



Feedback to the draft guidelines on removability and replaceability of portable batteries and LMT batteries

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The European waste management and recycling sector **welcomes the issuance of guidelines** to harmonise the removability and replaceability of portable and LMT batteries following Regulation (EU) 2023/1542. EuRIC and FEAD fully support the requirement for the **removability and replaceability of batteries to the maximum extent feasible** and expect these guidelines to reflect this commitment.

Context

In 2021, around 242,000 metric tons of portable batteries and accumulators were sold in the European Union. However, only about 48% of these batteries were collected for recycling¹. To enhance recycling efforts and address this issue, the EU has set ambitious targets for producers to collect waste portable batteries. The removability and replaceability of batteries play a pivotal role in achieving these collection targets and directing the waste batteries to the adequate treatment.

Additionally, the presence of batteries in the wrong waste stream poses a growing threat to the safety and operations of the waste management industry. This is exacerbated by the presence of some incorporated portable batteries, sold alongside appliances, which cannot be removed before treatments and cause significant disturbance in the waste management value chain. Indeed, improper collection, handling, and treatment of some batteries may elevate the risk of fire or exposure to hazardous substances for humans and the environment. This is particularly the case with rechargeable Lithium chemistry batteries, which are sold incorporated in 80-90% of cases² and present hazardous properties.

Given these challenges, it is imperative to establish **clear instructions regarding the removability** of portable batteries to maximise the circular economy and minimise associated risks. EuRIC and FEAD **fully support the issuance of these guidelines** but advocate for further clarification and more **universal removability rules** to ensure effective implementation of the regulation.

General comments

To enhance clarity, the waste management industry proposes **including additional practical examples that comprehensively cover the scope** of portable batteries found in the market (batteries in gift cards, clothing, small accessories, electronic cigarettes...) that will have to comply with Article 11 of the Regulation.

EuRIC and FEAD emphasize that the guidelines **do not cover the safe disposal of batteries by end-users**. It is important to inform end-users on how to separate battery waste from the original product and dispose of it correctly to ensure proper treatment and limit potential risks from mishandling.

¹ [Waste statistics - recycling of batteries and accumulators - Statistics Explained \(europa.eu\)](https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&plugin=1&code=sdg_12_2_1)

² [Reportontheportablebatterycollectionrates-UpdateDec-14-fullversion_LUadded.pdf \(epbaeuropa.net\)](https://www.epba.europa.eu/en/Portals/0/Reportontheportablebatterycollectionrates-UpdateDec-14-fullversion_LUadded.pdf)

Additionally, the undersigned associations would strongly welcome the creation of a list which will contain the products benefited from the derogation under 'data integrity'. We believe that the products included in the in-question list should be accompanied by a clear justification.

Furthermore, we ask the Commission to consider proposing **a timeframe for the revision of the exemptions** set in Article 11. Such a timeframe would enable legislators to assess the regulation's implementation and adjust revisions accordingly to meet the collection goals for portable batteries. A clear timeframe is also necessary for economic operators to plan their activities in the long run, especially regarding the extraction operations of non-removable batteries.

EuRIC and FEAD would also appreciate a clarification that **second-hand products are exempt from compliance** if they were initially introduced to the European market before the Regulation came into effect. Conversely, second-hand products imported from third countries, being introduced to the internal market for the first time, are required to comply with the regulation.

Design allowing removability and replaceability

We believe that if a product can be designed - in terms of use and shape - to allow the safe removal of the battery by the end-user, then **all products with similar functions operating in similar environments should be available on the market if they comply** with the battery removability obligation. The definition of "no way to redesign" in the guidelines should be adapted to follow this principle.

As an example, hearing aid devices with single-use batteries are designed to allow end-user to easily replace the batteries. Therefore, hearing devices with rechargeable batteries should be similarly designed for user-friendly battery removal and replacement.

EuRIC and FEAD expect this rule to **limit the scope of appliances and devices to be exempted** from battery removability and replaceability. It should apply both to equipment specifically designed to operate in a wet environment and to medical devices and in vitro diagnostic medical devices.

In conclusion, the waste management sector supports the draft proposal and emphasises the critical importance of clear guidelines on the removability and replaceability of portable and LMT batteries. EuRIC and FEAD remain committed to collaborating with stakeholders and the Commission to ensure the effective implementation of the Regulation (EU) 2023/1542.



FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe, including 18 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 320,000 local jobs, fuelling €5 billion of investments into the economy every year.



The European Recycling Industries' Confederation (EuRIC) is the umbrella organisation for the recycling industries in Europe. Through its 75 members from 23 European countries, EuRIC represents more than 5,500 large companies and SMEs involved in the recycling and trade of various resource streams. They represent a contribution of 95 billion EUR to the EU economy and 300,000 green and local jobs. By turning waste into resources, recycling reintroduces valuable materials into value chains over and over again. By bridging circularity and climate neutrality, recyclers are pioneers in leading Europe's industrial transition.