



**INFORMATION  
FOR  
RETAILERS OF INDUSTRIAL & AUTOMOTIVE  
BATTERIES**

**Office of Climate, Licensing & Resource Use  
Revision 6. March 2011**

**This document is for guidance only. It does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. Retailers are advised to refer to the relevant legislation for comprehensive information on requirements.**

**Who Does What** in connection with **enforcement** and **implementation** of the industrial and automotive Batteries and Accumulator Regulations at distributor or retailer level?

|  | <b>Role</b>  | <b>Contact details</b>   |
|--|--|--|
| <b>Local Authorities</b><br><b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Retailer registration. (WEEE &amp; batteries)</b></li> <li>• <b>WEEE and waste battery take-back.</b></li> <li>• <b>WEEE/ battery collection.</b></li> <li>• <b>Statutory notices.</b></li> </ul> | <ul style="list-style-type: none"> <li>• Maintain a register of retailers of EEE and/ or batteries and ensure that all retailers renew their registration annually (<i>where applicable</i>).</li> <li>• Ensure that retailers offer free take back to consumers and information on this service.</li> <li>• Ensure that retailers only distribute EEE and batteries obtained from <u>validly</u> registered producers.</li> <li>• Ensure disposal of WEEE and waste batteries by retailers is in accordance with the WEEE and Battery Regulations.</li> <li>• Manage WEEE/waste batteries at Civic Amenity Sites.</li> <li>• Ensure that the statutory notices are displayed as specified in the WEEE and/ or Battery Regulations.</li> </ul> | Please refer to local telephone directories or local authority websites for contact information.   |
| <b>Environmental Protection Agency</b><br><b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Price notice display of EEE items.</b></li> <li>• <b>EEE/ batteries sourced from registered producer</b></li> </ul>   | <ul style="list-style-type: none"> <li>• Ensure that ‘three-point-pricing’ is displayed and correctly worded for all specified items of EEE.</li> <li>• Ensure that the correct Producer Recycling Fund contributions are applied to items of EEE, where applicable.</li> <li>• Follow up complaints relating to WEEE and batteries.</li> <li>• Carry out enforcement actions where necessary.</li> </ul>  | Lo Call 1890 33 55 99<br>Tel: 053 916 0600<br><a href="http://www.weee-enforcement.ie">www.weee-enforcement.ie</a><br><br><a href="http://www.batteries-enforcement.ie">www.batteries-enforcement.ie</a> |
| <b>European Recycling Platform (ERP)</b> <ul style="list-style-type: none"> <li>• <b>Approved WEEE/ Battery producer compliance scheme.</b></li> <li>• <b>Alternative retailer registration.</b></li> </ul>  | <ul style="list-style-type: none"> <li>• Offer compliance scheme membership for producers</li> <li>• Maintain the alternative retailer register.</li> </ul>  | Tel: 0818 332 757<br><a href="mailto:info@erpbatteryrecycling.org">info@erpbatteryrecycling.org</a>  |
| <b>WEEE Ireland</b> <ul style="list-style-type: none"> <li>• <b>Approved WEEE/ Battery producer compliance scheme.</b></li> <li>• <b>Alternative retailer registration.</b></li> </ul>   | <ul style="list-style-type: none"> <li>• Offer compliance scheme membership for Producers.</li> <li>• Maintain the alternative retailer register.</li> </ul>   | Tel: 01 299 9320<br><a href="http://www.weeeireland.ie">www.weeeireland.ie</a>   |
| <b>WEEE Register Society Ltd.</b><br><b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Producer registration.</b></li> <li>• <b>Queries on scope of products.</b></li> <li>• <b>Current PRF contributions for EEE.</b></li> </ul>   | <ul style="list-style-type: none"> <li>• National producer registration body for WEEE and batteries.</li> <li>• Issue Category Listings, which list current Producer Recycling Fund (PRF) contributions for EEE products.</li> <li>• Determine what category/sub-category EEE products belong to.</li> </ul>   | Tel: 01 6333 550/1<br><a href="http://www.weeeregister.ie">www.weeeregister.ie</a>   |

For role of all stakeholders, please refer to the ‘*The WEEE and Battery Regulations in Ireland: Who does what?*’ available on EPA website: [www.epa.ie/downloads/advice/waste/weee/](http://www.epa.ie/downloads/advice/waste/weee/).

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## Introduction

The Environmental Protection Agency (EPA) compiled this information in order to assist distributors or retailers<sup>1</sup> of industrial and automotive batteries to achieve compliance under the Batteries and Accumulator Regulations, herein after referred to as the Battery Regulations. However be advised that this document does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. The guidance relates to waste industrial and waste automotive batteries only. For guidance on portable batteries, please refer to the guidance document for Retailers of Electrical and Electronic Equipment and Batteries:

[www.epa.ie/downloads/advice/waste/weee/](http://www.epa.ie/downloads/advice/waste/weee/). Also, the information provided does not cover all the obligations of retailers who sell EEE and/or batteries by distance communication. Separate guidance for distance sellers is available from [www.epa.ie/downloads/advice/waste/weee/](http://www.epa.ie/downloads/advice/waste/weee/).

| Battery type | Codes /applications  | Possible uses  |
|--------------|--|--|
| Portable     | AA, AAA, D cell, C cell, 6 & 9V and button cells   | <ul style="list-style-type: none"><li>• Mobile phones</li><li>• Cameras</li><li>• Remote controls</li><li>• Torches</li><li>• Laptops</li></ul>  |
| Industrial   | Designed exclusively for industrial or professional uses;<br>Used as a source of power for propulsion in an electric vehicle;<br>Unsealed but is not an automotive battery or accumulator; or<br>Sealed but is <u>not classified as a portable battery</u> | <ul style="list-style-type: none"><li>• Forklift</li><li>• Golf buggy</li><li>• Fork truck</li><li>• Batteries for emergency back-up power supply</li><li>• Farm fence</li><li>• Automatic transport vehicles (E.g. motorised wheelchairs)</li></ul> |
| Automotive   | Starter, lighting or ignition  | <ul style="list-style-type: none"><li>• Car</li><li>• Boat</li><li>• Truck</li><li>• Bus</li><li>• Motorcycle</li><li>• Tractors and machinery</li></ul>   |

## Typical battery types and applications

The EPA and local authorities have enforcement responsibilities under the WEEE and Battery Regulations, and your premises may be inspected to check compliance with both sets of Regulations by either regulatory authority. Where a particular retailer obligation is a local authority enforcement

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<sup>1</sup> "A Distributor" is defined in the Battery Regulations as any person that provides batteries or as appropriate, accumulators on a professional basis to an end-user.

Therefore a distributor may also be known as a Retailer. Examples of retailers of industrial and automotive batteries would therefore include; motor factors, garages, car, truck, van, tractor dealerships, in fact any one providing industrial or automotive type batteries to an end user on a professional basis. Note: some distributors of automotive batteries sell portable batteries for car key fobs.

responsibility (e.g. registration, take back obligations), you will be required to satisfy the local authority regarding compliance. The EPA has been carrying out random, unannounced inspections of retail premises nationwide.

This information will be updated when necessary, and any comments regarding the document will be taken into consideration for future revisions. If you have comments, please e-mail [batteries@epa.ie](mailto:batteries@epa.ie) or Lo Call 1890 33 55 99. Further information on WEEE and/or batteries can be found on the EPA web-site [www.weee-enforcement.ie](http://www.weee-enforcement.ie) or [www.batteries-enforcement.ie](http://www.batteries-enforcement.ie)

### Summary of retailer obligations

1. Distributors or retailers of batteries other than portable batteries (e.g. AA, AAA, Cell C, Cell D, PP3, PP9 etc) must be registered with their local authority or approved compliance scheme.
2. Retailers are obliged to distribute batteries from validly registered producers, unless they wish to take on producer obligations themselves.
3. Retailers are obliged to display the correct statutory notices.
4. Retailers are obliged to operate a free one-for-zero take-back of waste batteries (only similar to type sold) in store. **Note:** Unlike WEEE, purchase of new batteries is not necessary to avail of take-back.
5. Retailers are obliged to inform customers of free waste battery take-back.
6. Retailers must ensure that storage and transport of waste batteries meet the requirements of the regulations.

**Note:** *A retailer who sells EEE with a battery incorporated in or accompanying the product is also a battery retailer. (E.g. cordless drill has re-chargeable battery included in or with the product)*

### Registration with local authority or compliance scheme

A distributor or retailer selling batteries and/or storing waste batteries is required to register with their local authority or compliance scheme. Most sites used for the storage of waste require a Waste Permit from the relevant Local Authority. Retailers can avail of an exemption to this, by registering with their Local Authority or compliance scheme.

If a retailer is already registered in accordance with the WEEE Regulations, they are automatically included on the battery register. Otherwise retailers of automotive and/or industrial batteries must

register in accordance with the Battery Regulations with their appropriate local authority<sup>2</sup>. Alternatively, the two approved compliance schemes; WEEE Ireland and ERP Ireland have now been approved by the Minister to hold and maintain *alternative* distributor registers. Registration as a distributor with WEEE Ireland or ERP Ireland is on a once off basis, free of charge. More information can be found by contacting your local authority or by contacting:

- WEEE Ireland: [retailer@weeireland.ie](mailto:retailer@weeireland.ie) or tel: 01 299 9320
- ERP Ireland: [retailerreq@erp-recycling.org](mailto:retailerreq@erp-recycling.org) or tel: 0818 332 757

### Display of environmental management costs

There are **no** visible environmental management costs (vEMC's) for batteries. Therefore importers, wholesalers and retailers are **prohibited** from displaying any cost associated with the environmentally sound management of waste batteries.

Retailers must ensure that all items of EEE and/or batteries, which they sell, are sourced from validly registered producers. Validly registered producers are obliged to display their unique WEEE Register Society registration number on invoices, credit notes, dispatch and delivery dockets. If a producer imports only EEE, a WEEE Register number would be displayed with the suffix "W"<sup>3</sup>. However if the producer also imports batteries the number would be displayed with the suffix "WB"<sup>4</sup>. A producer selling batteries only would be displayed with the suffix "B"<sup>5</sup>. A list of validly registered producers is available on the WEEE Register Society website ([www.weeeregister.ie](http://www.weeeregister.ie)) under the heading 'producers'. **Retailers distributing EEE and /or batteries from unregistered producers must take on producer obligations.**

Retailers should not stock any batteries that are not marked with the crossed out wheelie bin symbol;



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<sup>2</sup> Registration with the LA will include a fee not exceeding €20 and registration must be renewed annually

<sup>3</sup> W denotes producer registered as a producer of EEE

<sup>4</sup> WB denotes a company registered for EEE and Batteries

<sup>5</sup> B denotes a company registered as a producer of Batteries only

## Requirements for price notice display

Under the Battery Regulations there are no price notice display requirements for batteries on shelf ticketing, catalogues, web-sites, brochures, direct mail communications and in all advertising. However, all print advertisements for batteries must contain the following text;

***“Waste batteries must never be placed in your waste disposal or recycling bins. There is a bin for small batteries in your local store. Battery recycling is free”***

## Statutory notice display

New requirements for statutory notices came into effect in September 2008. At all premises, supplying EEE and batteries (including batteries incorporated into EEE) a sign satisfying the following requirements must be displayed in a conspicuous position within 1 m of the point of sale of EEE (till) or where EEE or batteries are displayed. The sign must:

- be not less in dimension than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (*A4 size*),
- be printed in black indelible ink with a Times New Roman font size of at least 20 or equivalent and line space of at least 1.5 lines on a white background and affixed, on a durable material, so as to be easily visible and legible,
- not be obscured or concealed at any time,
- bear the following wording;

### **FREE RECYCLING - Waste Management Act 1996.**

“Waste electrical and electronic equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis. Waste batteries including rechargeable batteries are taken back free of charge in this store. You are not obliged to make any purchase when returning old batteries here. Each Local authority must also accept household WEEE and small batteries free of charge at its recycling facilities.

All WEEE and waste batteries must be recycled and should not be placed in your waste disposal or recycling bins.

Make sure you always recycle all your old electrical goods and batteries”.

**‘Please find a sample of the statutory notice signage for EEE and batteries on page 11 of this document or alternatively download from <http://www.epa.ie/downloads/advice/waste/weee/>.**

Retailers selling batteries **only** must display a sign satisfying the following requirements; the sign must be displayed in a conspicuous position within 1 m of the point of sale of batteries (till) or where batteries are displayed. The sign must:

- be not less in dimension than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (*A4 size*),
- be printed in black indelible ink with a Times New Roman font size of at least 24 or equivalent and line space of at least 1.25 lines on a white background and affixed, on a durable material, so as to be easily visible and legible,
- not be obscured or concealed at any time,
- bear the following wording;

**“FREE RECYCLING - Waste Management Act 1996.**

Waste batteries including rechargeable batteries (of a type sold here) are taken back free of charge in this store.

You are not obliged to make any purchase when returning old batteries here. Each Local Authority must also accept small batteries free of charge at its recycling facilities. All waste batteries must be recycled and should not be placed in your waste disposal or recycling bins.

Make sure you always recycle all your old batteries”

Please find a sample of the statutory notice for retailers of batteries only at

<http://www.epa.ie/downloads/advice/waste/weee/>

Please be advised, retailers of Electrical and Electronic Equipment (EEE) only, are required to display signage also. Sample signage may be downloaded from;

<http://www.epa.ie/downloads/advice/waste/weee/>.

**Return and collection systems for waste batteries**

Retailers are required by law to take back waste batteries from members of the public free of charge. Take-back is on a one-for-zero basis. Members of the public are not obliged to make a purchase in order to avail of the free take-back. Retailers are only obliged to take back waste batteries of similar type to which they sell or similar type to those batteries incorporated into EEE or supplied with EEE sold. E.g. retailers are not obliged to take waste automotive or industrial batteries if the only type being sold is AA or AAA batteries.

**Note:** Retailers will not be required to take back leaking batteries.

## Information on free return and collection system

When supplying a new product, retailers of batteries are obliged to inform users of the return and collection systems available to them. This obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale.

## Storage, transport and disposal of portable, industrial and automotive batteries

### Portable batteries

Both compliance schemes WEEE Ireland and ERP Ireland have been distributing storage boxes for waste portable batteries to retailers since September 2008 via retailer reverse logistics system. However, if retailers have not yet received storage boxes for waste portable batteries, you can contact the following organisations:

| Area   | Contact Details of Compliance Scheme   |
|--|--|
| Cavan, Clare, Fingal, Louth, Limerick, Meath, Monaghan and Kerry | ERP Ireland at ( <a href="http://www.erp-reycling.org">www.erp-reycling.org</a> ) or tel: 0818 332 757<br><br>Alternatively, contact your local authority. |
| All other counties/areas   | WEEE Ireland at <a href="http://www.weeeireland.ie">www.weeeireland.ie</a> or tel: (01) 299 320<br><br>Alternatively, contact your local authority.        |

Retailers can make arrangements to have waste batteries collected from their premises by a compliance scheme (the compliance scheme is acting on behalf of the battery producer). The compliance schemes will collect waste portable batteries on demand, once a minimum of 50kg is ready for collection. Retail outlets, workplaces or schools can arrange a central collection point in one area in order to make collection viable in that area i.e. to make 50kg ready for collection. Alternatively, retailers can bring waste portable batteries that have been collected through take back, to the local civic amenity site.

Registered retailers are exempted from the need to have a facility permit for storage of waste batteries where the amount stored does not exceed certain set limits and the manner of storage satisfies the requirements of the Regulations.

## Industrial or Automotive batteries

Waste industrial or automotive batteries taken back at retailer premises should only be passed to a person that is authorised to collect and manage this type of waste. These are as follows:

1. A permitted collector acting on behalf of the compliance scheme or a self-complying producer or a
2. Person or company authorised for collection of industrial and/or automotive batteries.<sup>6</sup>

**Note: Civic amenity sites are not obliged to accept waste automotive and/or industrial batteries from retailers.**

If a retailer transfers waste batteries to a person other than an approved compliance scheme (WEEE Ireland or ERP Ireland or one of their approved authorised collectors<sup>7</sup>) or self-complying producer, the retailer takes on the following obligations:

1. Ensuring that all such waste batteries are managed in an environmentally sound manner and treated in accordance with the technical requirements of the batteries Directive.
2. Ensuring any recycling targets are achieved and
3. Submission of an annual report detailing such practices to the EPA by **28 February each year**, in accordance with Article 22(3) or Article 23(6) of the Battery Regulations S.I. No. 268 of 2008.

**Note:** A template of the annual report is available on the EPA website:

[www.epa.ie/downloads/advice/waste/weee/](http://www.epa.ie/downloads/advice/waste/weee/) . If the retailer operates from more than one location, a separate report is required for each location.

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<sup>6</sup> A retailer transferring waste automotive and /or industrial batteries will be required to report all collections of these waste batteries to the EPA each year.

<sup>7</sup> Contact compliance schemes for list of their authorised collectors.

# **FREE RECYCLING**

## **WASTE MANAGEMENT ACT 1996**

Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis.

Waste batteries including rechargeable batteries (of a type are sold here) are taken back free of charge in this store.

You are not obliged to make any purchase when returning old batteries here.

Each local authority must also accept household WEEE and small batteries free of charge at its recycling facilities.

All WEEE and waste batteries must be recycled and should not be placed in your waste disposal or recycling bin.

Make sure you always recycle all your old electrical old electrical goods and batteries.