



Notification Number: 2012/77/F

Decree on the implementation of deposit charges or equivalent recovery systems for gas bottles intended for individual use and the management of gas bottle waste.

Date received : 06/02/2012
End of Standstill : 07/05/2012 (07/08/2012)
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2012) D/5307
Directive 98/34/EC
Translation of the message 001
Notification: 2012/0077/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201200307.EN)

1. Structured Information Line

MSG 002 IND 2012 0077 F EN 06-02-2012 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'écologie, du développement durable, des transports et du logement



Direction générale de la prévention des risques
Service de la prévention des nuisances et de la qualité de l'environnement
Bureau de la qualité écologique des produits
Grande Arche- paroi nord – 92055 La Défense Cedex

4. Notification Number

2012/0077/F - I20

5. Title

Decree on the implementation of deposit charges or equivalent recovery systems for gas bottles intended for individual use and the management of gas bottle waste.

6. Products Concerned

The draft decree applies to rechargeable bottles intended for individual use. This means any pressure vessel containing liquefied, compressed or dissolved gases, capable of being recharged, with a water volume not exceeding 150 litres and which is intended for household use, given its type and the manner of its distribution. This principally means rechargeable propane or butane cylinders used for cooking or domestic water heating, rechargeable medical oxygen cylinders intended for patients cared for at home and rechargeable acetylene cylinders for DIY purposes.

7. Notification Under Another Act

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8. Main Content

The decree makes standard the implementation of deposit charges or equivalent recovery systems for those placing rechargeable gas bottles on the market and establishes the principle of Extended Producer Responsibility (EPR) for the management of gas bottle waste, which must henceforth be ensured by those placing such bottles on the national market.

Firstly, the decree regulates the implementation of deposit charges or equivalent recovery systems for rechargeable gas bottles by those placing them on the market such that these parties improve their performance in the collection of rechargeable gas bottles and promote their reuse. To this end, they must implement a network of locations, comprising at least all the sales locations of their bottles, to which any holder may return their bottle after use, and set out information on the specifics of the deposit or equivalent recovery system implemented for the benefit of users. This information shall be similarly made available to distributors and local authorities.

In the case of deposit systems, paper notification of the deposit value shall be issued to the user, stating the sum which is to be reimbursed upon return of the bottle.

Secondly, the responsibility of those placing bottles on the market, regarding gas bottle waste management, extends to informing users, taking responsibility for segregated collection and organising the collection and treatment of segregated waste. Those placing on the market may work individually or collectively in order to fulfil their obligations. The individual systems and ecological bodies installed by those placing on the market must be respectively approved and authorised by the public authorities.

9. Brief Statement of Grounds

For some years, there has been an increase in the number of gas bottles abandoned in the countryside or collected in waste collection centres, the latter not always being equipped for gas risk management.



This situation demonstrates the failure of deposit systems due to the multiplication of those placing on the market and thus the absence of an adequate national exchange network. Furthermore, when gas bottle waste is collected in waste collection centres, local authorities take responsibility for the costs relating to the collection and treatment of dangerous waste even when a deposit has been paid on the gas bottles.

Moreover, since these gas bottles have been designed to be recharged many times, it is important that those placing them on the market should recover them and encourage users to return them after use in order that these bottles may be refilled numerous times during their lifecycle.

In this context, Article 193 of Law no. 2010-788 of 12 July 2010 on the national commitment to the environment, known as Grenelle 2, provides that placement on the national market of gas bottles intended for individual use shall be accompanied by a deposit system or equivalent encouraging their reuse and that, as of 1 January 2011, the management of waste resulting from these bottles shall be the responsibility of those placing them on the market.

10. Reference Documents - Basic Texts

References to reference texts: Article L. 541-10-7 of the Environmental Code, which may be reviewed on the Legifrance site

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT Aspect

No - The draft is neither a technical regulation nor an assessment of conformity

SPS Aspect

No - The draft is not a sanitary or phytosanitary measure.

Catherine Day



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

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