



European Communities

EUROPEAN PARLIAMENT

SESSION DOCUMENTS

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****II**

RECOMMENDATION

of the Committee on the Environment, Public Health and Consumer Protection

on the **COMMON POSITION** established by the Council with a view to the adoption of a directive on batteries and accumulators containing certain dangerous substances

(C3-311/90 - SYN 170)

Rapporteur: Mr John IVERSEN

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PE 145.154/fin.

Or. FR

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

***** = Consultation procedure requiring a single reading

****II** = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

****I** = Cooperation procedure (first reading)

******* = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

C O N T E N T S

	<u>Page</u>
Procedural page	3
A. RECOMMENDATION	4

At its sitting of 25 May 1989 the European Parliament delivered its opinion at first reading on the Commission proposal for a Council directive on batteries and accumulators containing certain dangerous substances.

At the sitting of 10 October 1990 the President of Parliament announced that the common position had been received and referred to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Economic and Monetary Affairs and Industrial Policy for its opinion.

At its meeting of 29 June 1990 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Iversen rapporteur.

At its meetings of 16 October and 28 November 1990 it considered the common position and the draft recommendation.

At the latter meeting it adopted the following recommendation unanimously, with 1 abstention.

The following took part in the vote: Collins, chairman; Schleicher, Scott-Hopkins, vice-chairmen; Ceci (acting rapporteur); Bowe, Florenz, Green, Guidolin, C. Jackson, Monnier-Bescombes, Muntingh, Partsch, Pimenta, Quistrop, Schmid, Smith, Llewellyn, Vernier, Vertemati, Vohrer.

The explanatory statement will be presented orally in plenary sitting.

The recommendation was tabled on 29 November 1990.

The deadline for tabling amendments to the common position or proposals to reject it will appear on the draft agenda for the part-session at which the recommendation is to be considered.

A

RECOMMENDATION

(Cooperation procedure: second reading)

on the common position established by the Council
with a view to the adoption of a directive on
batteries and accumulators containing certain
dangerous substances
(COM(88) 672 final¹ and COM(89) 454 final²)

The Committee on the Environment, Public Health and Consumer Protection

- having regard to the common position of the Council (C 3-311/90 - SYN 170),
Recommends that the European Parliament amend the common position as follows :

Common position of the Council

Amendments

(Amendment No. 1)

Article 3(1)

Alkaline manganese button cells and
batteries composed of button cells
shall be exempted from this
prohibition.

Alkaline manganese button cells and
batteries composed of these button
cells shall be exempted from this
prohibition.

(Amendment No. 2)

Article 4(2), second subparagraph

The marking must include indications
as to the following points:

Marking shall take the form of a
symbol (Annex III)

¹OJ No. C

²OJ No. C11, 17.1.90, p. 6

(Amendment No. 3)

Article 5, second paragraph

These measures shall enter into force on 1 January 1994.

These measures shall enter into force on 1 January 1992.

(Amendment No. 4)

Article 6, before the first indent, new indent

- promotion of processing methods with a view to increased recycling

(Amendment No. 5)

Article 6, third indent

- gradual reduction, in household waste, of spent batteries and accumulators covered by Annex I;

- gradual reduction, in household waste, of spent batteries and accumulators containing heavy metals listed in Annex I

(Amendment No. 6)

Article 6, fifth indent

- separate disposal of spent batteries and accumulators covered by Annex I.

- separate disposal of spent batteries and accumulators containing heavy metals listed in Annex I.

(Amendment No. 7)

Article 8(d) (new)

(d) the choice of types of battery and accumulator available;

(Amendment No. 8)

Article 8(e) (new)

(e) the reasons for charging a deposit, where appropriate, and the amount charged.

(Amendment No. 9)

Article 9, new paragraph

By way of derogation from Article 11 of Directive 75/442/EEC, Member States shall take measures to ensure that the cost of disposing of batteries and accumulators, less any proceeds from recycling, shall be borne by the importer into the Community of the batteries and accumulators or by the manufacturer. Such levies must be notified to the Commission with a view to ensuring that they do not contain any element likely to distort trade.

(Amendment No. 10)

Article 11(1)

- | | |
|---|---|
| 1. Member States shall take the measures necessary to comply with this Directive before <u>18 months after the adoption of this Directive</u> . They shall forthwith inform the Commission thereof. | 1. Member States shall take the measures necessary to comply with this Directive before <u>1 January 1992</u> . They shall forthwith inform the Commission thereof. |
|---|---|

(Amendment No. 11)

Annex II, final paragraph

Those appliances the batteries and accumulators of which cannot be readily replaced by the user, in accordance with this Annex, shall be accompanied by instructions informing the user of the content of environmentally hazardous batteries and accumulators and showing how they can be removed safely.

Those appliances the batteries and accumulators of which cannot be readily replaced by the user, in accordance with this Annex, shall be accompanied by instructions informing the user of the content of environmentally hazardous batteries and accumulators and stating where the user can dispose of used appliances.