

Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (Text with EEA relevance)

Article 12

Treatment and recycling

- 1 Member States shall ensure that, no later than 26 September 2009:
- a producers or third parties set up schemes using best available techniques, in terms of the protection of health and the environment, to provide for the treatment and recycling of waste batteries and accumulators; and
 - b all identifiable batteries and accumulators collected in accordance with Article 8 of this Directive or with Directive 2002/96/EC undergo treatment and recycling through schemes that comply, as a minimum, with Community legislation, in particular as regards health, safety and waste management.

However, Member States may, in accordance with the Treaty, dispose of collected portable batteries or accumulators containing cadmium, mercury or lead in landfills or underground storage when no viable end market is available. Member States may also, in accordance with the Treaty, dispose of collected portable batteries or accumulators containing cadmium, mercury or lead in landfills or underground storage as part of a strategy to phase out heavy metals which, on the basis of a detailed assessment of the environmental, economic, and social impacts, shows that this disposal option should be preferred over recycling.

Member States shall make public this assessment and notify draft measures to the Commission in accordance with Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services⁽¹⁾.

- 2 Treatment shall meet the minimum requirements set out in Annex III, Part A.
- 3 Where batteries or accumulators are collected together with waste electrical and electronic equipment on the basis of Directive 2002/96/EC, batteries or accumulators shall be removed from the collected waste electrical and electronic equipment.
- 4 Recycling processes shall, [^{X1}no later than 26 September 2011,] meet the recycling efficiencies and associated provisions set out in Annex III, Part B.

[^{F15} Member States shall report on the levels of recycling achieved in each calendar year concerned and whether the recycling efficiencies referred to in Annex III, Part B have been met. They shall electronically submit the data to the Commission within 18 months of the end of the reporting year for which the data are collected.]

[^{F26} The Commission shall, by means of implementing acts, adopt detailed rules regarding the calculation of recycling efficiencies by 26 March 2010. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).]

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Editorial Information

- X1** Substituted by [Corrigendum to Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directives 91/157/EEC](#) (Official Journal of the European Union L 266 of 26 September 2006).

Textual Amendments

- F1** Substituted by [Directive \(EU\) 2018/849 of the European Parliament and of the Council of 30 May 2018 amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment](#) (Text with EEA relevance).
- F2** Substituted by [Directive 2013/56/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content, and repealing Commission Decision 2009/603/EC](#) (Text with EEA relevance).
- F3** Deleted by [Directive 2013/56/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content, and repealing Commission Decision 2009/603/EC](#) (Text with EEA relevance).

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- (1) [OJ L 204, 21.7.1998, p. 37](#). Directive as last amended by the 2003 Act of Accession.