

FACT SHEET 33

Industrial truck batteries - Producer responsibility

Introduction

Generally, the batteries used in industrial trucks are either classified as 'industrial' e.g. traction batteries, or 'automotive' e.g. starter batteries for internal combustion engines. UK legislation places obligations on battery producers for both these battery types, irrespective of the battery chemistry.

The producer is the entity that introduces the battery to the UK market, irrespective of whether it is sold standalone, built in to a machine or supplied as a spare or replacement. Frequently, the producer is a party other than the battery manufacturer even if the battery manufacturer also has a UK presence.

The following guidance is intended to provide an introductory overview of the producer responsibilities as they may apply to manufacturers, importers, and suppliers of industrial trucks. For detailed information on the complete obligations please refer to the links provided at the end of this Fact Sheet.

Definitions

Automotive Battery

Starter or engine ignition power source, or to power lighting in a road vehicle.

Industrial Battery

Battery or battery pack, designed exclusively for industrial or professional users, which is not an automotive battery. An industrial truck traction battery is an industrial battery, irrespective of chemistry.

Producer

Natural or legal person **in the UK** (overseas businesses with a sufficient presence, e.g. regular place of business in the UK, are considered to be a 'person in the UK') who first places the battery on the UK market, including batteries in equipment. An importer of an industrial truck incorporating a battery is a producer.

Placement on the market

The first time the battery becomes available for distribution or use **in the UK**, whether by sale, loan, hire, gift, entry into service etc and whether as a standalone battery, part of a machine, replacement, or spare.

Producer responsibilities

Battery producer responsibilities include:

General

- Ensure that the battery:
 - Does not contain more than the agreed levels of prohibited materials.
 - Is correctly labelled and.
 - Is readily removeable.
- Register with the Office for Product Safety and Standards (OPSS) on the [National Packaging Waste Database](#) (NPWD).

- Report the brand name (or, where appropriate, the battery manufacturer's name, according to the marking on the battery) of all industrial and automotive batteries you place on the market.
- Report the total tonnage, chemistry and brand name placed on the market by 31 March of the following year.
- State your Battery producer registration number (BPRN) on paperwork to distributors and business end-users, e.g. invoices, contracts and delivery notes.

Automotive batteries

Collect waste automotive batteries **free**, and within a reasonable timescale, when asked to do so by the final holder e.g. waste collection site. The final holder is a legally defined term for those involved in end-of-life treatment encompassing scrap yards, waste disposal authorities and recycling operators, it does not include the final end user.

Provide information for final holders on how they can request collection of waste automotive batteries, for example through information on your website.

Industrial batteries

Take back waste industrial batteries **free of charge** at a designated UK location (responsibility for transporting a waste industrial battery to the designated location rests with the final end user), if:

- a) You supply replacement batteries for the waste batteries.
- b) The end user is unable to return the waste batteries to another producer under sub-paragraph a) above and they are the same chemistry as batteries you place on the market or have placed on the market in the preceding 3 years, or.
- c) During any year that you are a producer, the end user is unable to return the waste batteries to another producer under sub-paragraphs a) or b) above.

Inform users which chemistry types (chemistry type refers to the main chemical constituents, e.g. lead or lithium) have been placed on the market during the current year and the preceding 3 years, and explain how they can return waste industrial batteries, for example through information on your website.

End of Life

Waste automotive and industrial batteries must go to an [Approved Battery Treatment Operator](#) (ABTO) or an [Approved Battery Exporter](#) (ABE) for treatment and recycling.

Further information

Detailed information on the complete obligation is available as indicated below:

- [Regulations: batteries and accumulators](#)
- [Waste batteries: producer responsibility](#)
- [Waste batteries and accumulators: technical guidance](#)
- [Classifying portable and industrial batteries](#)

- [Producer responsibility regulations](#)
- [The Batteries and Accumulators \(Placing on the Market\) Regulations 2008](#) (BAR)
 - [Amendments to BAR](#)
- [The Waste Batteries and Accumulators Regulations 2009](#) (WBAR)
 - [Amendments to WBAR](#)

The above information is provided by the UK Material Handling Association (UKMHA) as guidance and, where applicable, takes account of current best practice and our interpretation of current legislation.

However, the UKMHA accepts no responsibility for the recommendations, advice, statements, opinions and conclusions set out above, either expressly or by implication.

No warranty or representation of assurance, in respect of the accuracy or validity of the same is given.

The information in this Fact Sheet has been assembled and interpreted to give fork lift truck owners and users basic guidance on frequently asked questions. Further important information will be given in the quoted reference documents. Responsibility for meeting the safety obligations discussed rests with the employer, and the UKMHA will not accept liability for any problem arising as a result of the content of this document. Technical Bulletins, containing more detailed information and updated as appropriate, are made available free to members of the [UKMHA SAFE USER GROUP](#).

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