

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 18

Small producers

1 Member States may exempt producers which, relative to the size of the national market place very small quantities of batteries or accumulators on the national market, from the requirements of Article 16(1), on the condition that this does not impede the proper functioning of the collection and recycling schemes set up on the basis of Articles 8 and 12.

2 Member States shall make public such draft measures and the grounds for proposing them and notify them to the Commission and other Member States through the Committee referred to in Article 24(1).

3 The Commission shall, within six months of notification as referred to in paragraph 2, approve or reject the draft measures after having verified that they are consistent with the considerations set out in paragraph 1 and do not constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States. In absence of a decision by the Commission within this period, the draft measures shall be deemed to have been approved.