

Brussels, 5 February 2006

## Proposal for a Battery Directive repealing Directive 91/157/EEC

### EICTA position on the implications for design and manufacturing of Electrical and Electronic Equipment

EICTA would like to raise its concern regarding the removability criteria introduced in Amendment 18<sup>1</sup> of the proposed Battery Directive. If adopted, this amendment would result in the setting up of administrative and design requirements to electronic and electric equipment containing batteries, which:

- 1) go beyond the scope of the Directive;
- 2) are counterproductive for the environment;
- 3) and impose an unnecessary burden for industry

Amendment 18 (Art. 5) of the draft Directive introduces a new paragraph (2a) that states that batteries and accumulators cannot be incorporated into the appliances unless they can be readily removed, when spent, by the consumer. EICTA is particularly concerned about the impact this amendment would have on the use of internal batteries in IT, telecommunications and consumer electronics. Such batteries are designed to outlive the product and do not need to be replaced by consumers.

EICTA is of the opinion that this amendment goes **beyond the scope** of the battery Directive. Requirements related to design should be dealt with within the current EuP Directive<sup>2</sup>, which provides coherent EU-wide rules for eco-design and ensures that disparities among national regulations do not become obstacles to intra-EU trade.

In the justification of amendment 18 it is said that the batteries of small appliances, that are difficult to remove for the consumer have a high probability of ending up in the waste, still containing the batteries. Without the WEEE directive this could be a possibility, but now that the WEEE Directive is in force, this is no longer possible. The WEEE directive (Annex II) requires the removal of batteries before selective treatment.

In fact, the amendment is **counterproductive in terms of environmental gains**. Because of eco-design characteristics, batteries are becoming smaller in size and more energy efficient. This results in smaller appliances in which batteries are integrated at the core of the device (e.g. on the printed circuit board) without unnecessary casing and plastics usage in order to create a separate compartment for batteries. Any design constraint, imposed by the battery Directive, will hinder this trend and result in a negative environmental impact.

The removability requirement would put **an enormous burden on industry**. Currently large R&D programmes have been undertaken by industry to study and minimise the environmental impact of equipment. The removability design requirement could significantly harm this investment and delay or even lead to a cancellation of products that are nearly ready to be put on the market.

The use of internal batteries is limited to some IT, telecommunications, and consumer electronic products for powering the storage of factory or user settings of the product. The batteries used for this purpose are designed to outlive the product and thus do not need to be changed by the end user. Giving the end user

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<sup>1</sup> Recommendation for second reading: A6-0335/2005

<sup>2</sup> Directive 2005/32/EC OJEU L 191, 22.7.2005, p. 29-58.

the possibility (amendment 18) to remove the internal battery will only have a negative impact as factory or user settings will be lost and could harm the proper functioning of the product (see attached "Backup batteries in CE products.ppt" as example. Please note, while the product shown in the attached presentation would generally be exempted from the removability criteria, it functions as an example of how internal batteries are integrated in IT, telecommunications and Consumer Electronics equipment which would not be exempted from the provisions of article 18).

**Conclusion:**

For the above reasons, we call upon the Conciliation Committee to reject Amendment 18 in order not to hamper developments in the technology sector that are aimed at reducing environmental impact and encourage eco design.

## **About EICTA:**

EICTA, founded in 1999 is the voice of the European digital technology industry, which includes large and small companies in the Information and Communications Technology and Consumer Electronics Industry sectors. It is composed of 54 major multinational companies and 35 national associations from 26 European countries. In all, EICTA represents more than 10,000 companies all over Europe with more than 2 million employees and over EUR 1,000 billion in revenues.

### The membership of EICTA:

#### Direct Company Members:

Accenture, Adobe, Agilent, Alcatel, Apple, Bang&Olufsen, Blaupunkt, BenQ, Brother, Bull, Canon, Cisco, Corning, Dell, EADS, Epson, Ericsson, Fujitsu, Hitachi, HP, IBM, Infineon, Intel, JVC, Kenwood, Kodak, KonicaMinolta, Lexmark, LG Electronics, Loewe Opta, Lucent, Microsoft, Motorola, NEC, Nokia, Nortel, Océ, Panasonic, Philips, Pioneer, Qualcomm, Samsung, Sanyo, SAP, Sharp, Siemens, Sony, Sun Microsystems, Symantec, Texas Instruments, Thales, Thomson, Toshiba, Xerox.

#### National Trade Associations:

Austria: FEEI; Belgium: AGORIA; Bulgaria: BAIT; Czech Republic: SPIS; Denmark: ITEK, ITB; Estonia: ITL; Finland: SET, FFII; France: ALLIANCE TICS, SIMAVELEC; Germany: BITKOM, ZVEI; Greece: SEPE; Hungary: IVSZ; Italy: ANIE, ASSINFORM; Ireland: ICT Ireland; **Latvia**: LITTA; Lithuania: INFOBALT; **Malta**: ITTS; Netherlands: ICT-Office; Norway: ABELIA, IKT Norge; Poland: KIGEIT, PIIT; Slovakia: ITAS; Slovenia: GZS; Spain: AETIC; Sweden: IT Företagen; Switzerland: SWICO, SWISSMEM; United Kingdom: INTELLECT; **Turkey**: ECID, TESID.