

Executive order on certain batteries and accumulators containing dangerous substances¹

Pursuant to sections 22, 30, 45 and 61 of the Danish act on chemical substances and products, cf. executive order no. 583 dated 9 July 1993, the following provisions are laid down:

Part 1

Scope of the executive order

1. Import and marketing of alkaline manganese batteries containing more than 0.025% of mercury by weight are prohibited.

(2) Import and sale of alkaline manganese batteries for prolonged use in extreme conditions (e.g. temperatures below 0°C or above 50°C, exposed to shocks) containing more than 0.05% of mercury by weight are prohibited.

(3) By mercury is understood the element mercury, both in metallic form and in chemical compounds with other substances.

(4) Alkaline manganese button cells and batteries composed of button cells shall be exempted from the prohibition in subsections 1 and 2.

2. Import and marketing of batteries and accumulators containing more than:

- 1) 25 mg mercury in each battery or accumulator cell, with the exception of alkaline manganese batteries
- 2) 0.025% of cadmium by weight
- 3) 0.4% lead by weight

are subject to the batteries or accumulators being marked with one of the symbols indicated in appendix 1, with a view to separate collection and subsequent recovery or disposal.

3. The symbol indicated in appendix 1 shall be provided with the chemical notation of the heavy metal contained, either Hg, Cd or Pb.

(2) The symbol indicated in appendix 1 shall cover 3% of the largest surface of the battery or accumulator and its dimensions shall not exceed 5 cm by 5 cm. In case of cylindrical batteries, the symbol shall cover 3% of half the cylinder surface and its dimensions shall not exceed 5 cm by 5 cm.

If a battery or an accumulator is so small that the surface of the symbol would be less than 0.5 cm by 0.5 cm, no marking of the battery or the accumulator is required, but a symbol measuring 1 cm by 1 cm shall be printed on the packaging.

¹The order contains provisions implementing Council Directive 91/157. Official Journal of the European Communities 1991 L 78/38 and Official Journal of the European Communities L 264/51

(3) The notation mentioned in subsection 1 shall be printed under the symbol indicated in appendix 1. Its dimensions shall be at least one-fourth of the symbol described in subsection 2.

(4) Symbols shall be printed in a visible, legible and non-erasable manner.

4. Import and marketing of appliances with permanently incorporated batteries or accumulators are only permitted if consumers are informed of the method of removing them before disposing of the appliance.

5. List of categories of appliance excluded from the scope of section 4:

- 1) Those appliances whose batteries are soldered, welded or otherwise permanently attached to terminals to ensure continuity of power supply in demanding industrial usage and to preserve the memory and data functions of information technology and business equipment, where use of the batteries and accumulators referred to in section 2 is technically necessary.
- 2) Reference cells in scientific and professional equipment and batteries and accumulators placed in medical devices designed to maintain vital functions and in heart pacemakers, where uninterrupted functioning is essential and the batteries and accumulators can be removed only by qualified personnel.
- 3) Portable appliances, where replacement of the batteries by unqualified personnel could present safety hazards to the user or could affect the operation of the appliance, and professional equipment intended for use in highly sensitive surroundings, for example, in the presence of volatile substances.

(2) Those appliances the batteries and accumulators of which cannot be readily replaced by the user in accordance with subsection 1 shall be accompanied by instructions informing the user of the content of environmentally hazardous batteries and accumulators and showing how they can be removed safely.

Part 2

Supervision and control

6. Supervision and control of the observation of the rules in this executive order shall be carried out by the Danish Environmental Protection Agency, cf. the statutory provisions.

Part 3

Penalty and coming into force

7. Unless a stricter penalty is due under other legislation, anyone who violates the rules in sections 1, 2, 3, 4 and 5(2) of this order shall be liable to a fine or mitigated imprisonment.

(2) In the case of violations committed by public or private limited companies, co-operative societies or the like, a fine may be imposed on the company or society as such. In the case of violations committed by the state, a local government or a local government authority, cf. section 60 of the Danish act on the administration of local governments, a fine may be imposed on the state, the local government or the local government authority, cf. section 62 of the act.

8. This executive order shall take effect on 1 January 1994.

(2) Batteries and accumulators which, prior to 1 January 1994, have been produced in or imported to a country which is a member of the European Union may be imported to and marketed in Denmark without the symbols mentioned in section 2 until 31 December 1995.

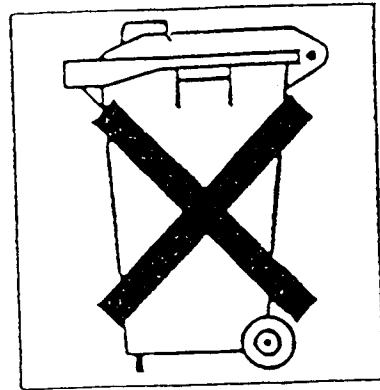
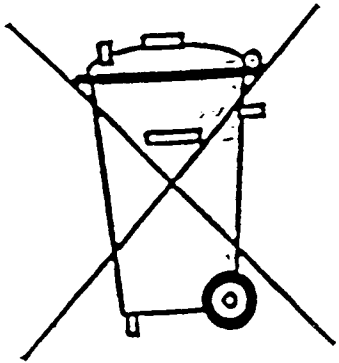
9. Executive order no. 1200 dated 23 December 1992 issued by the Ministry of the Environment prohibiting import and marketing of batteries containing mercury is repealed when this executive order takes effect.

Ministry of the Environment, 13 December 1993

SVEND AUKEN

/ Morten Palle Hansen

Symbols indicating separate collection



Symboler for angivelse af særskilt indsamling.