

Waste prevention and eco-design plan accompanying guide

Portable batteries and accumulators

In accordance with the obligation from article 72 of the AGEC Law codified in article L. 541-10-12 of the french Environmental Code, producers are required to draw up and pilot **a five-year prevention and eco-design plan** with the following objectives :

- Reduce the use of non-renewable resources ;
- Increase the use of recycled materials ;
- Increase the recyclability of products in processing facilities located in France.

This plan must be sent to your french organisation for each sector you are eligible. The waste prevention and eco-design plan enable you to demonstrate your commitment to these subjects.

The organisations Ecologic, Léko, Batribox and Valdelia support their members in drawing up these prevention and eco-design plans by proposing a common framework. It takes the form of an Excel table to be completed. It is the result of joint work by the organisations but has also been the subject of consultation with professional federations and members of organizations.

Every three years, each organization is required to publish a summary of the plans, after presentation to its Stakeholder Committee in accordance with Article R. 541-101, which must be accessible to the public.

These plans are to be reviewed at least every 5 years.

The purpose of the accompanying guide is to facilitate the use of this framework and to help you complete it. This guide provides methodological and technical elements.

Contents

1	Context	02
2	Presentation of the framework	04
3	Frequently asked questions (FAQ)	07
	3.1 General	07
	3.2 Trame	10
	Annex	13

Article 72 of the AGEC Law, codified in Article L. 541-10-12 of the french Environmental Code, requires producers to draw up and manage a five-year prevention and eco-design plan with the following objectives:

- Reduce the use of non-renewable resources ;
- Increase the use of recycled materials ;
- Increase the recyclability of its products in processing facilities located in France.

It is understood here that :

Prevention is defined as *"any measures taken before a substance, material or product becomes waste, where such measures contribute to the reduction of at least one of the following items :*

- *the amount of waste generated, including through the re-use or extension of the useful life of substances, materials or products ;*
- *the harmful effects of the waste produced on the environment and human health ;*
- *the content of substances hazardous to the environment and human health in substances, materials or products"* - definition from article L.541-1-1 of the french environmental code.

and **eco-design** is *"A systematic approach that considers environmental aspects of the design and development process with the aim of reducing negative environmental impacts throughout the life cycle of a product"*, according to ISO14006 v2020.

This plan must be sent to your organisation for each of the sectors for which you are eligible.

The eco-organisations Ecologic, Léko, Batribox and Valdelia have worked together to offer their members a framework to help them draw up their plan.

Every three years, each eco-organisation is required to publish a publicly accessible summary of the plans, after presentation to its Stakeholder Committee in accordance with Article R. 541-101.

2

Presentation of the framework

The first part of the form is used to identify the holder of the MPE and/or its subsidiaries and/or the group of producers concerned by the MPE in the case of a joint drafting, and to follow it over time.

ERP stream	Portable batteries and accumulators
-------------------	--



Identification zone of the EPR sector concerned (example: household packaging, electrical and electronic equipment, sports and leisure articles, portable batteries and accumulators, etc.)

Identification of the member structure (One column for each entity)

Name of the company or subsidiary or grouping	
Unique identifier number(s)	
APE code	



Identification zone of the producer or group of producers. In the case of a group of producers, mention each of the ID number (Unique Identifier). If a company has several ID's, proceed in the same and include each of the ID's.

Identification referent

First name SURNAME of the referent	
Function	
Company	
Email	
Phone number	



It is requested to appoint a referent per plan. He/she will be the contact of the the organisation in the event of questions

Calendar

Validation / publication date	
Updating date (every 5 years)	



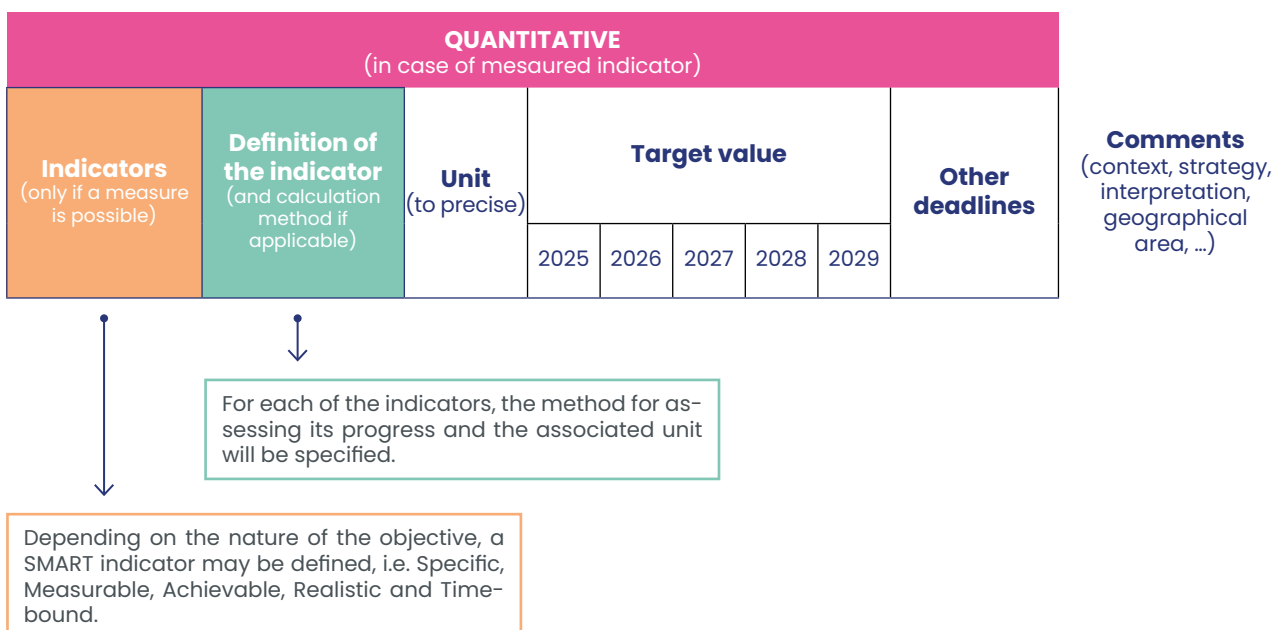
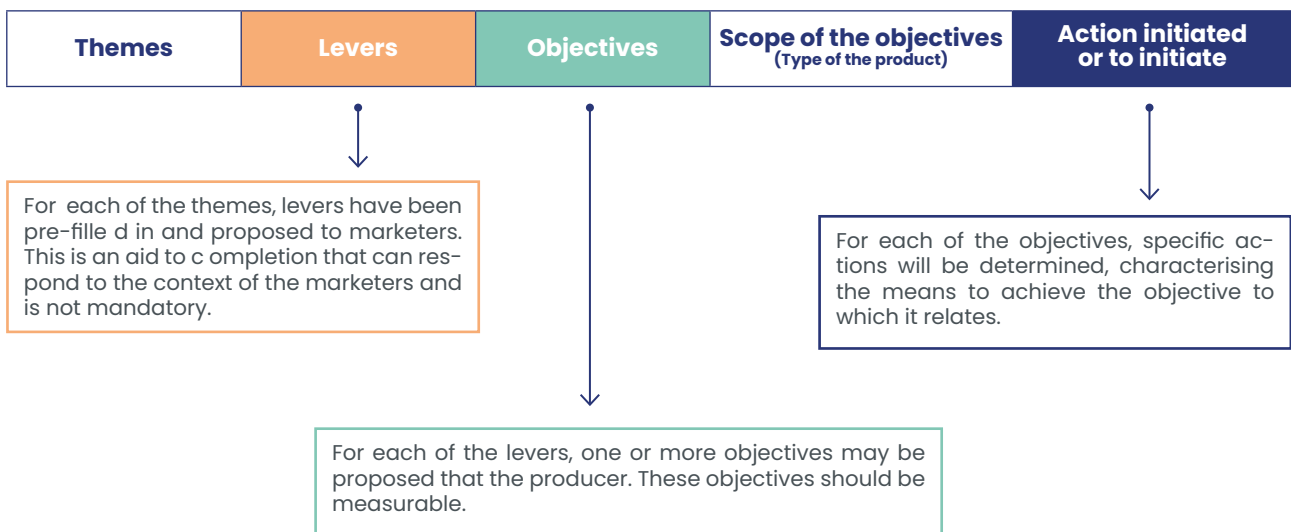
1. Validation date: date of submission of the plan to the relevant organisation
2. Update date : validation date + 5 years maximum
More regular updates are encouraged.

2 Presentation of the framework

Then, a table forms the core of the prevention and eco-design plan. This part is divided into two blocks:

- **A obligatory block** responding to the themes imposed by the law, which are:
 - Reduce the use of non-renewable resources
 - Increase the use of recycled materials
 - Increase the recyclability of its products in processing facilities located in France.
- **An optional block** allowing marketers to identify new levers that do not respond to the themes below but that can demonstrate the commitment to prevention and eco-design issues.

For each of the blocks, the member is asked to fill in different columns described below:



Columns names	Description	Help to fill in the column
Themes	The plan are subdivided into broad themes, which form the basis of the plan. Among these themes, some are required and others are optional. The description of the obligatory and optional themes can be found in the chapter "presentation of the framework".	The "themes" columns are not editable.
Levers	Macro-categories of objectives, which are explicitly named, under the three mandatory themes that meet the requirements of the regulation, and six optional themes.	The "levers" columns cannot be modified. Any eco-design objective that cannot be linked to one of the levers must be mentioned in the "other tracks" line of the theme. It is not necessary to fill in all the fields of the levers indicated. However, for the three mandatory themes, it is imperative that at least one lever is completed. Each lever can be broken down into several objectives, several actions. The framework includes four lines per lever by default, but lines can be added/duplicated if necessary. If a row is duplicated, do not merge the cells.
Objectives	The objectives, attached to the lever, describe briefly the ambitions on this lever and translate the eco-design strategy of the company.	Define the objectives with verbs as far as possible, as defined in the examples provided by the organisations.
Scope of the objective	The objective may concern one version / product / range, or several. This column is used to define this perimeter.	Products should be named explicitly: "hoover", "bottles" etc. Model numbers or other internal company identifiers should be avoided. It is not necessary to specify the quantities placed on the market in tonnage/unit in this column.
Actions initiated or to be initiated	These are the concrete elements put in place / to be put in place to achieve the objective. These actions can be defined qualitatively; the indicators will allow for a quantitative definition where appropriate.	There is no limit to the number of actions, but you are required to enter one action per line. Lines can be added.
Indicator	Field defining the quantitative measure of the objective where applicable. (if a measure is possible)	If necessary, indicators can be added, depending on the actions, by duplicating the lines.
Definition of the indicator	Descriptive elements to understand the indicator defined, and how it is calculated if applicable.	The indicators can be of different kinds (monitoring of actions carried out, performance, etc.)
Unit	Unit of the indicator or %.	Prefer relative units, in %.
Present value/ to be achieved	Measure associated with the indicator described above.	These measures are quantitative, so they are numbers, not words, even if they describe a quantity (a lot, most, some...) These numbers can be percentages or digits, depending on the unit indicated.
Comment	This field allows you to add any element necessary to understand the objective pursued and the resulting actions.	Context, historical values of the indicator, integration into the overall strategy, articulation of actions, geographical scope, maturity on the subject, level of priority, organisation associated with its implementation, etc. The shape or size of the comments is not constrained. This column is therefore the development space of the PLAN.

3

Frequently asked questions (FAQ)

The FAQ includes answers to questions about :

- The producers concerned ;
- The framework for completing the themes, levers and indicators ;
- Possible sanctions associated with the non-transmission of the plan ;
- The modalities and timing of transmission ;
- The results of previous plans ;
- The languages that can be used.

3.1 General

→ 1. Who is concerned by the establishment of a prevention and eco-design plan ?

Any producer meeting the requirements of Article L.541-10-1 of the french Environmental Code is concerned : manufacturers, importers, introducers, sellers under their own name or brand, sellers of online products.

Thus, distributors making declarations of placing on the market must also draw up a plan. This plan may include technical elements from the manufacturers, as well as elements relating to the organisation of the distributor (logistics, collection and/or take-back system, information system with suppliers, etc.).

→ 2. Are there any sanctions for not submitting the plan?

Yes, in accordance with Article L.541-9-5 of the French Environmental Code, producers who fail to comply with their legal obligations will incur an administrative penalty (i.e. a fine per unit or per tonne of product concerned, of up to €1,500 for a natural person and €7,500 for a legal person, and, where applicable, a daily penalty of up to €20,000, which will cease when they comply with the measures prescribed by the administrative decision concerned).

→ 3. If I am a member of several organisations, do I have to draw up several prevention and eco-design plans?

The AGEC law requires producers to draw up and implement a prevention and eco-design plan for the products they put on the market. For better visibility of your commitments and to favour the synthesis of the plans by eco-organisations, it is recommended that you draw up a plan by sector.

→ 4. How do I send my company's prevention and eco-design plan to the eco-organisation?

The plan must be sent by e-mail to each of the eco-organisations at the following addresses:

- Ecologic: ppe@ecologic-france.com,
- Léko: ppe@leko-organisme.fr,
- Batribox: ppe@batribox.fr,
- Valdelia: ecoconception@valdelia.org.

To simplify processing, it is strongly recommended that you use standard titles for your email and PLAN:

- Email: PPE – [Company name/group] – [IDU]
- PPE in Excel format: PPE – [Company name/group] – [IDU].XLSX

→ 5. Can a member submit a plan based on another framework than the one proposed?

Yes, members are free to use the framework of their choice to draw up their prevention and eco-design plan. Thus, a marketer from another EPR sector can use the framework proposed by another eco-organisation.

Nevertheless, it is strongly recommended to use the framework proposed by Ecologic, Léko, Batribox and Valdelia, in order to harmonise the structure and composition of the plans and thus to support the subsequent synthesis work to be carried out by the eco-organisations.

→ 6. Are steps to establish a common plan by trade union possible?

Yes, you are invited to contact your trade unions/federations to do so. These possible joint plans can be made freely, provided that the identification of the grouping is notified in the document by mentioning all the IDUs of each structure.

→ 7. Can this plan be linked to a CSR report or a sustainability report?

In principle, yes, there may be common elements. It depends on the content of these reports. However, they cannot replace the prevention and eco-design plan, as their form, scope and objective do not meet the regulatory requirements, particularly with regard to the three themes notified in the AGEC Act.

→ 8. Is the data shared in the plan confidential?

Yes, as with your declaration of placing on the market, the data transmitted to your eco-organisation is *covered by confidentiality* and will be anonymised. The summary does not give individual figures or company names.

It is therefore not necessary for the plan to contain only public data and information.

→ 9. What is the **deadline for submitting our prevention and eco-design plan?**

The prevention and eco-design plan must be submitted to the eco-organisation before **07/31/2023**.

→ 10. What **happens to the prevention and eco-design plans that are passed on to the eco-organisation?**

All the plans received will be studied by the eco-organisation, which will produce a summary. This summary will be sent to the public authorities and published before 12/31/2023.

This summary will only present non-confidential aggregated data. Prior to its distribution, it will be shared with the Stakeholder Committee set up by the eco-organisation.

→ 11. How should the prevention and eco-design plan be **monitored over time?**

These plans are multiannual plans which are therefore time-bound and must therefore be monitored regularly, in particular in order to evaluate the evolution of the indicators which are quantitative.

→ 12. How binding are the targets set in the plans?

The targets and indicators for the next five years are commitments, but they have no legal value and cannot be subject to sanctions. They will be anonymised in the summary, i.e. no one, apart from the eco-organisation, will have access to the indicators and figures provided by a producer.

→ 13. Article L541-10-12 states that this plan must include **an assessment of the previous plan. Is this compulsory?**

Yes, except for the first plan. Nevertheless, it is advisable, from the first plan onwards, to enter prevention and eco-design actions that are already underway or have been completed. The progress of ongoing actions can be specified in the "current value" and "values to be achieved" columns.

→ 14. Does this prevention and eco-design plan have to be **written in French?**

No, the plan can be produced in English. The framework and the guide are also available in English. The eco-organisation's summary may be translated into English if necessary, at the discretion of each eco-organisation.

→ 15. Where can I find the eco-design frameworks of the different sectors?

The eco-organisations disseminate this information and make the documents available on their respective websites and/or members' areas (where applicable).

→ 16. How should importers/distributors deal with this framework?

Distributors and importers have more limited access to information about product design and a variable ability to influence product design, which is highly dependent on the type of business relationship with their supplier.

The plan transmitted takes these constraints into account and the objectives may be adapted to the action and information capacities of the company concerned and actions and indicators may also be adapted to the existing relationship with suppliers.

For example, for product design aspects, it is possible to indicate long-term objectives that provide guidance for action. Similarly, with regard to actions and indicators, it is possible to focus on adapting the relationship with the supplier in order to obtain the relevant information (substances present, share of recycled plastic, etc.) and/or to strengthen the company's ability to change the design of the imported or distributed product.

3.2 Frame

→ 17. Does the prevention and eco-design plan only cover the end-of-life of products?

No, several of the themes proposed also relate to the design and manufacture of the product.

→ 18. Is it possible to include illustrative or supporting documents in the prevention and eco-design plan?

It is not possible to add other elements in the Excel template in order not to make the file too heavy. However, additional documents can be attached to the plan if necessary via the means of communication set up by the eco-organisation.

→ 19. Are there specific elements to be completed for prevention and eco-design plans?

Yes, the proposed framework contains 3 mandatory themes and associated levers. Objectives and actions are to be freely defined.

→ 20. Do you have to fill in all the themes, all the levers?

For the three compulsory themes, it is imperative that at least one lever is filled in. At least one objective must be associated with it, as well as an action undertaken or to be undertaken for this objective. Quantitative indicators are not mandatory.



The PLANS are commitments made by marketers and reflect their involvement and ambitions in prevention and eco-design.

→ 21. My identified levers are not all present in the framework; can I add some? And if so, how?

The list of levers identified is normally sufficiently comprehensive to allow for the inclusion of all your issues, specifying the specifics in the objectives column so as to remain true to them.

If one of your issues does not seem to correspond to any of the levers, but relates to one of the three compulsory themes, it can be developed in "other tracks" of the relevant lever.

3 Frequently asked questions (FAQ)

If one of the issues does not seem to correspond to any of the levers, and does not correspond to any of the three compulsory themes, then you can add one in the "optional" part of the framework, by adding a line as in the example below (see line "my issue").

Optional	Implementing tools related to eco-design and impact assessment		
	Improve product efficiency		
	Train / Raise awareness / Communicate		
	Company organization		

As a reminder, you should not delete rows corresponding to levers for which your company has not planned any action, but only leave them empty.

→ 22. Do all my objectives have to be **linked to an action and/or an indicator?**

The objectives must all be linked to an action defining the means to be implemented in a qualitative manner. Where appropriate, the objectives may also be linked to quantitative indicators, the calculation methodology, unit and current value of which must be specified.

→ 23. What if I have **several actions relating to the same objective, but on different product scopes?**

The filling method should allow for only one piece of information per cell. If necessary, the fill line can be duplicated. The other elements of the line should remain intact.

Levier	Objectifs	Périmètre de l'objectif (Nature du produit concerné)	Axtions engagées ou à engager
Optimiser des procédés de fabrication	Objectif 1		Action 1.1
	Objectif 2	Produit A	Action 2.1
	Objectif 2	Produit B et C	Action 2.2
	Objectif 2		Action 3.1

For several indicators related to the same objective, or for any other combination, proceed in a similar way.

➔ 24. What support is provided by the eco-organisations to complement the plan? Are there any **examples available** of specific targets for the sectors?

The description of the themes and the definition of each column in the first chapter of the guide makes it possible to understand the hierarchy of the information to be given: a theme is broken down into levers to which objectives relate, translated into concrete actions and possibly monitored by quantitative indicators. For objectives and actions, it is advisable to use verbs, or possibly nouns, in simple forms. For example, write *'Reduce the weight of the product'*, or *'Reduce the weight of the product'*, rather than phrases such as *'weight reduction where possible'* or *'consideration is being given to reducing the weight of part of the XX range'*. Examples of targets by lever are provided by your eco-organisations in the "target tracks" tab, to inspire, facilitate pre-filling and harmonise the indicators. These examples can be expanded if necessary.

If you have a specific question that is not described in this guide, you are advised to contact your eco-organisation directly at the following addresses:

- Ecologic: ppe@ecologic-france.com,
- Léko: ppe@leko-organisme.fr,
- Batribox: ppe@batribox.fr,
- Valdelia: ecoconception@valdelia.org.

Annex N°1

The regulatory framework

The development and implementation of plans stems from a provision in the so-called AGECE law of 10 February 2020 and from Decree No. 2020-1455 on the reform of extended producer responsibility (EPR).

Art. L. 541-10-12 **of the Environment Code (from Article 72 of the AGECE Law)**

*"Any producer mentioned in Article L. 541-10-1 is required to draw up and implement a **prevention and ecodesign plan** with the aim of:*

- *Reduce the use of non-renewable resources;*
- *Increase the use of recycled materials;*
- *Increase the recyclability of its products in processing facilities located in France.*

*This plan is **revised every five years**. It may be **individual or common to several producers**. It includes an assessment of the previous plan and defines the prevention and ecodesign objectives and actions to be implemented by the producer over the next five years.*

The eco-organisation set up by the producers may draw up a common plan for all its members.

The individual and joint plans are transmitted to the eco-organisation set up by the producers, which publishes a summary accessible to the public, after presentation to the body representing the stakeholders in the sector.

Art. R. 541-101 **(from Article 2 of Decree n°2020-1455)**

*"The eco-organisation shall **publish at least every three years an updated summary** of the individual and joint prevention and ecodesign plans transmitted to it pursuant to Article L. 541-10-12.*

Art. R. 541-118 **of the Environmental Code**

The eco-organisation supports research and development projects consistent with the objectives set by the specifications, in particular to develop the eco-design and environmental performance of products with regard to the criteria mentioned in Article L. 541-10-3 and to support the measures of the **prevention and eco-design plans** provided for in application of Article L. 541-10-12.

These projects are established through partnerships or selected through a non-discriminatory procedure based on transparent award criteria.