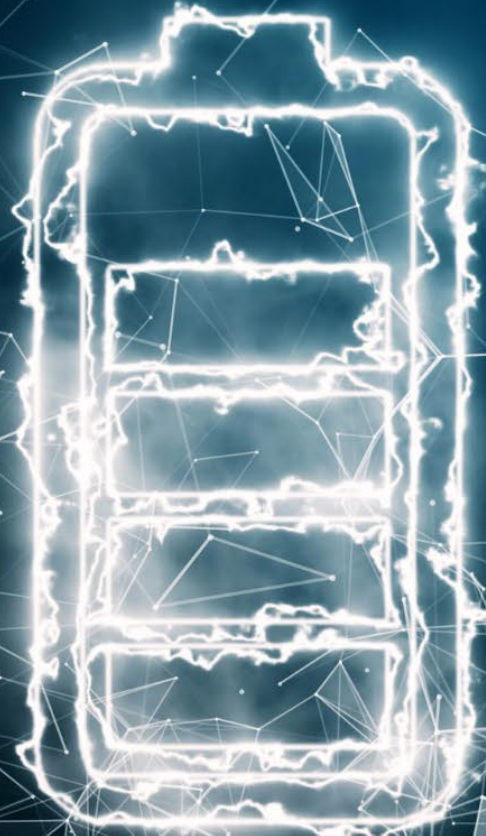


FAQ

EU BATTERIES REGULATION

MAY 2025

Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (EU Batteries Regulation)



DISCLAIMER

This document reflects the view of EUROMOT, with regards to the legal provisions of the Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (EU Batteries Regulation), and it must not be considered or intended as a legally binding text for any reason whatsoever.

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Accordingly, in case of discrepancies between the content and interpretation of this FAQ and the text of the legislation 2023/1542, the legislation must be applied.

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1 INTRODUCTION

The new Batteries Regulation (EU) 2023/1542 has officially come into force, marking a significant step in ensuring the sustainability and safety of batteries in Europe. This regulation is designed to reduce the carbon footprint of batteries, minimize the use of harmful substances, and lessen dependence on raw materials from non-EU countries. It aims to support the transition to a circular economy by setting strict guidelines on the life cycle of batteries, from production to disposal.

As part of the European Green Deal, the Batteries Regulation is the first EU legislation to adopt a full life-cycle approach. This comprehensive law addresses every stage of the battery lifecycle, including sourcing, manufacturing, use, and recycling. By doing so, it contributes to Europe's goals of achieving climate neutrality by 2050 and enhancing strategic autonomy in critical areas like raw materials and energy.

In the first step, batteries must comply with technical requirements, which is confirmed by a Declaration of Conformity (DoC). In the following years, additional criteria such as carbon footprint, performance, and replaceability will be introduced. The regulation also restricts harmful substances and introduces a review process for monitoring substances of concern.

Recycling efficiency and material recovery targets will be phased in from 2025, with a focus on critical raw materials like cobalt, lithium, and nickel. Additionally, by 2027, consumers will have the right to easily remove and replace portable batteries in their electronic devices, helping to extend product lifecycles and reduce waste.

To empower consumers and professionals in making informed choices, batteries will feature labels with key data, including access to a digital passport via a QR code. This digital passport will provide detailed information about each battery's sustainability and lifecycle.

Lastly, the regulation imposes strict due diligence obligations on companies to prevent environmental and social risks in the sourcing of raw materials used in batteries. As demand for batteries increases, particularly in the EU, the law ensures that this growth does not come at the expense of social and environmental responsibility.

This FAQ document aims to address common questions and provide clarity on the new Batteries Regulation with the focus on batteries for industrial use in the field of electrified powertrains.

ABOUT EUROMOT

EUROMOT, the European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers, represents the key manufacturers of internal combustion engines and alternative powertrains installed in industrial non-road mobile machinery, marine and stationary applications that are operating in Europe and worldwide. Founded in 1991, we provide an unparalleled heritage and hub of expertise for businesses, authorities, regulators, and public stakeholders worldwide. In partnership with major sector associations and institutions, it is our mission to drive smart regulation and sustainable innovation.

2 DEFINITIONS

2.1 What does ‘placing on the market’ and ‘putting into service’ mean?

According to Article 3.1 (16) of the Batteries Regulation, ‘placing on the market’ refers to the first instance of making a battery available on the EU market. This term is further clarified in Article 3.1 (17), where ‘making available on the market’ means the supply of a battery for distribution or use on the EU market as part of a commercial activity. In line with Chapter 2.3 of the Blue Guide, this requires the verbal or written transfer of ownership, possession, or any other property rights related to the product in question.

As per Article 3.1 (18) of the Batteries Regulation, ‘putting into service’ refers to the first use of a battery for its intended purpose within the EU, without it having been previously placed on the market. Recital 64 further explains that this applies when a manufacturer uses the battery for their own purposes or when the battery can only be assembled and tested on-site at its final destination.

Reference: Art. 3.1 (16), (17), (18) (Definitions) of the Batteries Regulation (EU) 2023/1542; Blue Guide Chapter 2.3 (placing on the market).

2.2 What is the definition of ‘end-user’?

According to Article 3.2(b) of the Batteries Regulation, the definition of ‘end-user’ refers to Article 3 of Regulation (EU) 2019/1020. Specifically, Article 3.2 (21) defines an ‘end-user’ as any natural or legal person residing or established in the EU to whom a product is made available. This can be either as a consumer outside of any trade, business, craft, or profession, or as a professional end-user within the course of their industrial or professional activities. It does not include individuals or entities involved in the development, manufacture, or distribution of the product.

Reference: Art. 3.2 (b) (definitions) of the Batteries Regulation (EU) 2023/1542; Regulation (EU) 2019/1020; Article 3.2 (21) (definitions).

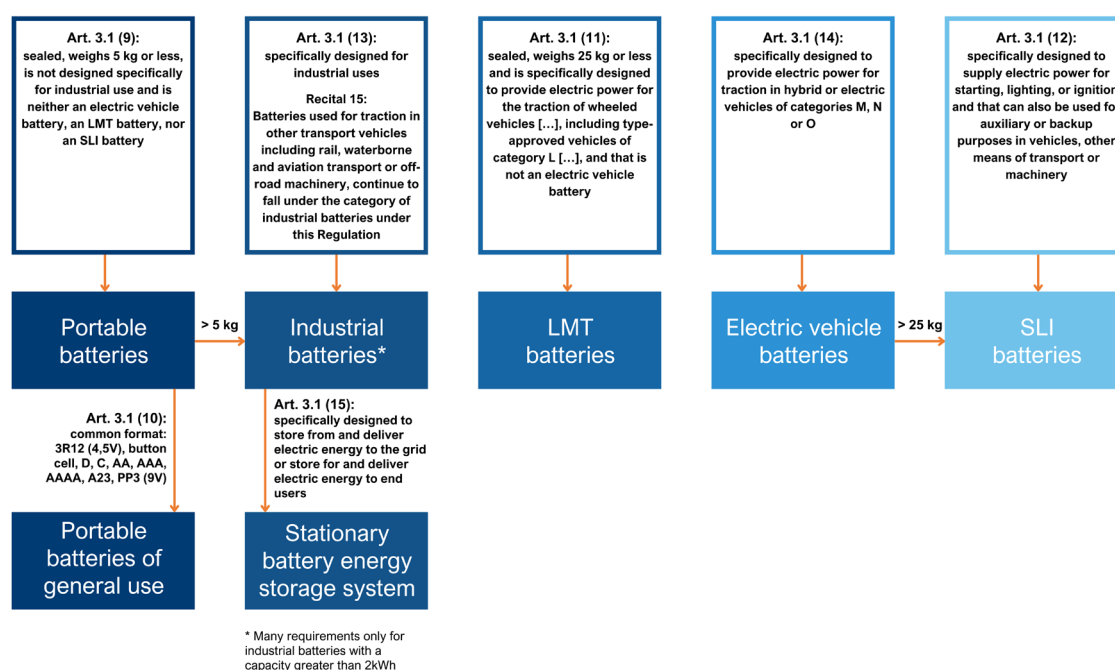
2.3 How are battery categories and subcategories defined?

The categorization of a battery is based on the intended use for which the battery was designed.

The defined categories are: Portable batteries according to Article 3.1(9), industrial batteries according to Article 3.1(13), LMT batteries based on Article 3.1(11), electric vehicle batteries according to Article 3.1(14), and SLI batteries according to Article 3.1(12). Portable batteries weighing over 5 kg are categorized as industrial batteries, and LMT batteries over 25 kg are categorized as EV batteries.

For portable batteries, there is a subcategory defined as portable batteries of general use according to Article 3.1(10). For industrial batteries, there is a subcategory for stationary energy storage systems. Additionally, for industrial batteries, it should be noted that various requirements apply only to batteries with an energy content greater than 2 kWh.

Figure 1: Categories of batteries



Reference: Art. 3.1 (9), (10), (11), (12), (13), (14), (15) (definitions); Recital 15 of the Batteries Regulation (EU) 2023/1542.

2.4 What defines a stationary battery compared to an industrial battery?

According to Article 3.1 (15), 'stationary battery energy storage systems' are designed to store and deliver electric energy either to the grid or directly to end-users. The European Commission has clarified that an industrial battery is classified as a stationary battery energy storage system if used in a stationary application. This excludes batteries that are not fixed installations and those that are movable, where the battery serves a mobile power function in addition to its primary use in a powertrain.

Reference: Art. 3.1 (15) (definitions) of the Batteries Regulation (EU) 2023/1542; Written Feedback by the European Commission to EUROMOT dated 08/03/2024.

2.5 What defines an industrial battery with external storage?

In Article 3.1 (1), a battery is defined as a device that generates electrical energy through the direct conversion of chemical energy. This excludes, for example, capacitors, where energy is stored in an electric field. Batteries with external storage are distinguished by the definition under Article 3.1 (8), due to the characteristic that energy storage occurs in an external device, separating the location of energy storage from energy conversion. An example of this are Redox-Flow batteries.

Reference: Art. 3.1 (1), (8) (definitions) of the Batteries Regulation (EU) 2023/1542.

2.6 Are prototypes within the scope of the Regulation?

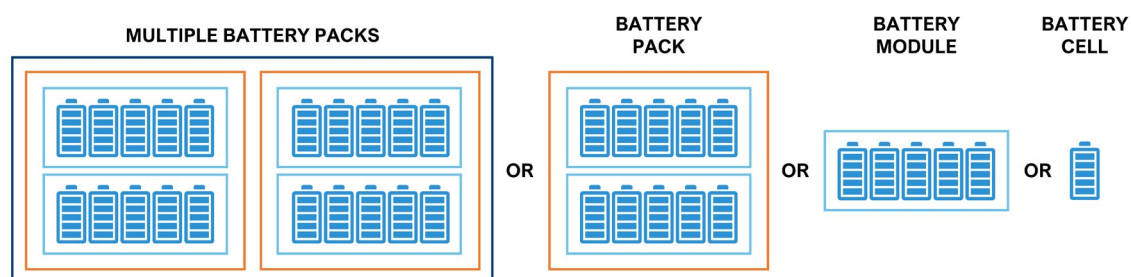
Articles 1.1 and 1.2 define the scope of the Batteries Regulation for batteries placed on the market or put into service, based on their intended use. Additionally, Article 2.3 of the Blue Guide excludes products intended for testing and validation purposes that come from pre-series.

Reference: Art. 1.1, 1.2 (Subject matter and scope) of the Batteries Regulation (EU) 2023/1542; Blue Guide Chapter 2.3 (placing on the market).

2.7 What defines a battery according to the Declaration of Conformity (DoC) and due diligence?

According to Article 3.1(1), a battery can consist of one or more battery cells, modules, or packs. Article 1.4 clarifies that these components are considered batteries if placed on the market without needing further assembly into a larger unit. Recital 13 specifies that batteries must have a housing to be considered a complete unit, ready for end-user use or in applications where disassembly by the end-user is not expected.

Figure 2: Types of batteries



Reference: Art. 1.4 (Subject matter and scope); Art. 3.1 (1) (definitions); Recital 13 of the Batteries Regulation (EU) 2023/1542.

2.8 Do battery modules fall under the definition of batteries, therefore requiring a Declaration of Conformity (DoC), due diligence, and a battery passport?

No, battery modules do not fall under the definition of batteries and therefore do not require a DoC, due diligence, or a battery passport. These requirements only apply if the modules are used without further incorporation into larger battery packs or batteries. According to Article 1.4, battery modules used as spare parts or components of battery energy storage systems are exempt from these obligations.

Reference: Art. 1.4 (Subject matter and scope) of the Batteries Regulation (EU) 2023/1542.

2.9 What is the definition of ‘economic operator’?

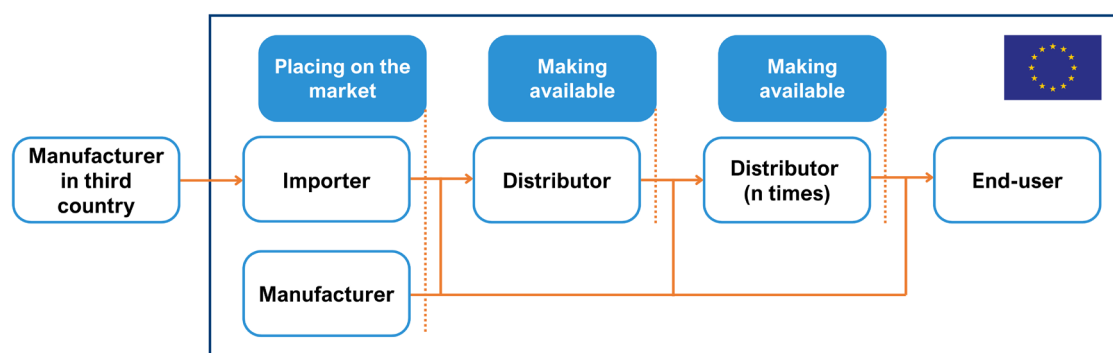
According to Article 3.1 (22), ‘economic operator’ includes the manufacturer, the authorised representative, importer, distributor, fulfilment service provider or any person subject to obligations in relation to the manufacture, preparation for re-use, preparation for repurposing, repurposing or remanufacturing of batteries, the making available or the placing of batteries on the market, including online, or the putting of batteries into service in accordance with this Regulation.

Art. 3.1 (33): “‘manufacturer’ means any natural or legal person who manufactures a battery or has a battery designed or manufactured and markets that battery under its own name or trademark or puts it into service for its own purposes”.

Art. 3.1 (64): “‘importer’ means any natural or legal person established within the Union who places on the market a battery from a third country”.

Art. 3.1 (65): “‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a battery available on the market”.

Figure 3: Economic operators



An OEM can be a manufacturer if they produce or have a battery produced and label it under their name or trademark. If they purchase batteries from outside the EU, they become the importer. If they buy batteries from a manufacturer within the EU without labelling them as the manufacturer, they act as distributor.

Reference: Art. 3.1 (22), (33), (64), (65) (definitions) of the Batteries Regulation (EU) 2023/1542.

2.10 How is the 2kWh capacity limit for industrial batteries defined?

The Batteries Regulation does not specify battery energy capacity in kilowatt-hours (kWh) or Watt-hours (Wh). Instead, Annex IV defines 'rated capacity' as the total Ampere-hours (Ah) number that can be withdrawn from a fully charged battery under reference conditions. This rated capacity is included in the battery passport. To convert this rated capacity into kWh or Wh, multiply the rated capacity (Ah) by the nominal voltage of the battery, as specified IEC 61960.

Reference: Annex IV Part A (Parameters related to electrochemical performance and durability) of the Batteries Regulation (EU) 2023/1542; IEC 61960:2011.

3 TECHNICAL REQUIREMENTS

3.1 How is an 'independent professional' defined?

According to the JRC Report and the eco-design regulation (EU) 2023/1670, an independent professional is an independent operator with the technical competence and qualifications to repair products professionally. Compliance can be shown through official registration as a professional repairer or training certificate from the product's manufacturer.

Reference: JRC Report on Article 3.1 (Technical input for the Guidelines on removability and replaceability of portable and Light Means of Transport batteries)

3.2 What are the criteria for a battery to be 'readily removable' by the end-user?

The JRC Report defines 'readily removable' as the ability to disassemble using commercially available tools based on EN 45554:2020. This excludes the need for specialized tools (unless provided free with the product), proprietary tools, thermal energy, or solvents.

Reference: JRC Report on Article 2.1 (Technical input for the Guidelines on removability and replaceability of portable and Light Means of Transport batteries). Available at: [Technical input for the guidelines on removability and replaceability of portable and light means of transport batteries - Publications Office of the EU](#)

3.3 Are reuse, repurposing, and remanufacturing within the scope of the carbon footprint?

No, Article 7.5 excludes batteries that have undergone preparation for re-use, repurposing, or remanufacturing.

Reference: Article 7.5 (Carbon footprint of electric vehicle batteries, rechargeable industrial batteries and LMT batteries) of the Batteries Regulation (EU) 2023/1542.

3.4 What are the implications for performance and durability requirements for batteries not produced in series?

The differentiation between custom-made and production batteries has been removed. An equal methodology will now be applied.

Reference: JRC 3rd stakeholder event on Performance and durability requirements for rechargeable industrial batteries dated 19/02/2025.

3.5 Is the reset function required for all batteries?

According to Article 14.1, the requirement is limited to stationary battery energy storage systems, LMT batteries and electric vehicle batteries.

Reference: Article 14.1 (Information on the state of health and expected lifetime of batteries) of the Batteries Regulation (EU) 2023/1542.

3.6 Are there safety requirements for batteries not in scope of Article 12?

Generally, yes. The safety requirements for these batteries depend on the risk assessment conducted during the conformity assessment process.

Reference: Annex VIII.2 (Conformity assessment procedures) of the Batteries Regulation (EU) 2023/1542.

3.7 Does 'accompanied by a document' require a physical document, or is a digital link sufficient?

The Batteries Regulation does not specify the form of the accompanying information. According to the Blue Guide (2022) chapter 3.1, paragraph 4, reference 114, a paper supplement is only required for safety information. Therefore, all other information can be provided digitally.

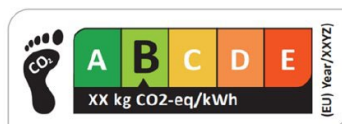
Reference: Blue Guide (2022) chapter 3.1, paragraph 4, reference 114.

3.8 Which information must accompany the battery?

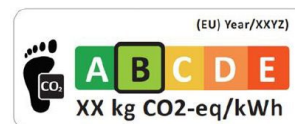
Manufacturers or importers must ensure the following information accompanies the battery:

- Safety information in paper form, as required by the Blue Guide.
- Symbols according to international standards as an alternative to written statements for safety information.
- Instruction and technical information on carbon footprint, recycled content, performance, and durability (harmonized specifications for labelling requirements). For example: Carbon Footprint Label

Option A:



Option B:



- Information on handling waste batteries (for producers).
- Additionally, for batteries prepared for reuse or repurposing, documentation confirming that the battery is not waste must be included.

Reference: Article 38.1 (Obligations of manufacturers); Article 7.1 (Carbon footprint of electric vehicle batteries, rechargeable industrial batteries and LMT batteries); Article 8.1 (Recycled content in industrial batteries, electric vehicle batteries, LMT batteries and SLI batteries); Article 10.1 (Performance and durability requirements for rechargeable industrial batteries, LMT batteries and electric vehicle batteries); Article 74 (Information on prevention and management of waste batteries); Article 73.2 (Preparation for re-use or preparation for repurposing of waste LMT batteries, waste industrial batteries and waste electric vehicle batteries) of the Batteries Regulation (EU) 2023/1542.

3.9 Does Article 14 require a battery management system for stationary battery energy storage systems?

Article 14.1 requires that a stationary battery energy storage system with a battery management system must contain up-to-date data on parameters used to determine the state of health and expected lifetime.

However, if a battery system (e.g. lead-acid-system) operates without a battery management system, it is not explicitly required to implement one to record this data. This interpretation has been confirmed by the EC with reference to Recital 46.

Reference: Article 14.1 (Information on the state of health and expected lifetime of batteries); Recital 46 of the Batteries Regulation (EU) 2023/1542.

3.10 What are the performance and durability minimum requirements for industrial batteries (mature draft status)?

To establish minimum requirements (MinReqs) for industrial batteries, the following durability parameters are considered unconditionally suitable:

- Capacity fade
- Expected lifetime in cycles (except for back-up applications)
- Expected lifetime in years

The following performance parameter is considered conditionally suitable:

- Energy round trip efficiency (RTE) (except for backup applications)

RTE is assessed by JRC to be principally suited for establishing minimum requirements, however stakeholders rated RTE as the least important parameter qualifying for MinReqs, a general non-critical battery performance indicator, and being often negligible compared to the efficiency of other system components. Also, RTE most effective MinReqs depend on the application (battery size, operational frequency, sales number and electricity mix).

Power fade, internal resistance increase, and RTE are not considered suitable MinReqs.

3.11 How to consider capacity reserves in durability requirements (mature draft status)?

Common practice: To counteract energy capacity loss, manufacturers/economic operators may choose to initially reserve some capacity and gradually unlock it as the battery degrades to maintain usable energy available to the user. 34% of SBESS products were explicitly confirmed to be designed using capacity reserves (JRC survey).

The issue: Through oversizing (capacity reserve), a battery might avoid failing MinReqs by providing a large enough margin to compensate for degradation. Consequently, establishing MinReqs while permitting the implementation of capacity reserves might undermine the policy objectives to remove the least-durable batteries from the market.

Regulatory background: In GTR No. 22, capacity reserves are explicitly permitted and not explicitly limited to a specific quantity. In the Californian zero-emission vehicle regulation Advanced Clean Cars II, capacity reserves might be used but must be disregarded from the durability compliance assessment. Hence, reported SOH shall be normalized with total usable capacity (usable capacity at BOL and full reserve capacity).

Current status: JRC is open either to not limit capacity reserves because of their economic disadvantage or to restrict capacity reserves, at least for conformity assessment, to enable adequate durability evaluation (the latter being the recommended option).

3.12 What are the performance and durability minimum requirements for second life industrial batteries (mature draft status)?

General aim of these requirements is to facilitate second-life applications by limiting the administrative burden. Battery models that met MinReqs in their first life should not have to meet new MinReqs in their second life, even if they fall into different categories (e.g., an EV battery repurposed for stationary storage). Where possible, specific formulas should be used to account for the first life operating conditions when establishing MinReqs for batteries imported into the EU as second-life batteries.

4 DECLARATION OF CONFORMITY

4.1 How and by whom is the Declaration of Conformity issued, and for whom should it be provided?

According to Article 38.3, the manufacturer must draw up the Declaration of Conformity after demonstrating compliance through the relevant conformity assessment procedure. If importers or distributors label a battery under their own name or trademark, or alter its purpose, they assume this responsibility.

Importers must verify the Declaration of Conformity and technical documentation, ensuring the conformity assessment procedure has been carried out (Article 41.2). Distributors must verify the CE marking, labelling, and ensure required instructions and safety information are provided (Article 42.2).

There is no requirement to attach the Declaration of Conformity to the battery. In the future, this will be part of the upcoming battery passport.

Reference: Art. 38.2 (Obligations of manufacturers); Art. 41.2 (Obligations of importers); Art. 42.2 (Obligations of distributors) of the Batteries Regulation (EU) 2023/1542.

4.2 Can the Declaration of Conformity of a battery be used for different categories?

Yes, the relevant categories must be listed in the labelling and documentation. According to Article 1.3, if a battery falls under multiple categories, the category with the strictest requirements should be selected for compliance with Chapter II (sustainability and safety requirements).

Reference: Art. 1.3 (Subject matter and scope) of the Batteries Regulation (EU) 2023/1542.

4.3 What is the scope of a single declaration of a battery?

As outlined in Annex VIII, Part B, section 7.2 of the Batteries Regulation, the manufacturer must prepare an EU Declaration of Conformity for each battery model.

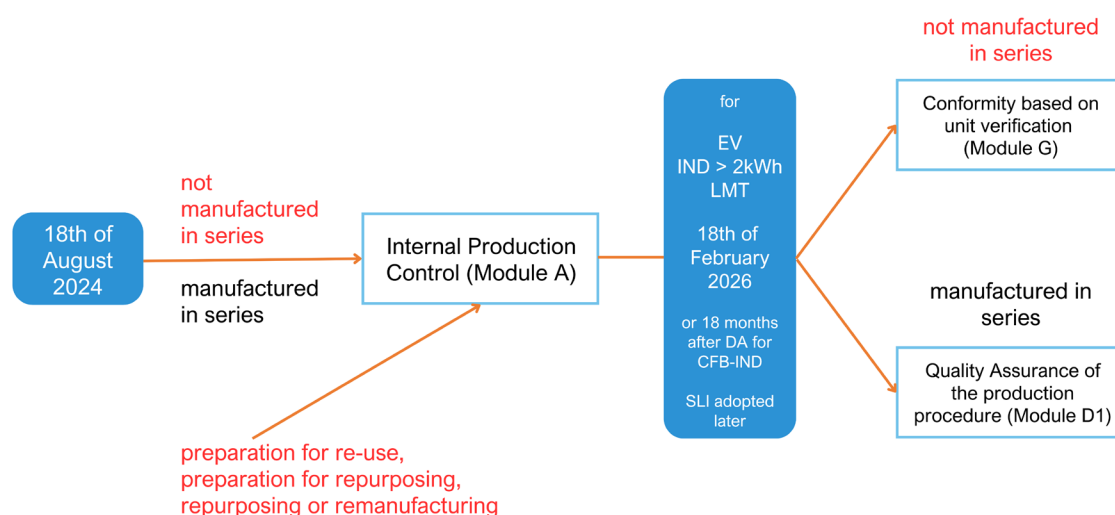
According to Article 3.1 (19), this refers to a version of a battery where all units share the same technical characteristics relevant for the Regulation's requirements.

Reference Art. 3.1 (19) (definitions); Annex VIII Part B section 7.2 (Conformity Assessment procedures) of the Batteries Regulation (EU) 2023/1542.

4.4 What are the different types of modules for battery conformity assessment?

The starting point for the implementation of the conformity assessment procedure is Module A (Internal Production Control), which applies to all batteries, including those prepared for re-use, repurposing, repurposing, or remanufacturing. When Article 7 or Article 8 takes effect, LMT batteries, industrial batteries with a capacity greater than 2kWh and electric vehicles batteries will need quality assurance for manufacturing. For smaller quantities of these categories, manufacturer can opt for unit verification by Module G. All other categories will continue with module A.

Figure 4: Modules according to Annex VIII



The manufacturer must use notified bodies under Module D1 and Module G for conformity assessment of requirements in Articles 7 and 8, or all applicable requirements in Articles 6 to 10 and 12 to 14.

Reference: Art. 17 (Conformity assessment procedures); Art. 96 (Entry into force and application), Annex VIII (Conformity assessment procedures) of the Batteries Regulation (EU) 2023/1542.

4.5 What are the criteria for batteries not manufactured in series?

According to Article 17.1 (b) and Annex VIII, manufacturers can choose Module G, based on unit verification, for small quantities when Articles 7 and 8 are enforced. This choice, without a quantity threshold, defines batteries as not manufactured in series. Under Module A, no distinction is made between series and non-series production.

Reference: Art. 17 (Conformity assessment procedures); Annex VIII (Conformity assessment procedures) of the Batteries Regulation (EU) 2023/1542.

4.6 Do batteries held in stock before 18 August 2024 require the Declaration of Conformity?

No, they do not. According to Recital 11, batteries held in stock by distributors (including retailers, wholesalers and sales divisions of manufacturers) within the EU before the relevant requirements of this Regulation come into force are not required to meet those requirements.

Reference: Recital 11 of the Batteries Regulation (EU) 2023/1542.

4.7 Does a repaired battery require a new Declaration of Conformity?

No, a new Declaration of Conformity is not required, as the repaired battery is not placed on the market again following servicing (Recital 18 and Article 45). This requirement applies only in cases of preparation for re-use, preparation for repurposing, repurposing, or remanufacturing, as outlined in Article 17.3.

Reference Recital 18, Art. 17.3(Conformity assessment procedures); Art. 45 (obligations of economic operators) of the Batteries Regulation (EU) 2023/1542.

4.8 Do repurposed modules require a new Declaration of Conformity, including CE marking, for use in Battery Energy Storage Systems (BESS)?

This depends on whether the modules meet the definition of a battery according to Article 1.4, as they can be used without further incorporation or assembly into larger battery packs or batteries. For repurposed batteries, an additional conformity assessment under Module A is required, as stated in Article 17.3.

Reference: Art. 1.4 (Subject matter and scope); Art. 17 (Conformity assessment procedures) of the Batteries Regulation (EU) 2023/1542.

4.9 What does “risk assessment of DoC” mean?

Annex VIII, Point 2, requires that the conformity assessment procedure includes an adequate analysis and assessment of risks. Various methods, such as FMEA (Failure Mode and Effects Analysis), are commonly used for this purpose. The risk assessment must cover the intended use and be part of the technical documentation of the Declaration of Conformity (DoC), as specified in Annex VIII 2 (a).

Reference: Annex VIII (Conformity assessment procedures) of the Batteries Regulation (EU) 2023/1542.

4.10 What specific markings will be required starting August 2024?

- **Chemical Symbols:** Batteries containing more than 0.002% cadmium (Cd) or more than 0.004% lead (Pb) must be marked with the chemical symbol of the metal concerned, as per Article 13.5.
- **CE Marking:** The battery must bear the CE marking, according to Article 20.2.
- **Model Identification:** The battery must include a model identification and an identifier, such as a serial number or product number, under Article 38.6.
- **Manufacturer Information:** Article 38.7 requires the inclusion of the manufacturer’s name, registered trade name or trademark, postal address (indicating a single contact point), and, if available, a web and email.
- **Importer Information:** Additional labelling requirements apply for importers, as specified in Article 41.3.

Reference: Art. 13.5 (Labelling and marking of batteries); Art. 20.2 (Rules and conditions for affixing the CE marking); Art. 38.6 (Obligations of manufacturer); Art. 41.3 (Obligations of importers) of the Batteries Regulation (EU) 2023/1542.

4.11 Where is the list of notified bodies published?

The list of notified bodies is published online by the European Commission on the NANDO (New Approach Notified and Designated Organisations) Information System website.

[EUROPA – European Commission – Growth – Regulatory policy - SMCS.](#)

Reference: Single Market Compliance Space of the European Commission.

4.12 Is it possible to use different notified bodies for different sections of the Declaration of Conformity?

Yes, it is possible. According to feedback from the European Commission, a manufacturer can select different notified bodies for each requirement or obligation. This means multiple notified bodies can be listed on the DoC for a product.

Reference: Written Feedback by the European Commission to EUROMOT dated 29/08/2024.

4.13 What quality systems fulfil the requirements of Annex VIII Part B (batteries manufactured in series)?

The Blue Guide of the European Commission outlines various modules for conformity assessment. Module D1, as required by Annex VIII Part B of the Batteries Regulation, falls under the modules based on quality assurance. Article 5.1.6 of the Blue Guide explains that a manufacturer's compliance with Standards EN ISO 9000 and EN ISO 9001 provides a presumption of conformity with the corresponding quality assurance modules, in relation to the legislative provisions covered by these standards.

Reference: Blue Guide Chapter 5.1.6 (Modules based on quality assurance).

4.14 What is the scope of the quality system assessment under Annex VIII Part B (5)?

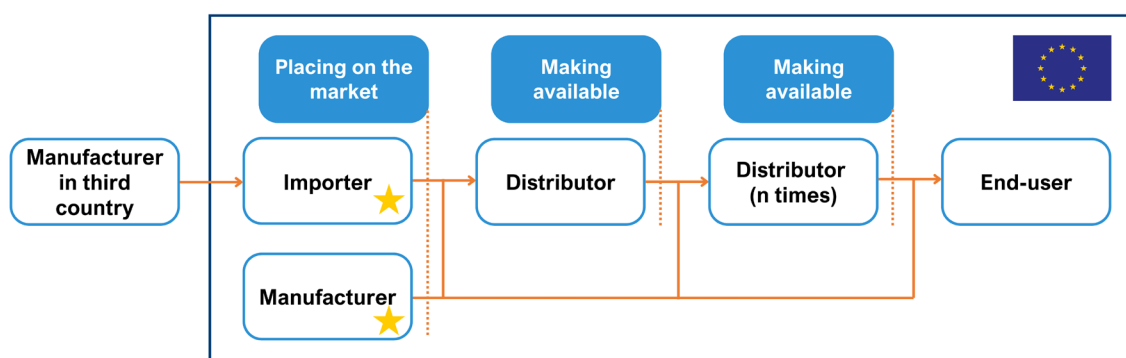
The Batteries Regulation does not specify the assessment scope in detail. However, it is expected that ISO 9001 will be adapted and expanded to include battery manufacturing, incorporating the specific requirements of the Batteries Regulation.

5 OBLIGATIONS OF ECONOMIC OPERATORS

5.1 Which economic operators must fulfil due diligence obligations?

According to Recital 82 and Article 48.1, economic operators who place batteries on the market or put them into service must fulfil due diligence obligations. This responsibility falls on the manufacturer within the EU of the importer if the batteries come from a third country.

Figure 5: Due diligence obligation



Reference: Recital 82; Art. 48.1 (Battery due diligence policies) of the Batteries Regulation (EU) 2023/1542.

5.2 What is the deadline for implementing and auditing the due diligence obligations?

Article 48.1 states that due diligence obligations must be fulfilled by 18th August 2025. Verification by a notified body, along with documentation of the fulfilment of these obligations, including the verification report, must be completed and available by this deadline.

Reference: Art. 48.1 (Battery due diligence policies) of the Batteries Regulation (EU) 2023/1542.

5.3 What are the obligations for suppliers in the upstream supply chain and what is the scope in the supply chain?

Under Article 39, suppliers of battery cells or battery modules must provide the necessary information and documentation to the manufacturers they supply to ensure compliance with the Batteries Regulation.

Article 49.1(e) requires manufacturers to integrate due diligence policies, including risk management measures, into their contracts with suppliers.

According to paragraphs (a), (b), (c), and (d) of Article 49.2, the required information from the supply chain includes:

1. Description of the raw materials as per Annex X.1, including trade names and types.
2. Name and address of the supplier who provided the raw materials.
3. Country of origin of the raw materials.
4. Market transactions tracing the raw materials from extraction to the immediate supplier of the economic operator placing the battery on the market.
5. Quantities of the raw materials present in the battery, expressed as a percentage or by weight.

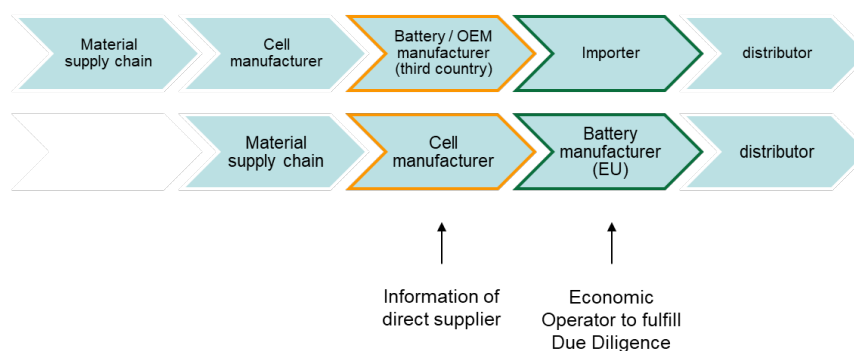
Reference: Art. 39 (Obligations of suppliers of battery cells and battery modules); Art. 49 (Economic operator's management system) of the Batteries Regulation (EU) 2023/1542.

5.4 Which supply chain level is referred to in Article 49.2b, regarding the supply of raw material to the battery manufacturer?

As part of the battery due diligence, the name and address of the direct supplier in the supply chain who provided the critical raw materials to the economic operator placing the battery on the market must be provided.

This is typically the battery manufacturer if the economic operator is an importer, or the cell or module manufacturer if it is a battery producer in the EU.

Figure 6: Supplier of critical raw materials



Reference: Art. 49.2 (Economic operator's management system) of the Batteries Regulation (EU) 2023/1542.

5.5 What is the scope of the risk management system for social and environmental risks?

According to Article 49.1 (a), the due diligence obligation covers critical raw materials like cobalt, natural graphite, lithium and nickel, along with the associated social and environmental risk categories as outlined in Annex X. Recital 82 clarifies that this obligation encompasses the entire supply chain of these critical raw materials, from extraction to the production of active materials.

Reference: Art. 49.1 (Economic operator's management system); Recital 82 of the Batteries Regulation (EU) 2023/1542.

5.6 Does the risk materials scope apply only to battery cells or to all components?

Yes, it only applies to the battery cell supply chain. This will also be mentioned in the forthcoming Battery Due Diligence Guideline of the European Commission.

Reference: KUMI Stakeholder Consultation for Battery Due Diligence Guideline dated 01/10/2024.

5.7 How and when will 'notified bodies' for the verification of due diligence systems be defined, and can economic operators outside the EU use these notified bodies?

The timeline for publishing the list of notified bodies is unclear. However, the implementation of due diligence obligations will proceed as scheduled, regardless of the availability of third-party verification. Economic operators outside the EU can use these notified bodies once they are designated.

5.8 How can economic operators get information and support from the Commission and Member States to fulfil their due diligence obligations?

Article 48.5 requires the Commission to publish a guideline by February 18, 2025. According to Article 48.6, Member States are expected to provide information based on this guideline. However, no further information is expected.

Reference: Article 48.5 and 48.6 (Battery due diligence policies) of the Batteries Regulation (EU) 2023/1542.

5.9 In what context should the due diligence reporting take place?

During the discussion on the draft Battery Due Diligence Guidelines on October 1, 2024, the European Commission indicated that the reporting can be integrated into the existing annual reporting.

Reference: KUMI Stakeholder Consultation for Battery Due Diligence Guideline dated 01/10/2024.

5.10 What are the information and documentation requirements for portable batteries distributed by OEMs?

According to Article 42.2(c), distributors must ensure that the battery is accompanied by instructions and safety information. There are no additional documentation requirements specific to portable batteries in Articles 6 to 10 and Articles 12, 13, and 14.

Reference: Art. 42.2 (Obligations of distributors) of the Batteries Regulation (EU) 2023/1542.

5.11 What are the labelling requirements for importers on batteries?

According to Article 41.3, importers must indicate on the battery their name, registered trade name or trademark, postal address (including a single contact point), and, if available, web and email address.

Reference: Art. 41.3 (Obligations of importers) of the Batteries Regulation (EU) 2023/1542.

5.12 How should the labelling of the importer be handled when importing a complete application that includes a battery?

According to Recital 72, importers can provide the necessary information in an easily accessible manner on the packaging or accompanying documents, as required by Article 41.3. For complete applications, this can be done by labelling the importer on the overall machine, the entire packaging, or the relevant documents that accompany the complete application.

Reference: Recital 72; Art. 41.3 (Obligations of importers) of the Batteries Regulation (EU) 2023/1542.

5.13 Can a distributor affix its own logo (branding) and remain the distributor of the battery if the original manufacturer's (OEM) logo is still visible?

Additional branding with a separate logo does not transfer the manufacturer's obligations, as long as the manufacturer remains identified on the labelling and continues to meet the regulatory requirements. This process should be based on agreements between both parties and be transparent to everyone involved.

If only the importer or distributor is labelled, they assume the corresponding obligations in accordance with Article 44 (a).

Reference: Article 38.7 (Obligations of manufacturers); Article 44 (Case in which obligations of manufacturers apply to importers and distributors) of the Batteries Regulation (EU) 2023/1542.

5.14 How can the requirement for information on prevention and management of waste batteries be fulfilled?

Manufacturers or importers should provide the required information related to Article 74.1, specific to the battery model, through the instructions accompanying the batteries. This aligns with general practice. Additionally, based on Article 74.4 obligates distributors to provide information at their retail premises. Depending on national implementation, Extended Producer Responsibility (EPR) organizations may also need to conduct information campaigns.

Reference: Article 74.1 and 74.4 (Information on prevention and management of waste batteries) of the Batteries Regulation (EU) 2023/1542.

5.15 Are there collection targets for waste industrial batteries?

There are no collection targets for industrial batteries under Article 61. The regulation only establishes collection targets under Article 60 for LMT (Large and Medium-sized Transport) batteries and under Article 59 for portable batteries.

Reference: Article 61 (Collection of waste SLI batteries, waste industrial batteries and waste electric vehicle batteries); Article 60 (Collection of waste LMT batteries); Article 59 (Collection of waste portable batteries) of the Batteries Regulation (EU) 2023/1542.

5.16 Will producers pay in advance for the entire procedure of takebacks and separate collection?

If an EPR (Extended Producer Responsibility) organization is engaged, the payment terms depend on the organization's terms and conditions. When producers assume EPR responsibilities directly, costs are incurred on a case-by-case basis.

5.17 Are takeback and separate collection procedures free of charge for distributors?

According to Article 56.4, the financial contribution must be paid by the producer, making the procedures free of charge for distributors. However, if a distributor becomes a producer, depending on the distribution structure in a Member State, they must assume Extended Producer Responsibilities, including the associated costs.

Reference: Article 56.4 (Extended Producer Responsibility) of the Batteries Regulation (EU) 2023/1542.

5.18 Do distributors have an obligation to separate used and waste batteries, or is it the producer's responsibility?

End-users' returned batteries are considered waste, so no separation of used and waste batteries is needed. Per Article 73.1, the battery holder must prove a waste battery is no longer waste. If economic operators wish to resell used batteries or prepare them for reuse, remanufacturing or repurposing, they must document this in accordance with Article 73.

Reference: Article 73 (Preparation for re-use or preparation for repurposing of waste LMT batteries, waste industrial batteries and waste electric vehicle batteries) of the Batteries Regulation (EU) 2023/1542.

5.19 How should national requirements from the former Batteries Directive be handled alongside the Batteries Regulation?

There is no conflict between the Regulation and the Battery Directive. Chapter VIII of the Regulation comes into force on the same date the Directive (2006/66/EC) is repealed.

5.20 How should the state of health of used batteries be tested without Battery Management System (BMS) data?

Article 73 requires evaluating the state of health relevant to the battery's subsequent use. This can be achieved using defined test methods, such as a capacity test or impedance measurement.

Reference: Article 73 (Preparation for re-use or preparation for repurposing of waste LMT batteries, waste industrial batteries and waste electric vehicle batteries) of the Batteries Regulation (EU) 2023/1542.

5.21 Do the EPR requirements also apply to B2B business transactions?

Yes, the EPR requirements apply to B2B transactions. They are based on when the product is first made available on a Member State's territory, with no restrictions on the type of sale.

5.22 Will there be harmonization amongst Member States on the management of waste batteries?

National laws may vary within the framework of the Batteries Regulation, allowing for flexibility. Since waste is regulated at the national level, differences between EU Member States can be expected.

5.23 How does the cost-sharing mechanism work for re-use, repurpose or remanufacturing of batteries between the original battery producer and the second-life battery producer?

The cost-sharing mechanism is not defined by the Batteries Regulation or by national laws. It depends on the policies of each EPR organisation or the independent negotiation of the producer if they assume the EPR responsibilities themselves.

5.24 How should the registration of multiple importers for the same product in a Member State be managed?

According to Article 55.2, registration is a producer-oriented process rather than a product-related process. Therefore, multiple producers can register the same battery for their respective quantities, each making it available for the first time in that Member State.

Reference: Article 55.2 (Register of producers) of the Batteries Regulation (EU) 2023/1542.

5.25 Who is responsible for fulfilling EPR obligations for an industrial battery-containing product supplied to an OEM: the supplier or the OEM? Does only the OEM report information on batteries sold into a Member State?

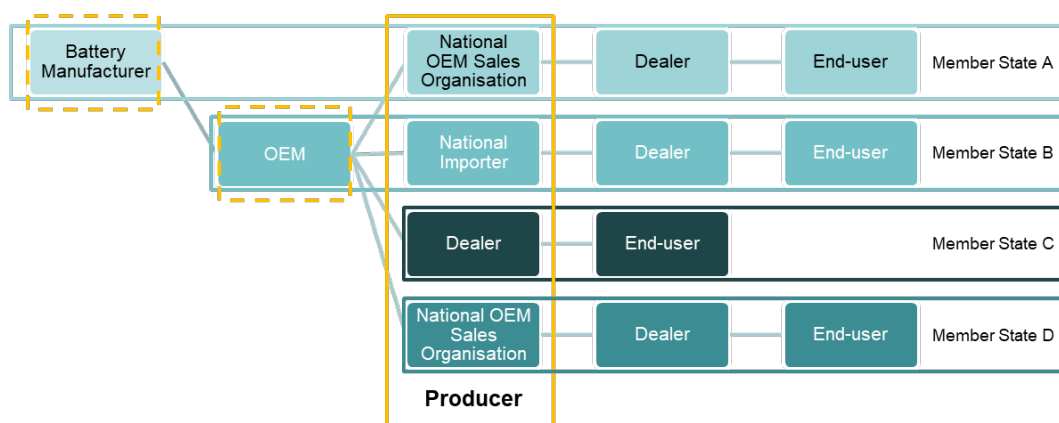
The EPR obligations fall on the OEM or its distribution structure, as they are the ones knowingly supplying the product for the first time in a Member State. Therefore, the battery supplier does not have EPR responsibilities for the product.

Reference: Article 56.1 (Register of producers) of the Batteries Regulation (EU) 2023/1542.

5.26 Who is considered the producer when a battery is sold by an OEM or distributor in the manufacturer's Member State to an end-user?

According to Article 3.1 (47a), the Extended Producer Responsibility (EPR) lies with the manufacturer. However, due to the common practice of OEMs often ordering batteries for multiple Member States, the manufacturer may not determine quantities specific to their own Member State. Therefore, the general approach is that the OEM, particularly its sales structure, will handle the EPR.

Figure 1: Definition of Producer



Reference: Article 3.1 (47a) (Definitions) of the Batteries Regulation (EU) 2023/1542.

5.27 Who is considered the producer when a battery is sold by an OEM or distributor into different Member States?

This varies from Member State, depending on who first makes the battery available in that Member State's territory. This is illustrated in the example above.

Reference: Article 56.1 (Register of producers) of the Batteries Regulation (EU) 2023/1542.

6 BATTERY PASSPORT

6.1 Who is responsible for the digital battery passport?

According to Article 77.4, if the battery manufacturer is established in the EU, they are responsible for the battery passport. If the manufacturer is not established in the EU, the importer is responsible, as they are the economic operators who place the battery on the European market.

Reference: Article 77.4 (Battery passport) of the Batteries Regulation (EU) 2023/1542.

6.2 What information should be included in the battery passport?

The required information is defined in Annex XIII. It is divided into four groups, with different access rights specified according to the user group.

Additionally, the German Institute for Standardization (DIN-DKE), in collaboration with the Battery Pass consortium's three-year project, has defined specific requirements for data attributes of the battery passport. It is highly likely that these requirements will become the EU battery passport standard.

Reference: Annex XIII (Information to be included in the battery passport) of the Batteries Regulation (EU) 2023/154, [DIN DKE SPEC 99100-2025-02](#), JTC24 harmonized standards for DPPs.

6.3 Will all battery passport requirements be accessible via QR code?

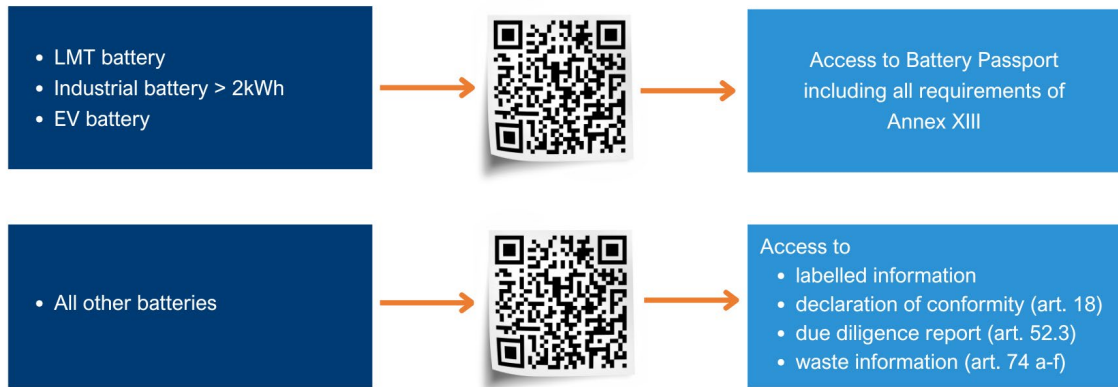
Yes, the QR code provides access to all information required according to Annex XIII. The digital product passport, on which the battery passport is based, also allows information to be stored locally in the QR code itself, enabling offline access. The Batteries Regulation does not specify any requirements for local storage.

Reference: Article 77.3 (Battery passport) of the Batteries Regulation (EU) 2023/1542.

6.4 Are industrial batteries with a capacity below 2 kWh exempted from having a digital battery passport?

Yes, based on Article 77.1, the battery passport is required only for LMT batteries, industrial batteries with a capacity greater than 2 kWh, and EV batteries. For industrial batteries below 2 kWh, a QR code must provide access to general labelled information about the battery, the Declaration of Conformity, the due diligence report, and the information regarding waste management.

Figure 8: QR Code Labelling



Reference: Article 77.1 (Battery passport); Article 13.6 (b) (Labelling and marking of batteries) of the Batteries Regulation (EU) 2023/1542.

6.5 Does renewable content have to be included in the battery passport?

There is no detailed specification for declaring renewable content. However, Recital 123 offers some guidance, mentioning lignin as a potential substitute for graphite in the future. Currently, the use of bio-based plastics appears to be the most viable option.

Reference: Annex XIII.1 (f) (Information to be included in the battery passport); Recital 123 of the Batteries Regulation (EU) 2023/1542.

6.6 Does a battery module need a battery passport?

According to Article 77.1 the battery passport is required only for batteries. If a battery module meets the criteria of a battery, meaning it can function as a stand-alone unit without further integration with other modules and has a capacity of over 2kWh, then it requires a battery passport.

Reference: Article 77.1 (Battery passport); Art. 1.4 (Subject matter and scope); Art. 3.1 (1) (definitions) of the Batteries Regulation (EU) 2023/1542.

6.7 How should dynamic data be updated in the battery passport, e.g., information required by Article 14?

There is currently no defined manner or frequency for updating the required data. The ongoing standardization process and regulation (recital 46) only recommend that updates should occur at least daily for SBESS, LTM and EV batteries. Therefore, the responsibility for defining this currently rests with the economic operators.

During the recent Battery Pass closing event, the importance of the applicability of this data frequency update requirement in the ongoing standardization process was stressed, and it was emphasized that it should be use case specific.

7 BIBLIOGRAPHY

The 'Blue Guide' on the implementation of EU product rules 2022; (2022/C 247/01). Available at: [EUR-Lex - 52022XC0629\(04\) - EN - EUR-Lex \(europa.eu\)](#)

Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011. Available at: [Regulation - 2019/1020 - EN - EUR-Lex](#)

IEC 61960:2011. Secondary cells and batteries containing alkaline or other non-acid electrolytes - Secondary lithium cells and batteries for portable applications. Replaced.

JRC Report (2024) Article 3.1. Technical input for the Guidelines on removability and replaceability of portable and Light Means of Transport batteries. Available at: [Technical input for the guidelines on removability and replaceability of portable and light means of transport batteries - Publications Office of the EU](#)

JRC (2024) 2nd stakeholder event on Performance and durability requirements for rechargeable industrial batteries which took place on 24/09/2024.

Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC. Available at: [Regulation-2023/1542 - EN - EUR-Lex \(europa.eu\)](#)

Single Market Compliance Space of the European Commission. (No date). NANDO (New Approach Notified and Designated Organisations) Information System. Available at: [EUROPA – European Commission – Growth – Regulatory policy - SMCS.](#)

KUMI (2024) Stakeholder Consultation for Battery Due Diligence Guideline which took place on 01/10/2024.

German Institute for Standardization (DIN-DKE) (2025) DIN DKE SPEC 99100: Requirements for data attributes of the battery passport. Available at: https://thebatteryass.eu/assets/images/content-guidance/pdf/DIN_DKE_SPEC_99100.PDF

JTC24 (2025) Harmonized Standards for Digital Product Passports. Available at: <https://bim4bipv.project.tuwien.ac.at/wp-content/uploads/2024/07/05-20240619-dpp-regulatory-and-standardization-framework-knt.pdf>

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