

**GENERAL AGREEMENT  
ON TARIFFS AND TRADE**

**RESTRICTED**  
**TBT/Notif.94.269**  
24 August 1994  
Special Distribution

(94-1700)

**Committee on Technical Barriers to Trade**

**NOTIFICATION**

The following notification is being circulated in accordance with Article 10.4.

1.	Party to Agreement notifying: <u>NETHERLANDS</u>
2.	Agency responsible: Ministry of Housing, Spatial Planning and Environment
3.	Notified under Article 2.5.2 [X], 2.6.1 [ ], 7.3.2 [ ], 7.4.1 [ ], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): 85.06
5.	Title and number of pages of the notified document: Draft order governing the disposal of batteries (24 pages)
6.	Description of content: The draft order applies to batteries intended for household use. It concerns all batteries, irrespective of their composition, which are sold separately on the market and batteries which are housed in consumer appliances. The draft order introduces a collection and processing obligation for batteries. As for the collection, the percentage figures specified in the draft order must be achieved. Use may be made of the collection network already in use for minor chemical waste within municipalities, provided that manufacturers and importers provide the packaging of batteries which do not fall within the scope of Directive 91/157/EEC with the koa-logo. The draft allows for the possibility that, in the event of failure to meet the stipulated collection targets, the Minister of Housing, Spatial Planning and Environment may decide to introduce a deposit money system. This being the case, batteries will be provided with the indication "deposit money" and the amount involved. These provisions will be notified within the framework of Directive 83/189/EEC if the Minister decides to exercise the authority specified in the draft order. The draft also contains provisions already laid down which implement Directive 91/157/EEC (order of 15 September 1992, law gazette 486). The installation requirement (Article 4) has been extended to cover all types of batteries which are housed in consumer appliances. After all, these batteries too will need to be collected and processed.

7.	Objective and rationale: The point of departure of the Dutch environmental waste policy is to look into ways of avoiding or minimizing waste. The onus is on the manufacturer or importer of a product to do this. In line with this policy, the objective for all batteries is as follows: separate collection and maximum recycling. The manufacturer or importer shall inform the Minister of Housing, Spatial Planning and Environment of the way in which they meet their collection and processing obligation.
8.	Relevant documents:  1. Draft order governing the disposal of batteries. 2. The Environment Protection Act. The draft is based on Articles 10.4, paragraph 1, paragraph 2(a and e), and paragraphs 6, 10.6, 10.8(a), and 15.32, paragraph 1(b), as well as paragraph 4 of the Environment Protection Act.
9.	Proposed date of adoption and entry into force: 1 January 1995
10.	Final date for comments: 20 October 1994
11.	Texts available from: National enquiry point [X] or address and telefax number of other body: