DEFINITION

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

For the purposes of Legislative Decree 188/2008 **distributor** is considered:

"Any person that, in a commercial activity, provides batteries and accumulators to an end-user."

OBLIGATIONS
From the entry into force of the Decree, only batteries or accumulators that meet the requirements established by the same decree can be put on the market; 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 placed them. (Article 3.5)

- Distributors of new batteries and accumulators must make available to the public containers where to place waste batteries and accumulators, and at these purposes they are not subject to the requirements for registration or authorization according to the existing legislation on waste. (Article 6)
- End users should be able to dispose of the waste for free and this should not lead to charges or to the requirement to buy new batteries.
- Distributors of new batteries and accumulators are required to expose, near the counters, with a legible character, a notice given to the public about the possibility to leave at their stores waste batteries and accumulators. This notice also informs about the dangers and the damage that may result to the environment and to human health from the disposal of batteries and accumulators outside the containers for separate collection and the meaning of the symbols on batteries and accumulators (Article 22, Legislative Decree no. 188/2008)
- The costs of collection, treatment and recycling are not shown separately to the end users at the sale of new batteries and accumulators. (Article 13)

PENALTIES

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

Unless the act constitutes a crime, distributors:

- putting on the market batteries and accumulators containing certain substances as in Article 3, paragraph 1 (exceptions are indicated in the same Article) are punished with administrative fine from € 100.00 to € 2,000.00 for each battery put on the market;
- not unduly collecting, free of charge, a battery or a rechargeable battery, are punishable with a fine from € 30.00 to € 150.00 for each battery or battery pack that is not withdrawn or revoked for consideration;
- not providing information as provided for by Article 24 of the Decree, shall be punished with administrative fine from € 500.00 to € 2.000,00.

COBEU AND THE DISTRIBUTOR

By joining Cobeu and using the collection network belonging to the same, the distributor is exempt from payment of any eco-tax, or eco-contribution to the provider of the new product, he can also claim back the unduly previously paid.
Please contact us for more information.