

EU Proposal Would End Cadmium Battery Exemption for Power Tools

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European Commission regulators have proposed eliminating the current Battery Directive exemption allowing the use of cadmium in rechargeable batteries for cordless power tools. If the proposal is ratified by the European Parliament and the European Union (EU) Council, the current exemption would end as of January 1, 2016. At that time, the distribution and sale of batteries containing more than 0.002% cadmium by weight for use in cordless power tools would be prohibited.

Cadmium is classified as carcinogenic, mutagenic, and reprotoxic. A heavily regulated substance, cadmium is the subject of various EU laws, such as the Restriction of Hazardous Substances (RoHS) Directive.

Since 2006, cadmium has been banned for use in all non-exempt portable batteries with more than 0.002% of cadmium by weight. This ban would remain unchanged. Also, the current exemptions for batteries included in emergency and alarm systems and for medical equipment would remain in effect.

The cordless power tools exemption has been under continuous review since the original Battery Directive and exemptions were adopted in 2006. At that time, the Commission believed that there was sufficient doubt as to the availability of technical substitutes to justify the exemption. In December 2010, after several studies and public comment, the Commission still believed it had insufficient information on the technical benefits and costs of cadmium replacement to recommend any changes.

Now, upon further review, the Commission has determined that there are sufficient substitutes and that the environmental benefit of removing cadmium from the market by 2016 outweighs the costs to consumers and industry. For instance, the Commission determined that the cost of consumer cordless power tools will likely rise by between €0.4 and €0.6 (\$0.52 and \$0.78).

Battery and consumer product manufacturers and importers must be aware of this change in regulation, as it will require changes to the batteries and products they provide for sale in the EU. Similarly, metals recyclers should expect to see the volume of cadmium batteries returned for processing dramatically decline in the coming years.

However, other battery chemistries, such as lithium-ion (LiOn), are also subject to special regulatory requirements and present their own unique challenges. For example, manufacturers and importers likely will be required to implement changes to their current transportation practices when new practices recently mandated by ICAO take effect on January 1, 2013.