



## Coming Soon Imminently!- Batteries Legislation

New legislation that sets the framework for businesses wishing to put batteries onto the UK market has been published. The Batteries Accumulators (Placing on the Market) Regulations 2008 come into effect on 26 September 2008.

### The objective of the Regulations is:

to set out the technical requirements with which producers of batteries and battery powered appliances must comply.

### The Regulations aim to:

1. facilitate the free movement of legally compliant batteries throughout the EU;
2. protect the environment by reducing the levels of heavy metals that batteries are allowed to contain; and
3. introduce a labelling regime in the preparation for coming "producer responsibility" legislation designed to achieve high collection and recycling rates.

### The key elements of the Regulations are:

1. there will be restrictions on the use of mercury and cadmium in the manufacture of batteries unless they are to be used in specifically exempt appliances (emergency and alarm systems, medical equipment and cordless power tools);
2. the "crossed out wheeled bin":



and the technical symbols for lead, mercury or cadmium (where appropriate) will have to be printed on batteries;

3. new appliances will have to be designed in such a way so that waste batteries can be readily removed and must contain instructions as to how those batteries can be removed<sup>1</sup>; and
4. a failure to comply with the Regulations could result in an unlimited fine.

### Those affected are:

the producers, manufacturers and importers into the EU of batteries, whether those batteries are loose or included as part of a product.

### What next:

draft Regulations and a further consultation document will be published in the Autumn. They will deal with the implementation of legislation addressing collection, treatment and recycling of waste batteries.

### Keep informed:

by emailing [james.geary@emwlaw.com](mailto:james.geary@emwlaw.com)

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<sup>1</sup> This will not apply in circumstances where continuity of power supply is needed for safety, performance, medical or data integrity reasons