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Auteur: OVAM
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Onderwerp: Batteries: waste or product?
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1 INDICATIONS THAT THE BATTERY IS A “PRODUCT”

- (A) Batteries are destined for **further use by the current owner**.
If the battery needs repair, documents are available to proof that the battery will return to the original owner after repair.
- (B) Batteries are taken over from the current owner to the new owner for **direct re-use¹**, without any preparation for re-use².
Current maintenance work or minor repairs **in accordance with the commercial or legal warranty**, are not considered to be preparation for reuse.
For professional activities (several batteries are collected for direct re-use) following conditions apply:
 - functionality of the battery must have been tested and the test report must be fixed securely but not permanently on the battery itself, or on the packaging.
 - the holder of the battery must have available a copy of the invoice and contract relating to the sale and/or transfer of ownership of the battery, which states that the battery is destined for direct re-use and that the battery is fully functional.

2 INDICATIONS THAT THE BATTERY IS A “WASTE BATTERY”

- the battery is destined for **preparation for re-use² or remanufacturing³**.
- (C) **Exception** for the producer (in the context of the producer responsibility obligation), repairing batteries within his collection scheme for re-use in the original application. These batteries can be considered products, on the following conditions:

¹ **direct re-use** means any operation by which the batteries are used again for the same purpose (in the original application, same battery specifications) for which they were initially conceived, without any preparing for re-use.

² **preparing for re-use** means checking, cleaning or repairing, recovery operations, by which batteries that have become waste are prepared so that they can be re-used without any other pre-processing. **Repairing** means the replacement of worn out or obsolete components and modules or the installation of new software. The repaired battery fulfils the battery specifications for use in the original application.

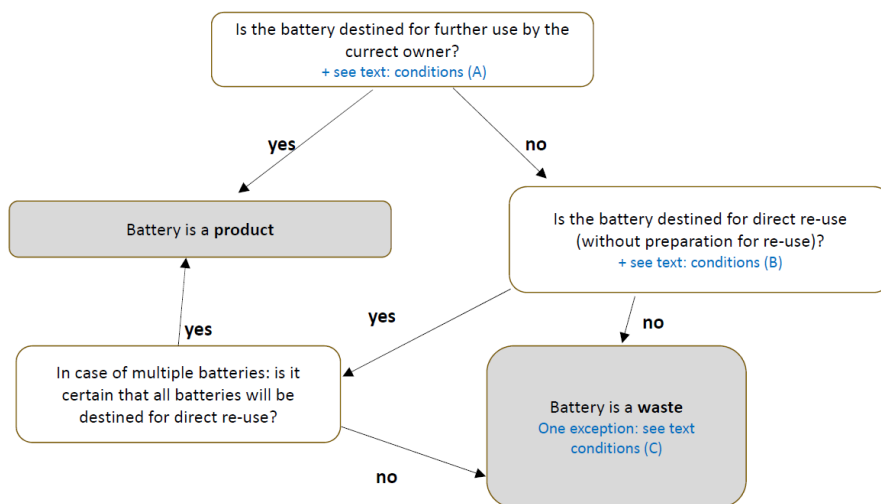
³ **remanufacturing** means the rebuilding of the battery to specifications of the original manufactured product using a combination of reused, repaired and new parts, or by installation of new software.

- The battery is tested and must be suitable for repair, with the intention for re-use in the original application. The holder of the battery must have the test report available.
- It is documented that the used battery is sent back to the producer in EU in order to repair the battery, for re-use in original application.
- the battery is destined for **repurpose**⁴, in other words for use in a different application than the original application;
- the battery is destined for **disposal or recycling**, for disassembly, cannibalization (to gain spare parts) or its fate is uncertain;
- the battery is **not complete**: essential parts are missing and the battery cannot perform its key functions;
- the battery shows **physical damage** that impairs its functionality or safety, and cannot be repaired at reasonable cost;
- the protection against damage during transport, loading and unloading is inappropriate.

3 REMARKS

- A batch of batteries containing both “waste” and “product” batteries, is considered as a batch of “waste” batteries.
- Batteries classified as a product, must meet all product requirements including technical and safety standards and must be transported according to ADR for new batteries.
- Batteries classified as “waste”, must fulfil all waste requirements: for example waste shipment regulation (EU Regulation 1013/2006), ADR for waste batteries, waste permit for storage, sorting or treatment,...
- Appropriate protection against damage during transportation, loading and unloading in particular through sufficient packaging and appropriate stacking must always be applied.

4 INDICATIVE DECISION TREE



⁴ **repurpose** means rebuilding of the battery to specifications different from the original manufactured product (= second life)