



Information for Retailers of Industrial & Automotive Batteries

January 2015

Disclaimer

This document does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. Although every effort has been made to ensure the accuracy of the material contained in this publication, complete accuracy cannot be guaranteed. Neither the Environmental Protection Agency nor the authors accept any responsibility whatsoever for loss or damage occasioned, or claimed to have been occasioned, in part or in full as a consequence of any person acting or refraining from acting, as a result of a matter contained in this publication. All or part of this publication may be reproduced without further permission, provided the source is acknowledged

Contact us:
ENVIRONMENTAL PROTECTION AGENCY
PO Box 3000, Johnstown Castle Estate, Co. Wexford, Ireland
Lo Call: 1800 33 55 99 Email: weee@epa.ie
Website: www.weee-enforcement.ie

Table of Contents

1. Introduction	2
2. Typical Battery Types and Applications	3
3. Summary of Retailer Obligations	4
3.1 Registration with a Compliance Scheme or Local Authority.....	5
3.2 Registered Producers	5
3.3 Take Back.....	6
3.4 Information on Free Return and Collection System	6
3.5 Storage, Transport and Disposal of Portable, Industrial and Automotive Batteries ..	6
3.5.1 Industrial or Automotive Batteries	6
3.5.2 Portable batteries	7
3.5.3 Waste authorisation requirements and exemptions	7
3.6 Statutory Notices.....	7
3.7 Other Requirements and Prohibitions	9
Appendix A: Statutory Notices	10

1. Introduction

The objective of this updated guidance document is to assist distributors or retailers¹ of industrial and automotive batteries to achieve compliance with the European Union (EU) Batteries and Accumulators Regulations 2014 ([S.I. No. 283 of 2014](#)), as amended, hereinafter referred to as the Battery Regulations. This guidance document relates to industrial and waste automotive batteries only. For guidance on portable batteries, please refer to the EPA guidance document titled "[Information for Retailers of Electrical and Electronic Equipment and Batteries](#)" which can be found on the [EPA website](#).

The information provided in this document does not cover all the obligations of retailers who sell batteries by distance communication. Distance communication means any form of indirect sales e.g. internet sales, catalogue sales or telemarketing. Distance Sellers must display take-back information on the company's website(s), advising customers of the return systems available to them for waste batteries. For more detailed guidance for distance sellers, please see separate guidance document '[Information for Internet/Distance Sellers of Electrical and Electronic Equipment \(EEE\) & Batteries](#)' available on the [EPA website](#).

The EPA and local authorities have enforcement responsibilities under the Battery Regulations, and premises to which these Regulations apply may be inspected to check compliance with the Battery Regulations by either regulatory authority.

Where a particular retailer obligation is a local authority enforcement responsibility (e.g. registration, take back obligations) a retailer will be required to satisfy the Local Authority regarding compliance on that obligation.

Notes:

- Some retailers of automotive batteries (e.g. tyre garages, garages, motor factors etc.) also sell portable batteries or products containing batteries, for example batteries for car key fobs or torches. Such retailers should also consult with the relevant guidance document on portable batteries which can be found on the [EPA website](#)
- A retailer who sells Electrical and Electronic Equipment (EEE)² incorporating batteries or accompanying the product is a battery retailer (e.g. cordless drill incorporates a battery) and will have obligations under the Waste Electrical and Electronic Equipment (WEEE) Regulations (More information on the WEEE Regulations is available on the [EPA website](#)); and
- Electrical Equipment which is typically installed as part of the vehicle (e.g. car radio) is not in scope of the WEEE Regulations and is instead managed under the End of Life Vehicles (ELV) Regulations³.

¹ "A Distributor" is defined in the Battery Regulations as any person that provides batteries or as appropriate, accumulators on a professional basis to an end-user. In practice, "a distributor" is a retailer. Examples of retailers of industrial and automotive batteries would therefore include; motor factors, garages, car, truck, van, tractor dealerships, in fact anyone providing industrial or automotive type batteries to an end user on a professional basis.

² EEE is Electrical and Electronic Equipment, defined as "equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields" in the European Union (Waste Electrical and Electronic Equipment) Regulations 2014- S.I. No. 149 of 2014 (the WEEE Regulations).

³ Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006)

2. Typical Battery Types and Applications

Table 1 presents battery types and typical application for each Battery type.

Table 1: Types of Batteries

Battery Type	Codes/Applications	Possible Uses
Portable	AA, AAA, D cell, C cell, 6 & 9V and button cells	<ul style="list-style-type: none"> • Mobile phones • Cameras • Remote controls • Torches • Laptops
Industrial	<p>Designed exclusively for industrial or professional uses;</p> <p>Used as a source of power for propulsion in an electric vehicle;</p> <p>Unsealed but is not an automotive battery or accumulator; or</p> <p>Sealed but is not classified as a portable battery</p>	<ul style="list-style-type: none"> • Forklift • Golf buggy • Fork truck • Batteries for emergency back-up power supply • Farm fence • Automatic transport vehicles (E.g. motorised wheelchairs)
Automotive	Starter, lighting or ignition	<ul style="list-style-type: none"> • Car • Boat • Truck • Bus • Motorcycle • Tractors and machinery

3. Summary of Retailer Obligations

This section provides a summary of each of the key obligations under the Battery Regulations followed by a more detailed description of each obligation.

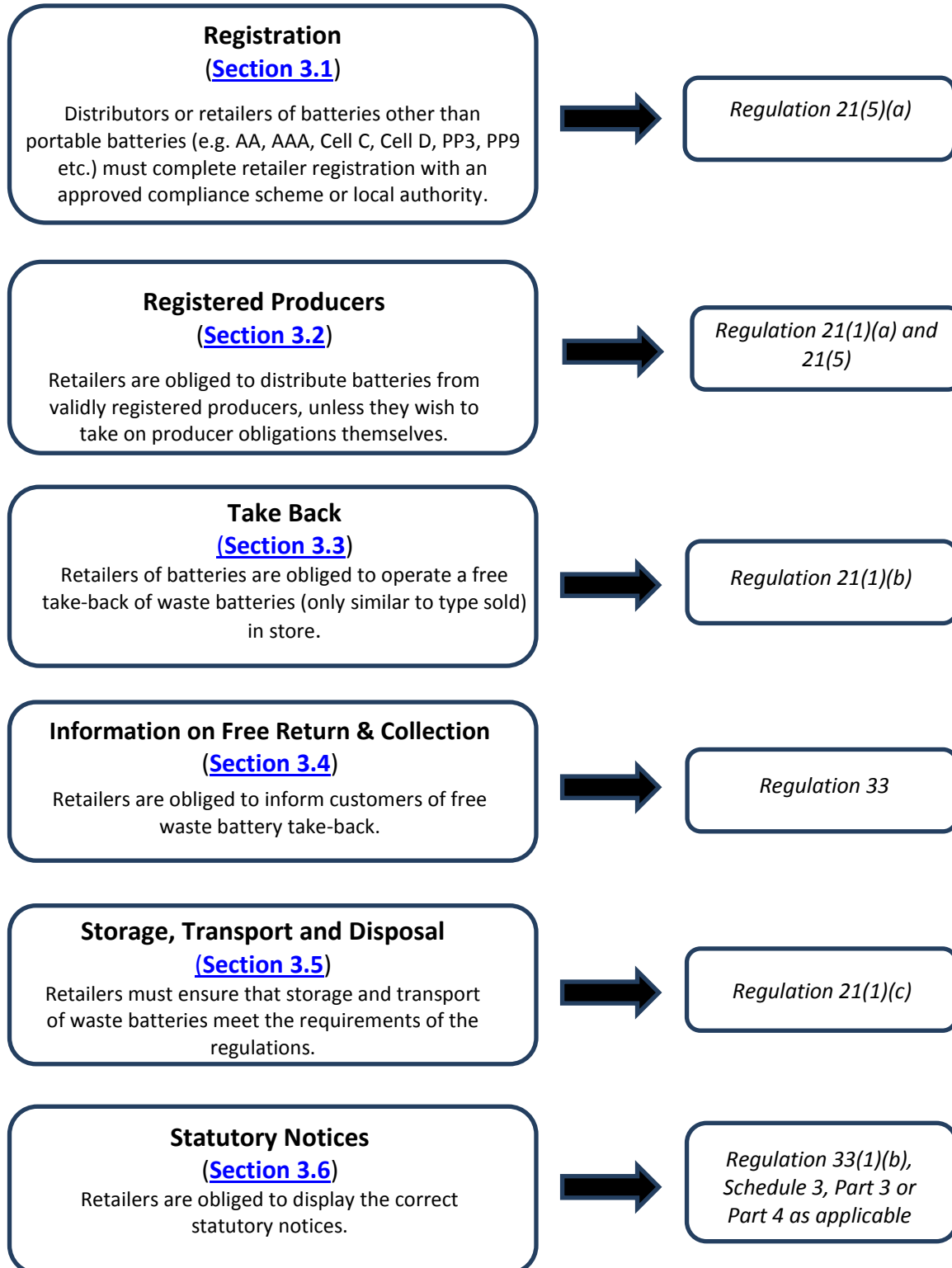


Figure 1: Summary of Key Obligations under the Battery Regulations

3.1 Registration with a Compliance Scheme or Local Authority

A distributor or a retailer selling batteries and/or storing waste batteries is required to register with a compliance scheme or their local authority.

A compliance scheme is a non-profit organisation that manages the collection, treatment and recycling of WEEE and batteries from authorised collection points on behalf of its members.

Registration with a compliance scheme is on a once off basis and is free of charge. More information can be found by contacting one of the following compliance schemes:

- ERP Ireland (covers Cavan, Clare, Fingal, Louth, Limerick, Meath, Monaghan and Kerry): www.erp-recycling.ie or tel: 01 662 4040 or;
- WEEE Ireland (covers all other counties): www.weeeireland.ie or tel: 01 299 9320.

Registration with the relevant Local Authority must be renewed annually and carries a maximum registration fee of €200.

3.2 Registered Producers

Retailers must ensure that all batteries which they sell are sourced from validly registered producers.

Validly registered producers are obliged to display their unique WEEE Register Society registration number on invoices, credit notes, dispatch and delivery dockets. Registration number for producers supplying batteries only would be displayed with the suffix "B"⁴, and the registration number for a producer supplying batteries and EEE would be displayed with the suffix "WB"⁵.

A list of validly registered producers is available on the WEEE Register Society website (www.weeeregister.ie) under the heading 'producers'.

Retailers distributing EEE and /or batteries from unregistered producers must take on producer obligations as outlined in the WEEE Regulations.

Retailers should not stock any batteries that are not marked with the crossed out wheeled bin symbol as shown in Figure 2.



Figure 2: Wheeled Bin Symbol

³ B denotes a company registered as a producer of Batteries only

⁵ WB denotes a company registered for EEE and Batteries

3.3 Take Back

Retailers are required by law to take back waste batteries from members of the public free of charge. Take-back is on a one-for-zero basis. Members of the public are not obliged to make a purchase in order to avail of the free take-back. Retailers are only obliged to take back waste batteries of similar type to which they sell or similar type to those batteries incorporated into EEE or supplied with EEE sold. For example, retailers are not obliged to take waste automotive or industrial batteries if the only type being sold is AA or AAA batteries.

Note: Retailers are not required to take back leaking batteries.

3.4 Information on Free Return and Collection System

When supplying a new product, retailers of batteries are obliged to inform users of the return and collection systems available to them. This obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale.

3.5 Storage, Transport and Disposal of Portable, Industrial and Automotive Batteries

3.5.1 Industrial or Automotive Batteries

Waste industrial or automotive batteries taken back at retailer premises should only be passed to a person or a company that is authorised⁶ to collect and manage this type of waste. These are as follows:

1. A [permitted collector](#) acting on behalf of a compliance scheme (WEEE Ireland or ERP Ireland or one of their approved authorised collectors) or a self-complying producer; or
2. A person or a company authorised for collection of industrial and/or automotive batteries.

Note: Civic amenity sites are not obliged to accept waste automotive and/or industrial batteries from retailers.

If a retailer transfers waste batteries to a person who is not permitted or authorised as outlined above, then the retailer takes on the following obligations:

1. Ensuring that all such waste batteries are managed in an environmentally sound manner and treated in accordance with the technical requirements of the Battery Regulations;
2. Report all collections of these waste batteries to the EPA each year;
3. Ensuring any recycling targets are achieved; and
4. Submission of an annual report detailing such practices to the EPA by **28th February each year**, in accordance with Regulation 22(3) or Regulation 23(6) of the Battery Regulations.

Note: A template of the annual report is available on the [EPA website](#). If the retailer operates from more than one location, a separate report is required for each location.

For more information on general garage waste management please refer to the [Smart Garage Guide](#).

⁶ Authorised by a local authority or EPA

3.5.2 Portable batteries

Both compliance schemes WEEE Ireland and ERP Ireland provide storage boxes for waste portable batteries to retailers and also organise collection of those boxes. In order to obtain empty batteries boxes or have waste portable batteries collected, please contact ERP Ireland (www.erp-recycling.ie or tel: 01 662 4040) or WEEE Ireland (www.weeeireland.ie or tel: 01 299 9320) to obtain boxes for portable batteries⁷. A minimum threshold for collection is 50kg of portable waste batteries.

Alternatively, retailers can bring waste portable batteries that have been collected through take back, to the local civic amenity site.

3.5.3 Waste authorisation requirements and exemptions

Registered retailers are exempted from the need to have a Waste Facility Permit⁸ for storage of waste batteries where the amount stored does not exceed certain set limits and the manner of storage satisfies the requirements of the Battery Regulations, Regulation 44. The limits applicable to retailers are as follows:

- Maximum of 250 kg of portable batteries;
- 2,500 kg of industrial and automotive batteries.

Full requirements for this exemption are detailed in the Battery Regulations, Regulation 44.

3.6 Statutory Notices

At all premises supplying EEE and batteries (including batteries incorporated into EEE) a sign satisfying the following requirements must be displayed in a conspicuous position within 1 m of the point of sale of EEE (till) or where EEE or batteries are displayed. The sign must:

- Be not less than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (A4 size);
- Be printed in black indelible ink with a Times New Roman font size of at least 20 or equivalent and line space of at least 1.25 lines on a white background and affixed, on a durable material, so as to be easily visible and legible;
- Not be obscured or concealed at any time;
- Bear the following wording:

⁷ Compliance schemes provide containers for the collection of portable batteries.

⁸ For more information in relation to a Waste Facility Permit or Certificate of Registration, please contact your local authority.

WEEE & Batteries Sign

FREE RECYCLING - Waste Management Act 1996

“Waste electrical and electronic equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis. Waste batteries including rechargeable batteries are taken back free of charge in this store. You are not obliged to make any purchase when returning old batteries here. Each Local authority must also accept household WEEE and small batteries free of charge at its recycling facilities. All WEEE and waste batteries must be recycled and should not be placed in any of your household wheelie bins. Make sure you always recycle all your old electrical goods and batteries”.

Please find a sample of the statutory notice signage for EEE and batteries on the first page of Appendix 1 or alternatively download from the [EPA website](#).

Retailers selling batteries only must display a sign satisfying the following requirements; the sign must be displayed in a conspicuous position within 1 m of the point of sale of batteries (till) or where batteries are displayed. The sign must:

- Be not less than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (A4 size);
- Be printed in black indelible ink with a Times New Roman font size of at least 24 or equivalent and line space of at least 1.25 lines on a white background and affixed, on a durable material, so as to be easily visible and legible;
- Not be obscured or concealed at any time;
- Bear the following wording:

Batteries Only Sign

“FREE RECYCLING - Waste Management Act 1996

Waste batteries including rechargeable batteries (of a type sold here) are taken back free of charge in this store. You are not obliged to make any purchase when returning old batteries here. Each Local Authority must also accept small batteries free of charge at its recycling facilities. All waste batteries must be recycled and should not be placed in your waste disposal or recycling bins. Make sure you always recycle all your old batteries”

Please find a sample of the statutory notice signage for batteries on the second page of Appendix 1 or alternatively download from the [EPA website](#).

3.7 Other Requirements and Prohibitions

All advertisements for EEE and batteries must contain the following text:

“Waste Electrical and Electronic Equipment (WEEE) and waste batteries must never be placed in any or your household wheelie bins. WEEE is taken back free of charge at electrical retail outlets.....

.....

All advertisements of batteries **only** must contain the following text:

“Waste batteries must never be placed in . There is a bin for small batteries in your local store

Battery recycling is free.”

There are no visible environmental management costs (vEMCs) applicable for batteries. Therefore importers, wholesalers and retailers are **prohibited** from displaying any cost associated with the environmentally sound management of waste batteries.

Under the Battery Regulations there are no price notice display requirements for batteries on shelf ticketing, catalogues, web-sites, brochures, direct mail communications and in all advertising. All distance communications should include information to the consumer stating that batteries are taken back and that take back is provided at a specified location.

Appendix A: Statutory Notices

FREE RECYCLING WASTE MANAGEMENT ACT 1996

Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis.

Waste batteries including rechargeable batteries (of a type are sold here) are taken back free of charge in this store.

You are not obliged to make any purchase when returning old batteries here.

Each local authority must also accept household WEEE and small batteries free of charge at its recycling facilities.

All WEEE and waste batteries must be recycled and should not be placed in any of your household wheelie bins.

Make sure you always recycle all your old electrical old electrical goods and batteries.

**FREE RECYCLING
WASTE MANAGEMENT ACT 1996**

Waste batteries including rechargeable batteries (of a type sold here) are taken back free of charge in this store.

You are not obliged to make any purchase when returning old batteries here.

Each Local Authority must also accept small batteries free of charge at its recycling facilities.

All waste batteries must be recycled and should not be placed in your waste disposal or recycling bins.

Make sure you always recycle all your old batteries.