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DIGITALEUROPE'S VIEWS ON THE COMPROMISE AMENDMENT ON REMOVABILITY AS ADOPTED BY THE EP ENVI COMMITTEE

On 20 March 2013 the European Parliament ENVI Committee adopted a compromise amendment to article 11 of the Batteries Directive, dealing with the removability of end-of-life batteries¹. DIGITALEUROPE welcomes this compromise as a good step towards bringing legal clarity on the topic of removability requirements for integrated batteries. However, we believe that the text can be further improved as it still contains wording which may lead to diverging interpretations across the EU Member States.

The compromise amendment refers to removability by “**professionals**”. While we appreciate that this term should not be limitative in nature, the generic wording also raises the question if any professional, irrespective of his/her specialism, expertise or qualification, should be able to remove batteries from any type of appliance. DIGITALEUROPE takes the view that professionals attending to the removal of waste integrated batteries should, at a minimum, be adequately qualified to handle the appliances and perform such tasks.

The compromise amendment also proposes that manufacturers should supply end-users and independent professionals with **instructions** on how to safely remove integrated batteries. While the availability of such instructions to end-users makes sense for products where the battery is end-user removable, this is of no use for products with non-end-user removable batteries. More importantly, instructing end-users on how to remove a battery that is intended to be removed by professionals will increase risks for consumers when they try to remove the batteries according to these instructions. These risks are related to the potential improper handling of the appliance and of the battery, as well as to the potential damage to the product functionality and integrity (especially relevant for safety equipment).

Last but not least, DIGITALEUROPE would like to note that the removal of waste integrated batteries often takes place at the **end of life** of the appliance into which the battery is integrated. The remainder of waste integrated batteries is likely to be removed in an appliance service center. We believe that it would bring clarity to the text if these professionals were called out specifically as an example. This could for instance be done in a new recital.

DIGITALEUROPE remains available for any further clarifications that may be needed on the abovementioned points. We would also welcome the opportunity of a meeting to further exchange views.

¹ [Compromise amendment n. 3](#) to Panayotov draft report on a “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”.

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DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies.

DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 57 global corporations and 33 national trade associations from across Europe. In total, 10,000 companies employing two million citizens and generating €1 trillion in revenues. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

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