



Notification Number: 1998/119/F

Draft Decree amending Decree no. 97-1328 of 30 December 1997 relating to the placing on the market and disposal of batteries and accumulators containing certain dangerous substances.

Date received : 16/03/1998

End of Standstill : 17/06/1998

Issue of comments by : Commission

Message

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ATT. MS. BAKKE-D'ALOYA



TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (98) D/50678/2
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC
TRANSLATION OF TELEX 001
NOTIFICATION 98/0119/F

- 3B1 : 9800678.EN

1. Structured Information Line

TLX 002 IND- 98 0119 F-- EN ----- 980316 --- ---

2. Member State

France

3. Department Responsible

Secrétariat Général du Comité Interministériel pour les
Questions de Coopération Economique Européenne.
2 Bld. Diderot - 75012 PARIS.

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22 rue Monge - 75005 PARIS

3. Originating Department

Ministère de l'Aménagement du Territoire et de
l'Environnement.
Sous-direction des produits et des déchets.
20 Av. de Ségur - 75302 PARIS 07 SP

4. Notification Number

98/119/F

5. Title

Draft Decree amending Decree no. 97-1328 of 30 December 1997
relating to the placing on the market and disposal of
batteries and accumulators containing certain dangerous
substances.

6. Products Concerned

Batteries and accumulators containing certain dangerous
substances.

7. Notification Under Another Act

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8. Main Content

Implementation of European Directive no. 91/157 of 18 March
1991 relating to batteries and accumulators containing
certain dangerous substances. Decree no. 97-1328 of 30
December 1997
makes particular provision for the separate collection of



certain batteries and accumulators.

The draft amendment proposes an extension of the scope of application of this Decree by the progressive collection of all types of spent batteries and accumulators whilst defining the technical procedures for their collection. It stipulates, both in technical and financial terms, the organisation for the effective collection of spent batteries returned by users. The manufacturers, importers and installers of batteries and accumulators may jointly organise for batteries and accumulators to be disposed of by third party organisations which they shall collectively manage and freely regulate.

9. Brief Statement of Grounds

The current revisional works of Directive 91/157 undertaken in 1997 have already validated the principle for collecting all types of batteries and accumulators as an established fact which is attuned pragmatically to the actual behavioural patterns of consumers who cannot clearly identify batteries and accumulators which present certain dangers, in spite of markings.

10. Reference Documents - Basic Texts

- Council Regulation No. 259/93 of 1 February 1993 on the supervision and control of shipments within, into and out of the European Community;
- Directive No. 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations;
- Directive No. 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances;
- Directive No. 93/86/EEC of 4 October 1993 adapting the technical progress of Directive No. 91/157/EEC on batteries and accumulators containing dangerous substances;
- Penal Code and particularly article R.610-1 thereof;
- Consumer Code;
- Amended Law No 75-633 of 15 July 1975 and the disposal of waste and recovery of materials;
- Amended Law No 76-663 of 19 July 1976 on installations classed for the protection of the environment;
- Decree No 97-1328 of 30 December 1997 relating to the placing on the market and disposal of batteries and accumulators containing certain dangerous substances.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No



14. Fiscal measures

No

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COMEUR
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