replaced by the following:***

***'(14) 'placing on the market' means making available a battery or an accumulator on the Union market for the first time;'***

Or. en

**Compromise amendment 2**

**EPP, S&D, ALDE, Greens/EFA, ECR, GUE/NGL**

Compromise amendment replacing amendments 3, 7, 28, 29, 30, 31, 46

**Part 1**

**Proposal for a directive**

**Article 1 – point -1b (new)**

Directive 2006/66/EC

Article 4 – paragraph 2

*Text proposed by the Commission*

*Amendment*

***-1b. Article 4(2) is replaced by the following:***

***'2. The prohibition set out in paragraph 1(a) shall not apply to button cells with a mercury content of no more than 2% by weight until 31 December 2014.'***

**Part 2**

**Proposal for a directive**

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4 a) Directive 2006/66/EC 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. It is important to reduce the risk of mercury being released into the environment, as button cells easily escape separate***

*collection. The Union button cell market is already experiencing a shift towards Hg-free button cells. Hg-free versions are now commercially available for all applications, and have nearly the same performance parameters as the mercury-containing ones, as also confirmed by the majority of industry. It is therefore appropriate to prohibit the marketing of button cells with a mercury content exceeding 0,0005% by weight. As a consequence of such a prohibition, it is expected that countries exporting large amounts of button cells to the Union market would be encouraged to accelerate the switch to the manufacture of Hg-free button cells, which can have a global impact on the use of mercury in this industry sector.*

### **Part 3**

#### **Proposal for a directive**

#### **Article 2 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1(1) of this Directive by **18** months after entry into force at the latest. They shall forthwith communicate to the Commission the text of those provisions.

##### *Amendment*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1(1) **and Article 1 (-1b)** of this Directive by **12** months after entry into force at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

**Compromise amendment 3**  
**EPP, S&D, ALDE, Greens/EFA, ECR, GUE/NGL**  
Compromise amendment replacing amendment 44

**Proposal for a directive**  
**Article 1 – point 2 a (new)**  
Directive Directive 2006/66/EC  
Article 11

***2a. Article 11 is replaced by the following:***

**'Removal of waste batteries and accumulators**

**Member States shall ensure that manufacturers design appliances in such a way that waste batteries and accumulators can be readily removed.**

***Where they cannot be removed by the end-user, Member States shall ensure that manufacturers design appliances in such a way that waste batteries and accumulators can be easily removed by professionals that are independent of the manufacturer. Appliances into which batteries and accumulators are incorporated shall be accompanied by instructions how they can be removed safely by the end-user or by independent professionals. Where appropriate, the instructions shall also inform the end-user of the type of the incorporated batteries and accumulators. These provisions shall not apply where, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and requires a permanent connection between the appliance and the battery or accumulator.'***

Or. en