

BD	Bulgarian Batteries Ordinance
Scope	
<p>Art.2 - all battery types except military/sent to space</p>	<p>Art. 3 - General provisions The ordinance applies to:</p> <ol style="list-style-type: none"> 1. all type of batteries and accumulators 2. appliances in which batteries and accumulators are incorporated 3. waste batteries and accumulators <p>Art. 3a - General provisions The ordinance shall not apply to batteries used in equipment for military use/to be sent into space</p>
Definitions	
<p>Art.3</p> <ul style="list-style-type: none"> - Battery or accumulator - Battery pack - Portable battery or accumulator - Button cell - Automotive battery or accumulator - Industrial battery or accumulator - Waste battery or accumulator - Recycling - Disposal - Treatment - Appliance - Producer - Distributor - Placing on the market - Economic operators - Cordless power tool - Collection rate 	<p>Par. 1 Supplementary provisions (p22) The following definitions are listed as in the directive</p> <ul style="list-style-type: none"> - automotive batteries and accumulators - battery or accumulator - button cells - industrial battery or accumulator - Waste battery or accumulator - Disposal - Portable battery or accumulator - Placing on the market - Recycling - Producer - Collection rate - Battery pack - Appliance - Temporary storage of waste batteries and accumulators: any operations in accordance to the waste management act applicable to batteries - Deposit system: a system in which the buyer of batteries and accumulators pays to the seller a certain amount of money which is reimbursed at return of the waste battery and accumulator. - Recovery organisation: any legal persons registered under Commerce Act which does not generate profit and manages activities on separate collection, recycling and recovery of waste batteries and accumulators - Pre-treatment: any activity carried out on waste batteries and accumulators after they have been handed over for sorting, preparation for recycling or disposal, including activities on electrolyte removal, fragmentation and disassembling.

	<ul style="list-style-type: none"> - Importer - End users - Economic operator: any person who places batteries and accumulators on the market, or any person who sells batteries and accumulators, or any person concerned with the collection, recycling or other type of treatment of waste batteries - Capacity of battery or accumulator: means the quantity of electricity in the battery or accumulator that is supplied under certain conditions for a certain time and is measured in Ampere-hours (Ah).
Prohibitions	
<p>Art.4 Are prohibited all batteries and accumulators containing:</p> <ul style="list-style-type: none"> - more than 0,0005% Hg - more than 0,002% Cd - button cells with more than 2% Hg <p>Exceptions:</p> <ul style="list-style-type: none"> - emergency and alarm systems - medical equipment - cordless power tools 	<p>Art. 4 Same as the directive</p>
Increased environmental performance	
<p>Art.5 - MS to promote research</p>	<p>Art. 4a Battery manufacturers shall take measures upon their development and manufacture for:</p> <ol style="list-style-type: none"> 1. facilitation of pre-treatment, recovery and recycling of waste batteries 2. the improvement of the overall environmental performance of batteries and accumulators 3. the use of less polluting substances
Placing on the market	
<p>Art.6</p> <ul style="list-style-type: none"> - MS should not prohibit placing on market of batteries that meet the requirements - MS to ensure not placing/withdrawn from the market of batteries that do not meet the requirements 	<p>Art. 3b Placing on the market of batteries or accumulators that do not meet the requirements of this ordinance shall be prohibited. (this requirement is in force since 20 January 2009)</p>
Collection schemes	

<p>Art.8 - MS to ensure appropriate collection schemes are in place to: enable users to discard; require distributors to take back waste at no charge; no charge or obligation to buy for end-users</p>	<p>Art. 11 Persons who place batteries on the market are responsible for: (1) separate collections (2) recycling and recovery (3) environmentally sound disposal</p> <p>Art. 14 (1) Achieving the collection and recycling requirements can be done through an individual or collective scheme <i>(The requirements for individual schemes are set out in Chapter four art. 37 - 38)</i> <i>(The requirements for collective schemes are set out in Chapter five art. 39 - 41)</i></p> <p>(2) Provided that a product fee is paid, the EMEPA will use the funds collection, transportation, storage, pre-treatment, recycling & recovery, information campaigns etc.</p> <p>Art. 17 Systems set up for separate collection of waste batteries shall not impede the functioning of the existing municipal waste collection schemes as well as the systems for separate collection of other waste streams, occurring on mass scale.</p> <p>Art. 20 For waste portable batteries, their should be at least one collection per 1000 inhabitants</p> <p>Art. 21 Collection containers should also be placed in the points of sale</p> <p>Art. 39 (1) Persons who place batteries and accumulators on the market may fulfil their obligations for collection and recycling by means of the collective system. (2) The collective system shall be represented by a recovery organization of waste batteries and accumulators that holds a permit. (3) Persons placing batteries and accumulators on the market (included into appliances), and who have concluded a contract with a recovery organization, shall be considered as fulfilling their obligations by means of a collective system</p>
<p>Economic instruments</p>	
<p>Art. 9 - MS may use economic instruments to promote the collection or usage of products with less polluting substances</p>	<p>Art. 26 Persons who place batteries and accumulators on the market may establish deposit systems for the batteries and accumulators, placed by them on the market of the Republic of Bulgaria.</p>

Collection targets	
<p>Art.10 Minimum collection rates:</p> <ul style="list-style-type: none"> - 25% by 26 September 2012 - 45% by 26 September 2016 <p>- transitional agreements can be laid down</p> <p>- common methodology for calculation of annual sales of portable batteries by 26 September 2007</p>	<p>Art. 12 and Final provisions Annex 3a Collection targets will be reached by steps:</p> <ul style="list-style-type: none"> - 2009 collected quantity should be no less than 5% - 2010, 12% - 2011, 25% - 2012, 30% - 2013, 35% - 2014, 40% - 2015, 45%
Removal of waste batteries and accumulators	
<p>Art.11 MS shall ensure that manufacturers design appliances in such a way that batteries are easily removable</p>	<p>Art. 5 Similar as BD</p>
Treatment and recycling	
<p>Art. 12 Deadline 26 September 2009</p> <ul style="list-style-type: none"> - producers or third parties set up collection schemes - ensure all batteries collected undergo treatment <p>Exception: MS can dispose of batteries containing Hg, Cd or Pb in landfills or underground storage if:</p> <ul style="list-style-type: none"> - no viable end market id available - as part of a strategy to phase out heavy metals <p>Batteries collected with waste appliances according to WEEE shall be removed from the appliances.</p> <p>Deadline 26 September 2011: recycling shall meet annex III provisions.</p>	<p>Art. 13 and Final provisions The following recycling efficiency targets shall be met:</p> <ul style="list-style-type: none"> - Lead Acid batteries ↻ 65% - NiCd batteries: ↻ 2009: min. 60% ↻ 2010: min. 75% - Other waste batteries ↻ 2009: min. 32% ↻ 2010: min. 50% <p>Art. 46 Persons who carry out collection, transportation, storage, pre-treatment, recovery and/or disposal activities have to keep records of their waste management activities.</p>
New recycling technologies	
<p>Art.13 MS shall encourage development of new recycling and treatment technologies</p>	<p>Art. 18 Operators of installations and facilities for pre-treatment, recycling, recovery and/or disposal of waste batteries and accumulators shall ensure the implementation of the best</p>

	available techniques in relation to protection of human health and the environment.	
Disposal		
See <i>Treatment and recycling</i> Art. 12		
Exports		
<p>Art. 15 Treatment and recycling can take place outside MS or EU if in compliance with regulations</p> <p>Waste exports shall count towards fulfilment of obligations if there is evidence of the same standards as outlined in the directive.</p>	<p>Art. 15 Compliance with EU legislation</p> <p>Art. 37 (4) Provided that there are no appropriate facilities for recycling and/or recovery for certain types waste batteries and accumulators on the territory of the Republic of Bulgaria, the persons, referred to in paragraph 2, shall conclude contracts in order to carry out the above mentioned activities outside the country in compliance with the requirements of the Regulation (EC) 1013/2006</p>	
Financing		
<p>Art. 16 MS to ensure that producers finance any net costs arising from collection, treatment and recycling</p> <p>MS to ensure that double charging of producers under different schemes is avoided (WEEE, end-of-life)</p> <p>MS to ensure producers or third parties on their behalf finance any net costs of public information campaigns on collection, treatment and recycling</p>	<p>Article 19 Persons who place portable and automotive batteries and accumulators on the market shall set up systems for separate collection of waste portable and automotive batteries and accumulators that must ensure:</p> <ol style="list-style-type: none"> 1. collection from the end-users 2. delivery of waste portable and automotive batteries and accumulators <p>The number and locations of the places for distribution of containers intended for waste automotive batteries and accumulators collection (collection points) shall be considered having regard to the population density.</p>	
Registration		
<p>Art.17 MS should ensure that each producer is registered.</p>	<p>Annex 9 (for collection targets & RE targets)</p> <ol style="list-style-type: none"> 1. Name 2. UIC-BULSTAT 3. VAT number 4. Head office address 5. Telephone 6. Fax 7. e-mail 8. Name contact person 9. Position contact person 	

	10. Telephone contact person 11. Fax contact person 12. e-mail contact person
Small producers	
Art.18 Possibility of exemptions for producers that place small quantities on the market, if this does not impede the proper functioning of the collection schemes.	
Information for end-users	
Art.20 MS should ensure through information campaigns that end-users are fully informed + requirements	Art. 57 (1) Producers shall ensure that information is available to end-users regarding: <ol style="list-style-type: none"> 1. the contents of hazardous substances used in batteries and accumulators 2. the meaning of the symbols 3. the available schemes for collection/pre-treatment/recycling/recovery/disposal 4. their role in contributing to separate collection of waste batteries and accumulators 5. the harmful impact on human health and environment of uncontrolled disposal of waste batteries and accumulators. (2) Producers have to provide access to information to persons involved with waste batteries regarding <ol style="list-style-type: none"> 1. Contents of hazardous substances used in batteries 2. The materials/components which batteries consist of as well as information for recycling in order to reach the recycling targets 3. Optimising and developing new methodologies for recycling and/or recovery ➔ This information shall be provided within 3 months after placing the batteries on the market in Bulgaria
Labelling	
Art.21 MS shall ensure that all batteries are marked with the symbol: <ul style="list-style-type: none"> - at least 3% or largest side of the battery up to 5x5cm - cylindrical: 1,5% of the battery up to 5x5cm - in case it would be smaller than 0,5x0,5cm – the symbol measuring at least 1x1cm on packaging - possibility of exemptions 	Art. 6 2) The marking shall include symbols and indications for: <ol style="list-style-type: none"> 1. separate collection 2. heavy metal content. (3) On capacity marking reference is made to the comitology procedure. Art. 7 Crossed out dustbin - same as in BD Art. 8 Chemical symbol – same as in BD Art. 10

<p>MS shall ensure that the capacity of all portable and automotive batteries is indicated on them by 26 September 2009.</p> <p>Batteries containing more than the allowed percentages shall be marked with the chemical symbol.</p>	<p>In case batteries and accumulators are introduced on the market of the territory of Bulgaria from the territory of another Member State, and/or are imported already labelled with the symbols and indications, set out in this chapter, persons who import them or make them available on the market shall be exempted from the obligation to mark them again (reiterated marking).</p>
Reporting obligations	
<p>Art. 22</p> <p>1. MS shall send the Commission a report on the implementation of the directive every 3 years. The first report shall cover the period until 26 September 2012.</p>	
Penalties	
<p>Art.25</p> <p>MS shall lay down rules on penalties and see to their implementation.</p> <p>MS to notify the measures to the Commission by 26 September 2008.</p>	
Voluntary agreements	
<p>Art.27</p> <p>Requirements for agreements between competent authorities and economic operators:</p> <ul style="list-style-type: none"> - enforceable - must specify objectives and deadlines - must be published in official journal (nationally/locally) - regular monitoring reported to authorities and EC - if non-compliance, MS to take measures 	
Reporting	
	<p>Art. 47a</p> <p>Persons placing batteries on the market shall indicate the way of fulfilment of their obligations</p> <p>Art. 48</p>

	<p>Persons placing batteries on the market shall submit information about the quantity of batteries placed on the market based on a monthly reference declaration</p> <p>Art. 58 The recovery organisations and persons fulfilling their obligations individually shall submit by 31 March of every year to the Minister of Environment a report on the preceding year stating whether collecting targets and recycling efficiencies have been met.</p> <p>The article specifies the documents to be presented.</p>
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