

NB: Unofficial translation; legally binding texts are those in Finnish and Swedish

Ministry of the Environment, Finland

**No. 105
GOVERNMENT DECISION
ON BATTERIES AND ACCUMULATORS CONTAINING CERTAIN DANGEROUS
SUBSTANCES**

January 26, 1995

Section 1

Definitions

For the purposes of this Decision battery means a source of electrical energy generated by direct conversion of chemical energy to electrical energy and which consists of one or more primary (nonrechargeable) batteries, and accumulator means a corresponding source of electrical energy composed of one or more secondary (rechargeable) cells.

Section 2

Scope of application

This Decision shall apply to batteries and accumulators containing more than:

- 1) 25 mg mercury per cell, with the exception of alkaline manganese batteries;
- 2) 0.025 % cadmium by weight; or
- 3) 0.4 % lead by weight.

The Decision shall also apply to alkaline manganese batteries containing more than 0.25 % mercury by weight.

This Decision also applies to batteries and accumulators containing more than 0.0005 per cent of mercury by weight and that are placed on the market as from April 1, 1999 (14.1.1999/17).

Section 3 (14.1.1999/17)

Placing certain batteries and accumulators on the market

Batteries and accumulators containing more than 0.0005 per cent of mercury by weight, excluding button cells and batteries composed of button cells with a mercury content of no more than 2 per cent by weight, may not be placed on the market. The prohibition also applies to batteries and accumulators incorporated in appliances.

Section 4

Marking of batteries and accumulators

Batteries and accumulators may be placed on the market only if they are marked in accordance with annex 1 to this Decision.

Section 5

Incorporation of batteries and accumulators into appliances

Appliances incorporating batteries or accumulators may be imported or manufactured only if the user can readily remove the spent batteries or accumulators from the appliances.

The restriction referred to in paragraph 1 above shall not apply to the appliances referred to in annex 2 to this Decision.

Section 6

Duty to inform

In connection with the selling of batteries and accumulators or appliances incorporating the same, information must be clearly provided of the hazards of uncontrolled handling of spent batteries and accumulators and of the markings on the batteries and accumulators and their meaning.

The appliances referred to in section 5, paragraph 2 above shall be accompanied by instructions informing the user of any environmentally hazardous batteries or accumulators incorporated into the appliances and showing how they can be safely removed.

Section 7

Supervision

Compliance with this Decision shall be supervised by the supervisory authorities referred to in the Waste Act (1072/1993) and the Chemicals Act (744/1989), each in its own sector.

Section 8

Entry into force

This Decision comes into force on March 1, 1995.

Batteries and accumulators manufactured in the European Community or imported into the European Community before the entry into force of this Decision may be placed on the market until December 31, 1995 without the marking referred to in section 4.

Annex 1

The marking indicating separate collection of batteries and accumulators, as referred to under section 4

1. The symbol indicating separate collection of batteries and accumulators shall be a roll-out container crossed through, as in either of the diagrams presented below:
2. As well as the symbol referred to in subparagraph 1 above, the marking shall include the chemical symbol for the heavy metal contained in the batteries and accumulators, that is, Hg, Cd or Pb.
3. The symbol referred to in subparagraph 1 above shall cover three per cent of the widest side of the battery or accumulator, and shall not exceed 5 cm x 5 cm. In cylindrical batteries or accumulators, the symbol shall cover three per cent of half of the battery or accumulator surface, and shall not exceed 5 cm x 5 cm.
4. If the size of the battery or accumulator is such that the surface of the symbol, as referred to in subparagraph 3, would be less than 0.5 cm x 0.5 cm, the battery or accumulator shall not require a marking. In that case, a symbol measuring 1 cm x 1 cm shall be printed on the packaging.
5. The chemical symbol referred to in subparagraph 2 above shall be printed under the symbol referred to in subparagraph 1. The size of the chemical symbol shall be at least one quarter of the surface of the symbol referred to in subparagraph 1.
6. The symbols shall be printed visibly, legibly and permanently.

Annex 2

Appliances that, under section 5, paragraph 2, may incorporate batteries and accumulators

1. Such appliances to which the batteries or accumulators are soldered, welded or otherwise permanently attached in order to safeguard continuity of power in demanding industrial use and to preserve the memory and data functions of information or business technology when use of batteries and accumulators as referred to in this Decision is technically necessary.
2. The reference cells in scientific or professional equipment and batteries and accumulators used in medical devices designed to maintain vital functions, and in heart pacemakers, where uninterrupted functioning is essential and the batteries or accumulators can be removed only by qualified personnel.
3. Portable appliances in which replacement of the batteries or accumulators by unqualified personnel might endanger the user or affect operation of the appliance, and professional equipment intended for use in highly sensitive surroundings, e.g. in the presence of volatile substances.

The Government Decision amending Sections 2 and 3 of the Government Decision on batteries and accumulators containing certain dangerous substances (14.1.1999/17) came into force on April 1, 1999. However, the prohibition referred to in section 3 of the Decision will apply to button cells and batteries composed of button cells with a mercury content of more than 2 per cent by weight as of January 1, 2000.