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Individual compliers' collection of waste batteries and accumulators (BAT)

Dansk Producentansvar, June 2022

DPA is short for Dansk Producentansvar (Danish Producer Responsibility). DPA is in charge of administrative tasks associated with the rules on producer responsibility under Danish environmental law regarding waste from electrical and electronic equipment, end-of-life batteries and accumulators, and end-of-life vehicles.

Producer responsibility for these waste types has authority in the Danish Environmental Protection Act. This Act translates into three statutory orders for the different waste types: the WEEE Order, the Battery Order, and the End-of-life Vehicles Order (the current statutory texts can be found on www.producentansvar.dk).

The Danish Statutory Orders take offset in three EU directives for the same waste types: the so-called WEEE Directive, the Batteries Directive, and the ELV Directive. Also these directives with exact titles and dates can be found on www.producentansvar.dk.

Producer responsibility rests on the principle that each producer or importer assumes responsibility for collection and management of WEEE, waste batteries, and end-of-life vehicles to the effect that products becoming waste are managed in an environmentally correct manner, with the highest possible utilisation of resources contained in such products.

Producers and importers are in the following referred to as *producers* as the rules applying to both types are the same.

In general, the following abbreviations are used: WEEE for waste electrical and electronic equipment, BAT for batteries and accumulators, and ELV for end-of-life vehicles.

In pursuance of the rules on producer responsibility for batteries this document describes how producers that are not affiliated to a collective producer scheme can assume take-back and treatment of waste batteries.

Content

Individual compliers	3
Take-back of portable batteries	3
Take-back for individual compliers with small quantities of portable batteries	3
Take-back of industrial and automotive batteries and accumulators	4
Agreements with environmentally approved reprocessing companies	4
Registration and reporting to DPA	4
Costs for take-back and treatment systems	4

Individual compliers

If a producer or an importer (in the following producer) of batteries chooses to assume his producer responsibility individually (individual compliance), he must himself establish systems for take-back of waste batteries. There are different take-back systems for the three types of batteries and accumulators: portable, industrial, and automotive batteries and accumulators.

Take-back of portable batteries

When a producer places portable batteries on the market he is covered by the so-called allocation scheme. Under the allocation scheme DPA allocates to each producer specific geographic collection areas with a number of municipal collection points. From these collection points each producer must collect waste portable batteries for a 12-month period. The producer must collect and treat those portable batteries that are collected from the allocated collection points. Also, the producer must make collection equipment available to the municipal collection points to the extent requested by the local councils. Treatment of waste batteries must take place with an environmentally approved recycling company.

Producers are allocated with collection areas relative to their market shares for portable batteries. Some producers may have such a small market share for one or more years that they cannot be obliged to collect waste portable batteries from the municipalities. More details are given below under 'Take-back for individual compliers with small quantities of portable batteries'.

The producer is obliged to comply with the guidelines for collection from the municipal collection points which appear from Appendix 1 to the Battery Order.

DPA recommends producers placing portable batteries on the market to purchase logistics services from the collective schemes. Collective schemes assume against payment, among other things, collection from the municipal collection points and they have entered into agreements with environmentally approved reprocessing companies that treat the collected waste batteries.

Read more about the allocation scheme on the DPA website.

Take-back for individual compliers with small quantities of portable batteries

Producers' obligation to take back waste portable batteries appears from the Environmental Protection Act and the Battery Order.

Once a year DPA informs the producer how large a quantity of waste portable batteries he must take back. The quantity to be collected will be based on total quantities placed on the market in the previous year.

Example:

An individual complier has placed 100 kilograms of portable batteries on the market.

DPA informs the producer that in the allocation period in question, he must collect 60 kilograms of waste portable batteries.

If the producer collects more or less than these 60 kilograms, the difference will be offset in the subsequent period.

Due to the small quantity in this example, it is not possible to allocate waste portable batteries from the municipal collection schemes to the producer. This gives two options for the producer:

- Instead, the individual complier is responsible for collection of the allocated quantity in other ways.

- The individual complier is allocated by DPA with a quantity of waste portable batteries that must be collected from the municipal collection points. This will be done when the total quantity of batteries placed on the market reaches a level that makes allocation possible.

Under the law producers can establish their own collection schemes. When producers have collected waste portable batteries they must comply with the provisions of the Battery Order regarding separate management as well as recycling requirements.

Take-back of industrial and automotive batteries and accumulators

Also those producers that place industrial and automotive batteries and accumulators on the market can assume their producer responsibility individually. In this case the producer must himself establish a take-back and treatment system for products placed on the market, unless he has entered into an agreement with the end-user regarding transfer of the duty of take-back and treatment of waste batteries and accumulators. Read more about transfer of duties on the DPA website.

In the following some of the most important elements of a take-back and treatment system are discussed.

Agreements with environmentally approved reprocessing companies

Producers must ensure that waste batteries and accumulators taken back are treated at facilities operated by environmentally approved reprocessing companies.

It is important that treatment options ensure that the producer complies with the requirements for treatment and recycling stated in the Battery Order. Therefore, the producer must enter agreements with environmentally approved reprocessing companies.

Links for environmentally approved reprocessing companies are available on the DPA website.

As a significant part of the contract, the producer must make sure that the reprocessing company registers quantities received and treated as well as the treatment option chosen for the waste batteries. Registration of quantities must be made in a form that the producer can subsequently use the information in his annual reporting to DPA.

Registration and reporting to DPA

When a producer has chosen to assume his producer responsibility individually, he must register in and report annually to the producer register. The producer is also responsible for continuous updating of master data.

At least once a year the producer must report various information to the DPA producer register. This information comprises quantities in kilograms placed on the market, taken back and treated. Therefore, the producer must make sure to have the necessary information registered in his internal administrative systems ready for reporting to DPA between 1 January and 31 March every year.

Costs for take-back and treatment systems

The individual complier must bear all costs for establishment and maintenance of his take-back and treatment system.

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