


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed 2008/0081(COD)
Environment: batteries and accumulators, placing on the market and waste minimisation Amending Directive 2006/66/EC 2003/0282(COD)	
Subject 3.70.12 Waste management, domestic waste, packaging, light industrial waste 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 3.70.20 Sustainable development	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		06/05/2008
		IND/DEM BLOKLAND Johannes	
	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
	IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Environment	2898	20/10/2008
European Commission	Commission DG	Commissioner	
	Environment	DIMAS Stavros	

Key events			
16/04/2008	Legislative proposal published	COM(2008)0211	Summary
08/05/2008	Committee referral announced in Parliament, 1st reading		
03/06/2008	Vote in committee, 1st reading		Summary
09/06/2008	Committee report tabled for plenary, 1st reading	A6-0244/2008	
09/07/2008	Results of vote in Parliament		
09/07/2008	Decision by Parliament, 1st reading	T6-0344/2008	Summary
20/10/2008	Act adopted by Council after Parliament's 1st reading		
19/11/2008	Final act signed		
19/11/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2008/0081(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2006/66/EC 2003/0282(COD)
Legal basis	EC Treaty (after Amsterdam) EC 091-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/62418

Documentation gateway					
Legislative proposal		COM(2008)0211	16/04/2008	EC	Summary
Committee draft report		PE407.594	21/05/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0244/2008	09/06/2008	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0344/2008	09/07/2008	EP	Summary
Economic and Social Committee: opinion, report		CES1204/2008	09/07/2008	ESC	
Commission response to text adopted in plenary		SP(2008)4891	27/08/2008	EC	
Draft final act		03664/2008/LEX	19/11/2008	CSL	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act
Directive 2008/103 OJ L 327 05.12.2008, p. 0007 Summary

Environment: batteries and accumulators, placing on the market and waste minimisation

PURPOSE: to clarify Directive 2006/66/EC so that batteries and accumulators that were legally placed on the market anywhere in the Community before 26 September 2008 and which do not comply with the Directive can remain on the Community market after this date.

PROPOSED ACT: Directive of the European Parliament and of the Council.

BACKGROUND: article 6(2) of Directive 2006/66/EC sets out that batteries and accumulators that do not meet the requirements of the Directive should not be placed on the market or should be withdrawn from it. This provision could be understood to require that batteries lawfully placed on the market before 26 September 2008, still on the market after this date, and not meeting the requirements of this Directive, also need to be withdrawn from the market.

If the provision of the Directive is read as above, it would mean that a considerable amount of batteries that were legally placed on the market become waste prematurely. This would be contrary to the principle of waste minimisation. This could also result in appliances becoming waste prematurely. Withdrawing these batteries from the market or making them compliant with the Directive would also cause increased administrative burden both for the Member States and for industry.

CONTENT: this proposal aims at modifying Article 6(2) of Directive 2006/66/EC. It makes it clear that batteries must not be placed on the

Community market after 26 September 2008 if they do not comply with Directive 2006/66/EC. If they happened to be placed on the market after this date, they need to be withdrawn from the market. The proposal thus clarifies that batteries lawfully placed on the market before 26 September 2008 and which are on the market after this date and yet do not comply with Directive 2006/66/EC, do not have to be withdrawn from the market or relabelled after this date. By clarifying this provision the proposal provides legal certainty on this matter.

Environment: batteries and accumulators, placing on the market and waste minimisation

The Committee on the Environment, Public Health and Food Safety adopted a report drafted by Johannes BLOKLAND (IND/DEM, NL) and approved the proposal for a directive of the European Parliament and of the Council amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards Article 6(2) on placing batteries and accumulators on the market.

Environment: batteries and accumulators, placing on the market and waste minimisation

The European Parliament adopted, by 679 votes to 8 with 4 abstentions, a legislative resolution amending the proposal for a directive of the European Parliament and of the Council amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards Article 6(2) on placing batteries and accumulators on the market. The report had been tabled for consideration in plenary by Johannes BLOKLAND (IND/DEM, NL), on behalf of the Committee on the Environment, Public Health and Food Safety. The amendments were two minor drafting changes and were result of a compromise between Parliament and Council.

Environment: batteries and accumulators, placing on the market and waste minimisation

PURPOSE: to clarify Directive 2006/66/EC so that batteries and accumulators that were legally placed on the market anywhere in the Community before 26 September 2008 and which do not comply with the Directive can remain on the Community market after this date.

LEGISLATIVE ACT: Directive 2008/103/EC of the European Parliament and of the Council amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards placing batteries and accumulators on the market.

CONTENT: having reached agreement with the Parliament at first reading, the Council adopted a Directive clarifying the provisions of Directive 2006/66/EC to the effect that batteries or accumulators which do not meet the requirements of that Directive may not be placed on the Community market after 26 September 2008.

The Directive points out that batteries which were legally placed on the market before that date and which do not comply with Directive 2006/66/EC will not have to be withdrawn from the market or relabelled.

ENTRY INTO FORCE: 05/12/2008.

TRANSPOSITION: 05/01/2009.