DEFINITION
(Article 2, paragraph 1, point n), Legislative Decree 188/2008)

For the purposes of Decree 188/2008, a **manufacturer** is:

"Whoever places on the national market for the first time, professionally, batteries or accumulators including those incorporated into appliances or vehicles."

OBLIGATIONS

- From the entry into force of the Decree, manufacturers / importers can only market batteries or accumulators that meet the requirements established by the same decree; providing, at the same time, the withdrawal of batteries and accumulators put on the market that do not comply with specifications, with obligations for those who have placed them. (Article 3.5)

- Manufacturers are required to create, individually or collectively, a capillary network for the collection of the waste of all kinds of batteries and accumulators (portable, industrial, vehicles, etc.).. (Articles 6, 7)

To this end, manufacturers can:

- join existing systems and use the collection network headed by the same;
- organize themselves, either individually or collectively, in waste batteries and accumulators collection systems.

The collection can be made directly from the manufacturers / importers or from independent third parties provided it is done without additional costs for the producer of the waste or the end user and in accordance with local regulations.

- The financing of waste batteries and accumulators collection, treatment and recycling as provided for by Articles 6, 7 and 10 is at the expense of manufacturers or third parties acting on their behalf.

  The costs of collection, treatment and recycling are not shown separately to end users at the sale of new batteries and accumulators. (Article 13)

- By September 26th, 2009, it is compulsory for manufacturers to establish whether individual or collective systems for the treatment and recycling of waste batteries and accumulators, using the best available techniques in terms of protecting human health and environmental safety.

  Please note that the operation of waste treatment can be done outside the Country or the Community provided that the shipment of waste complies with the provisions of EC 1013/2006 policy and subsequent amendments and additions. (Article 10)

- Batteries and accumulators manufacturers are required to register within six months (extended to nine) from the date of entry into force of the decree in question, at the National Register of persons liable to the financing of waste batteries and accumulator management, whose introduction is planned at the Ministry of Environment and Land and Sea Protection.

  Registration must be made in electronic form (as provided by Annex III to the Decree 188/2008), through the Chambers of Commerce and is subject to the payment of an annual fee. (Article 14)

- Once signed up, a registration number is issued for each manufacturer through the computer system of the Chambers of Commerce. Within thirty days from the release, the registration number must be specified by the manufacturer in all shipping documents and commercial invoices. (Article 14)

- Annually, by March 31st, manufacturers communicate to the Chambers of Commerce data on batteries and accumulators put on the national market in the previous year, divided by type; such data are communicated for the first time at the enrolment with reference to the preceding calendar year. (Article 14)

- Batteries and accumulators manufacturers are required to provide end users with information about the potential effects of the substances contained in the distributed products, how they can be disposed of, systems of collection and processing techniques and recycling. (Article 22)

- Finally, it is expected that, already during the design phase, manufacturers should provide for easier removal of waste batteries and accumulators, with the requirement to attach any equipment suitable instruction for the simplified removal in safety, (Article 9 Leg. 188/2008) as well as information requirements and labeling for the end-user. (Article 23)

- By September 26th , 2009, all batteries and accumulators are put on the market only if visibly, legibly and indelibly marked with the symbol shown in Annex IV. (Article 23)

PENALTIES
(Art. 25, Legislative Decree no. 188/2008)

Unless the fact constitutes a crime, the manufacturers that:

- put on the market after September 26th, 2009, batteries and accumulators without the symbol and indication of Article 23, shall be punished with a fine from € 50.00 to € 1,000.00 for each battery on the market. The same penalty applies if such symbols and signs do not comply with legal requirements;

- put on the market batteries and accumulators without having provided to the obligation to register at the Chambers of Commerce as provided for in Article 14, paragraph 2, shall be punished with administrative fine from € 30,000.00 to € 100,000.00;

- within Article 14, paragraph 2, do not send the National Register the information provided for in that Article or communicate it incompletely or inaccurately, shall be punished with administrative fine from € 2,000.00 to € 20,000.00;
- put on the market accumulators containing certain substances as provided for in Article 3, paragraph 1 (exceptions are indicated in the same Article), shall be punished with a fine from € 100.00 to € 2,000.00 for each battery put on the market;

- do not provide the information according to Article 9, paragraph 1, shall be punished with administrative fine from € 2,000.00 to € 5,000.00.

Manual procedures for electronic registration on the National Register (www.registropile.it):

Manufacturer Manuals download

National Manufacturer

External Manufacturer

COBEU AND THE MANUFACTURER

Hold a membership allows the manufacturer / importer compliance with local regulations. The Consortium 'replaces' the manufacturer in the early stages of organization and management of an integrated system for the waste batteries and accumulators collection, transport, storage and processing.
Cobeu provides its members assistance, transparency and reliability in the service, with a focus on affordability: it is a priority, in the respect of equity of treatment of all members, to ensure the manufacturer a minimum contribution for the management, allowing a more competitive sale price of the new.
To receive an estimate of the cost to become a membership visit the section " how to join ."