

ITEM 1 : Marking with mAh or Ah.

1.1. Commission's proposal.

ANNEX III: Information contained on capacity labels

Part A. Portable secondary (rechargeable) batteries and accumulators

The capacity label of portable secondary (rechargeable) batteries and accumulators shall contain the following information:

- (1) For portable secondary nickel-cadmium (NiCd), nickel-metal hydride (Ni-MH) and lithium batteries and accumulators the rated capacity as specified respectively in standards IEC/EN 61951-1, IEC/EN 60622, IEC/EN 61951-2, and IEC/EN 61960:
 - (a) as an integer when the capacity is expressed in "mAh", excluding portable secondary (rechargeable) batteries and accumulators intended for power tools application;
 - (b) as a decimal number with one digit when the capacity is expressed in "Ah" and as an integer when expressed in "mAh", for all portable secondary (rechargeable) batteries and accumulators intended for power tools application;
 - (c) with a level of accuracy required by standards IEC/EN 61951-1, IEC/EN 61951-2, IEC/EN 60622 and IEC/EN 61960 respectively.

1.2. Industry's Proposal.

- (2) For portable secondary nickel-cadmium (NiCd), nickel-metal hydride (Ni-MH) and lithium batteries and accumulators the rated capacity as specified respectively in standards IEC/EN 61951-1, IEC/EN 60622, IEC/EN 61951-2, and IEC/EN 61960:
 - (a) as an integer when the capacity is expressed in "mAh", ~~excluding portable secondary (rechargeable) batteries and accumulators intended for power tools application;~~
 - (b) as a decimal number with one digit when the capacity is expressed in "Ah" ~~and as an integer when expressed in "mAh", for all portable secondary (rechargeable) batteries and accumulators intended for power tools application;~~

Justification.

In accordance with Article 3 § 1 of this Commission's proposal, the capacity of a battery or accumulator should be marked either in mAh or in Ah.

It seems appropriate to maintain one single approach to the marking **independently** of the type of battery (cell or battery pack) and/or of its application (mobile phone, cordless tool, laptop, etc...).

Indeed there is no technical reason to limit the possibility to mark batteries and accumulators with the Ah label to the cordless tool application. In a reciprocal manner, the mAh labelling should also be tolerated for power tools applications.

In view of the increasing use of lithium-ion portable rechargeable batteries and the increasing capacity embarked in these batteries Industry invites the Commission and Member States to consider favourably this proposal.

ITEM 2 : Minimum size and location.

2.1. Commission's proposal.

ANNEX IV: Minimum size and location of capacity labels

Part A. Portable secondary (rechargeable) batteries and accumulators

The capacity labels of portable secondary (rechargeable) batteries and accumulators shall comply with the following requirements:

- (1) For individual batteries and accumulators, except button cells and memory back-up batteries:
 - (a) On the battery and accumulator: the label shall have a minimum size of 1.0 x 5.0 mm (H x L)¹;
 - (b) On the packaging (front) of the batteries and accumulators: the label shall have a minimum size of 5.0 x 12.0 mm (H x L);
 - (c) The label shall be located on the packaging (front) and on the batteries and accumulators inside the packaging;
 - (d) **For batteries and accumulators sold without packaging, the label shall be located on the battery and accumulator itself.**
- (2) For battery packs:
 - (a) For battery packs where the largest side is below 70 cm² the label shall have a minimum size of 1.0 x 5.0 mm (H x L);
 - (b) For battery packs where the largest side is equal to or above 70 cm² the label shall have a minimum size of 2.0 x 5.0 mm (H x L);
 - (c) The label shall be located only on the external housing of the cell(s) assembly and not on each individual cell inside the housing.
- (3) Where the size of the battery, the accumulator or the battery pack is such that a label of a minimum size cannot be shown upon it, the capacity shall be marked on the packaging with a minimum size of 5.0 x 12.0 mm (H x L). **In this circumstance, and where the battery, the accumulator or the battery pack is not supplied with its own packaging, the capacity shall be marked on the packaging of the appliance with which the batteries, accumulators or battery packs are sold.**
- (4) For button cells and memory back-up batteries:

¹ Height (H); Length (L).

- (a) On the packaging (front): the label shall have a minimum size of 5.0 x 12.0 mm (H x L);
- (b) The label shall be located on the front of the packaging.

2.2. Industry's proposal.

ANNEX IV: Minimum size and location of capacity labels

Part A. Portable secondary (rechargeable) batteries and accumulators

The capacity labels of portable secondary (rechargeable) batteries and accumulators shall comply with the following requirements:

- (1) For individual batteries and accumulators, except button cells and memory back-up batteries:
 - (a) On the battery and accumulator: the label shall have a minimum size of 1.0 x 5.0 mm (H x L)²;
 - (b) On the packaging (front) of the batteries and accumulators: the label shall have a minimum size of 5.0 x 12.0 mm (H x L);
 - (c) The label shall be located on the packaging (front) and on the batteries and accumulators inside the packaging;
 - (d) **For batteries and accumulators sold *with appliances without packaging*, the label shall be located on the cell itself as per (a) above and not on the packaging.**
- (2) For battery packs:
 - (a) For battery packs where the largest side is below 70 cm² the label shall have a minimum size of 1.0 x 5.0 mm (H x L);
 - (b) For battery packs where the largest side is equal to or above 70 cm² the label shall have a minimum size of 2.0 x 5.0 mm (H x L);
 - (c) The label shall be located only on the external housing of the cell(s) assembly and not on each individual cell inside the housing.

(3)

Where the size of the battery, the accumulator or the battery pack is such that a label of a minimum size cannot be shown upon it, the capacity shall be marked on the packaging with a minimum size of 5.0 x 12.0 mm (H x L). ~~In this~~

² Height (H); Length (L).

~~circumstance, and where the battery, the accumulator or the battery pack is not supplied with its own packaging, the capacity shall be marked on the packaging of the appliance with which the batteries, accumulators or battery packs are sold.~~
When such a battery, accumulator or a battery pack is sold with an appliance the capacity shall be indicated in the user's documentation provided with the appliance.

- (4) ***For bulk shipments of cells between cells manufacturers and Private Label Owners the label shall be placed on the cells and not on the packaging.***
- (5) For button cells and memory back-up batteries:
- (a) On the packaging (front): the label shall have a minimum size of 5.0 x 12.0 mm (H x L);
 - (b) The label shall be located on the front of the packaging.

Justification.

For (1) (d)

When batteries and accumulators are supplied without packaging it is already clear that the packaging cannot be marked due to non-existence of the packaging. There is no need to emphasize that in the regulation.

But Industry would like to raise attention to the situation of accumulators delivered together with electrical and electronic equipment (EEE). These batteries and accumulators are delivered in various quantities and many different housing (shrink wrap, transparent plastic bag, paper bag ...). In order to avoid confusion with the requirements of § 1 (a) – (c) above and to avoid a potential marking requirement for the packaging referred to in this paragraph, Industry recommends to clarify that the marking requirement does not apply to accumulators delivered with EEE.

The word “appliance” is defined in the Batteries Directive 2006/66/EC (Art. 3 § 11).

For (3)

Again, batteries, accumulators and battery packs sold together with equipment are delivered in many different housing.

Marking the appliance's packaging can create confusion for the customer, e.g. in cases where several batteries are included in the package and only one is too small to be labelled and the others not. In such a case, the capacity of one battery is marked on the packaging (e.g. button cell for remote control) and all others not. If the capacity of several batteries is marked on the appliance's packaging the numbers cannot be allocated to the single batteries and display misleading information as well.

Therefore Industry recommends to indicating the capacity of such batteries in the user's documentation delivered with the appliance. There is enough space to display the label and allocate it to the respective batteries if necessary. Additionally the user can look up the capacity at a later time as manuals are normally stored longer than the packaging.

For (4)

This provision requires the capacity marking on the individual cells delivered by cells manufacturers to Private Label Owners (PLO). It does not require the marking of the cardboard or other bulk packaging in which these batteries are shipped to intermediate commercial actors.

ADDRESSES of ASSOCIATIONS

BAJ - Battery Association of Japan

Mr.Kensuke Nakatani, Executive Director
Kikai Shinko-Kaikan, 3-5-8 Shibakouen, Minato-ku
Tokyo 105-0011, Japan
nakatani@baj.or.jp and www.baj.org

RECHARGE aisbl

European Portable Rechargeable Batteries Association

Mr J-P Wiaux, Director General
Ave. de Tervueren, 168 B-3. - B-1150 Brussels. Belgium
jpwiaux@rechargebatteries.org and www.rechargebatteries.org

EPBA

European Portable Batteries Association

Mr. H. Craen, General Secretary.
Avenue Jules Bordet 142, B-1140 Brussels. Belgium
epba@kelleneurope.com and www.epbaeurope.net

EUROBAT

Mr. A. Westgeest, General Secretary
Avenue Jules Bordet 142, B-1140 Brussels. Belgium
eurobat@kelleneurope.com and www.eurobat.org

EPTA

European Power Tool Association

Mr. Brian Cooke, Director General
Lyoner Strasse 9
60528 Frankfurt-am-Main, Germany.
brian.cooke@epta.eu and www.epta.eu

DIGITALEUROPE

Ms. G. Vachey, Manager
Rue Joseph II 20, B-1000 Brussels. Belgium
guillemette.vachey@digitaleurope.org and www.digitaleurope.org

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