

Revision of the Batteries Directive

EPBA comments on measure 1

Higher collection targets for portable batteries

- The collection of portable batteries is very complex and subject to various parameters which should also take into account and/or reflect the country-specific situation. Most of the 'losses' Öko-Institut identifies, play indeed a role in the challenges for reaching the collection targets. We would however like to see where the data is coming from on the quantities of batteries in household waste as well as any data which can substantiate littering as a loss for portable battery collection.
- The current collection targets give a wrong perception on the actual quantities of batteries being collected. An average 45% collection result vs POM does NOT mean that the other 55% are not accounted for and end up in municipal waste, the environment etc.... Any collection result vs. POM ignores those batteries which are in use, exported, stored (both new and waste batteries etc). All of these batteries have been put on the market, but are simply not available for collection. As such, the discussions on the take-back performance are flawed from the outset since the targets we have to work with cannot be used to give a correct view on what has been actually achieved. It is also important to stress that 100% of the batteries collected are sent for recycling.
- Although the discussion document starts from the perceived low performance in portable battery collection, it is not evaluated why some countries perform better than others. As EPBA, we have always flagged the challenges of collection and how this will impact the success (or lack thereof) in reaching the 45% collection targets¹. Based on the experience of the past 12 years, it should be understood that setting a higher collection target, based on the current calculation methodology, will not automatically lead to higher collection results.
- The main concern we have is the disconnect between the level of the target setting and its feasibility. Both are interlinked and cannot be approached separately. A collection target, and the date by when it is to be achieved, should be ambitious but achievable. Ignoring this, will result in a target which is just a theoretical number and which will be unattainable by many Member States.

The discussion on feasibility should also take into account other parameters which play a role in the actual collection:

- The role of the **consumer** who has to bring back the spent batteries.
 - The responsibility of the consumer is linked to **convenience** and the widely availability of **collection points**. Related to this, it makes sense to look further into the impact of **kerbside collection**.
 - The consumer should also be educated. This can be done via **awareness raising campaigns** but also the **visible fee** is a useful instrument. The latter has not been addressed in the current review process, although it is a mechanism which gives a signal to the consumer with every purchase that part of the fee that has been paid is for the collection and recycling of these batteries.
 - Proper **enforcement by authorities** to prevent free-riders (e.g. via on-line platform sales) escaping their producer responsibility
- The calculation basis for setting collection targets should be based on '**what is available for collection**' rather than a three-year average sales basis. It cannot be ignored that the latter does not capture the

realities of the battery market. Sufficient data is available to set a target based on ‘availability for collection’. A more complex calculation should not prevent the authorities in implementing it when the result will be a more correct depiction of the portable battery market.

EPBA position

- **Setting collection targets cannot be approached separately from their feasibility. Just increasing the target will not automatically lead to higher collection results**
- **Multiple parameters have to be taken into account such as the role of the consumer, collection point availability, kerbside collection, awareness raising campaigns, the use of a visible fee and proper enforcement.**
- **The calculation basis for setting collection targets should be based on ‘what is available for collection’ rather than a three-year average sales basis. If the calculation basis does not capture the realities of the battery market, the entire discussion on improving the collection results is flawed from the outset.**

About EPBA

The EPBA advocates the portable power solutions of its members working with regulators, NGOs and other stakeholders to create an environment of harmonized and fair legislation so costumers may enjoy efficient and safe batteries to be conveniently used and recycled.

ⁱ EPBA collection report : <https://www.epbaeurope.net/wp-content/uploads/2020/04/Report-on-the-portable-battery-collection-rates-Short-Update-Mar-20-final-1.1.pdf>