

EU Directive 2006/66/EC and UK Regulations on batteries and accumulators and waste batteries

The broad aim of the Directive is to ensure correct labelling of the various technologies, and set and enforce targets for the collection and recycling of waste batteries of all types, thus providing ongoing improvements towards environmental protection and help prevent heavy metal pollution.

Member states have been required to produce legislation to meet the requirements of the Directive. There are currently two pieces of legislation in force in order to transpose this Directive in the UK:

A)

The Batteries and Accumulators (Placing on the Market) Regulations 2008

The above regulations came into force on 26th September 2008. These mainly address the situation regarding material prohibitions and labelling. Summarised below are our responses to the areas of this legislation relevant to Power-sonic Europe Ltd.

Material Prohibitions

The only material within any of the technologies we place on the market that is potentially prohibited is that of cadmium, in our Nickel Cadmium batteries. There is potentially a prohibition for these batteries, which contain more than 0.002% of cadmium. However, the prohibition does not currently apply to portable batteries intended for use in the following categories, which is the intended use for our batteries:

- (a) Emergency and alarm systems, including emergency lighting
- (b) Medical equipment
- (c) Cordless power tools

The exemption for (C) is to be reviewed in September 2010 (Directive (4:4)) **Labelling to aid**

recycling

All Power-Sonic products are labelled according to current legislative requirements. These are the requirements to apply the crossed out wheeled bin symbol along with the appropriate chemical symbol for the item. These symbols are of the requisite size and are visible, legible and indelible. The relevant symbols for our batteries are:

- Pb – VRLA (SLA) batteries
- Cd – Nickel Cadmium batteries
- Ni – Nickel Cadmium batteries

There is no symbol as yet for alkaline batteries

In addition to the above symbols, there was a requirement by 26th September 2009 to show battery capacities. These were already shown on Power-Sonic batteries prior to this date.

B)

The Waste batteries and Accumulators Regulations 2009

The 2008 regulations were supplemented in May 2009 by the above regulations. These specifically address the issue of collection, treatment and recycling of waste batteries. Power-Sonic Europe, as a producer of portable and industrial batteries, are obliged to take back waste batteries as well as keeping records of batteries placed on the market and subsequent waste collected.

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Power-Sonic Europe Ltd - Take back Policy

Power-Sonic Europe Ltd is committed to its obligations as a “producer” (ii) of both industrial and portable batteries and has during this compliance period and over the last three years placed the following types of batteries onto the UK markets:

Industrial (iii)

- Valve Regulated Lead (pb) Acid Batteries (VRLA) weighing over 4kgs
- Nickel Cadmium (NiCd), Nickel Metal Hydride (NiMh) and Alkaline cylindrical battery packs (Single cells will typically be defined as portable batteries)

Portable (iv)

- Valve Regulated Lead (pb) Acid Batteries (VRLA) weighing 4Kg or less and not designated for Industrial or Professional use
- Nickel Cadmium (NiCd), Nickel Metal Hydride (NiMh) and Alkaline cylindrical cells

We are registered with the Compliance Scheme Operator, Valpak Ltd (Batteries Producer Registration Number BPRN00736). In partnership with Valpak and our mutual re-cycling partner G&P Batteries, we aim to help achieve the increasing recycling targets proposed by the legislation.

This will be partly accomplished by our continuing to provide a collection service for our account customers via the placement of waste battery bins at customer locations for the core of our business sales, which is:

Valve Regulated Lead (pb) Acid batteries (VRLA)

Power-Sonic VRLA batteries, whether defined as Industrial or Portable batteries, may be disposed of within the waste battery bins we have provided at our customers locations.

Any customer requiring a bin for VRLA batteries, please contact us at sales@power-sonic.co.uk and we will be happy to arrange this for you. A standard bin is designed to take up to 1000kgs. To warrant a bin, an average rate of four collections per annum is preferred.

For our customers whose waste VRLA batteries do not merit the placement of a waste bin and for disposal any battery packs or cells of other chemistries, including Nickel Cadmium (NiCd), Nickel Metal Hydride (NiMh) and Alkaline, please see the sections below:

These sections should also be consulted by distributors and end users who are not Power-Sonic customer.

Take back Policy for non VRLA Chemistries classified as Industrial Batteries

Power-Sonic offer to take back waste batteries from end users within a reasonable time within the compliance period subject to:

- The end user being supplied by Power-Sonic (as a producer) with new batteries during the compliance period
- The end user not being able to return for any reason waste batteries to the original producer
- That the waste product is of the same chemistry and product type as that placed on the market during the compliance period or any of the preceding 3 years.

Contact sales@power-sonic.co.uk to make collection arrangements

Take Back Policy for Portable batteries

As of February 2010, Distributors (v) of portable batteries must supply a free of charge take back service for waste portable batteries. This is regardless of chemistry and whether or not any sale has been made to the party wishing to dispose of their waste batteries.

The legislation is as follows:

31 (1) A distributor of portable batteries must, at any place it supplies such batteries to end-user :

- a. take back waste portable batteries at no charge; and
- b. inform end-users about the possibility of such take back at the distributor's sales points.

1. A distributor may not :
2. make any charge to end-users; or
3. oblige end-users to buy a new battery, when accepting waste portable batteries under paragraph (1)(a)

In order to help Distributors with what may be a burdensome obligation, Power- Sonic, in partnership with Valpak, is pleased to offer a completely free service for portable battery recycling. This will be carried out by a fully licensed contractor, who will supply all the necessary paperwork to cover your Duty of Care.

In order to book a collection, please call 08450 682 572 and select option 6. This service is ostensibly for a minimum amount of 10kg, but, in order to save on the carbon footprint we ask that you please store as many batteries as possible before ordering a collection. No amount is too much.

Extended offer for Non-Distributors and End Users

If you are not a Distributor but have portable VRLA or SLA material, you can still order a free collection if you have 10 or more units on the number above. For other chemistries, please call the general 08450 682 572 number as you may still qualify for a free collection depending on the amount and type of material you have.

Notes and definitions:

(i) EU Directive EC/2006/EC and UK government guideline notes on the 2009 (and 2008). Regulations are available upon request from our offices and the download section at our web-site www.power-sonic.co.uk

(ii) "...any person in the United Kingdom that, irrespective of the selling technique used (distance sellers included) places batteries, included those incorporated into appliances or vehicles on the market for the first time in the United Kingdom on a professional basis" (25 – Regulations, Government Guidance Notes, May 2009)

(iii) Definition of an Industrial Battery

- (a) Designed exclusively for industrial or professional use
- (b) Used to power an electric vehicle
- (c) Unsealed but not automotive
- (d) Sealed but not a portable battery

(iv) Definition of a Portable Battery

- (a) is sealed,
- (b) can be hand-carried by an average natural person without difficulty, and
- (c) is neither an automotive battery nor an industrial battery.

(v) A "Distributor" is defined as a person that provides batteries on a professional basis to an end-user and Distributors are affected by this legislation if they sell / provide over 32 kg per year

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