EUROMOT

The European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers





POSITION PAPER

Consultation on the Draft Delegated Regulation Supplementing Article 10 of Regulation (EU) 2023/1542

Minimum Values for Electrochemical Performance and Durability of Industrial Batteries

26 October 2026









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CONSULTATION ON THE DRAFT DELEGATED REGULATION SUPPLEMENTING ARTICLE 10 OF REGULATION (EU) 2023/1542

MINIMUM VALUES FOR ELECTROCHEMICAL PERFORMANCE AND DURABILITY OF INDUSTRIAL BATTERIES

26 OCTOBER 2026, BRUSSELS

1. Introduction

EUROMOT welcomes the opportunity to provide feedback on the draft Delegated Regulation supplementing Article 10 of Regulation (EU) 2023/1542 concerning minimum values for electrochemical performance and durability of industrial batteries. EUROMOT supports the objectives of the Batteries Regulation to promote sustainable, durable, and high-performing batteries within the European market. At the same time, the implementing requirements should remain clear, proportionate, technologically neutral, and practical for manufacturers to apply consistently.

Following a review of the draft Delegated Act, EUROMOT has identified several provisions where clarification or amendment would improve legal certainty and ensure consistent implementation across industry. These comments focus on avoiding unintended compliance obligations, maintaining flexibility in the use of harmonised standards, and ensuring that internationally recognised durability requirements are appropriately reflected.

2. General Remarks

EUROMOT supports a regulatory framework that:

- Ensures clear and predictable compliance obligations for manufacturers;
- Avoids unintended interpretations that may create disproportionate compliance burdens;
- Recognises internationally accepted testing methodologies and regulatory frameworks;
- Preserves technological neutrality and innovation;
- Facilitates alignment with existing international requirements wherever possible.

Several provisions of the draft Delegated Act would benefit from further clarification to avoid divergent interpretations by manufacturers, conformity assessment bodies, and market surveillance authorities.

3. Specific Comments

3.1. Article 2(1) - Article 77(3) - Use of Harmonised Standards

EUROMOT is concerned by the use of mandatory language that could effectively make recently published harmonised standards compulsory. Harmonised standards should continue to provide a voluntary means of demonstrating conformity with regulatory requirements. Manufacturers must retain the possibility to use alternative technical solutions that demonstrate compliance with the legal requirements of the Regulation. EUROMOT therefore recommends avoiding the use of mandatory wording such as "shall" in relation to harmonised standards. This approach would remain consistent with the New Legislative Framework principles (soon to be European Product Act) under which harmonised standards provide a presumption of conformity rather than constituting mandatory requirements.

3.2. Annex I, Section 3.1.1 - Capacity Fade - Need for Clarification of the Compliance Assessment Point

EUROMOT believes the current wording could be clarified by explicitly specifying the point at which capacity fade is assessed for compliance purposes. The text should confirm that the capacity fade value used to demonstrate compliance may be determined at an evaluation point selected by the manufacturer, provided that this evaluation takes place after at least 152 days or 350 Full Equivalent Cycles (FEqC). Such clarification would improve legal certainty and support consistent implementation across industry, because the current drafted text, may be interpreted as requiring the capacity fade threshold to be met at every evaluation point occurring after at least 152 days or 350 Full Equivalent Cycles (FEqC).

Proposed Amendments:

	Current text	Proposed text
Annex I, Section 3.1.1 Capacity Fade	"The capacity fade shall be evaluated after at least 152 days or after at least 350 FEqC. For repetitive charge-discharge tests, the number of FEqC may for this purpose be estimated by multiplying the number of cycles with the depth of discharge."	***"For the purpose of demonstrating compliance with the capacity fade threshold, CF shall be determined at one evaluation point selected by the battery manufacturer. The evaluation point shall occur*** after at least 152 days or after at least 350 FEqC. For repetitive charge-discharge tests, the number of FEqC may for this purpose be estimated by multiplying the number of cycles with the depth of discharge."

This clarification would:

- Eliminate ambiguity regarding the compliance assessment methodology;
- Ensure a consistent interpretation across manufacturers and authorities;
- Reflect the cumulative nature of battery degradation;
- Avoid imposing unintended requirements beyond the intended durability threshold.

Annex I - Clarification of the Term "Individual Contribution"

EUROMOT notes that the term **"individual contribution"** is used in several provisions of the draft Delegated Regulation, including Section 3.1.1(a)(1). The intended application of this concept is not entirely clear.

In particular, clarification would be welcome as to whether the term means that each stress factor or operating parameter (e.g. temperature, depth of discharge, charge rate, or other applicable parameters) should be assessed separately to determine its individual contribution to battery degradation, rather than in combination with other factors.

Providing additional clarification on this point would help ensure a consistent interpretation and application of the methodology by manufacturers, conformity assessment bodies, and market surveillance authorities.

3.3. Annex I, Section 3.2, Table 2 - Depth of Discharge - Clarification of the 90% Threshold

EUROMOT notes that the current wording does not explicitly identify how a depth of discharge equal to 90% should be treated. This creates a potential gap in the classification ranges and could lead to inconsistent application of the stress factors.

Proposed Amendment:

Current text		Proposed text	
Depth of Discharge Range	SF DOD	Depth of Discharge Range	SF DOD
≥ 70%, < 90%	1.15	≥ 70%, < 90%	1.15
above 90%	1.33	**≥** 90%	1.33

The proposed clarification would ensure:

- Full coverage of all possible depth-of-discharge values;
- Consistent interpretation by all stakeholders;
- Removal of any uncertainty concerning batteries operating at exactly 90% depth of discharge.

3.4. Expected Lifetime (Sections 3.1.2 and 3.1.3)

EUROMOT requests clarification of the definition of "expected lifetime" in Sections 3.1.2 and 3.1.3. In particular, it is unclear whether expected lifetime ends when (i) the battery's usable energy capacity, including any reserve capacity intended to be released over time, has decreased by 30%, or (ii) the battery's functionality or safety is compromised, whichever occurs first. Additional clarification would also be welcome regarding the treatment of reserve energy capacity in determining expected lifetime, as the current wording may be interpreted differently by manufacturers and authorities.

Annex I, Section 5.1 - Batteries Previously Deemed Compliant with Minimum Values - Inclusion of UN GTR No. 25

EUROMOT welcomes the recognition of batteries already demonstrated to comply with existing durability requirements. However, the current text references only UN Global Technical Regulation No. 22, which covers in-vehicle battery durability requirements for electrified passenger vehicles. To ensure equal treatment of batteries used in electrified heavy-duty vehicles, UN Global Technical Regulation No. 25 should also be recognised.

Current text	Proposed text
"(c) have been compliant with the battery energy based minimum performance requirements for battery durability set out in Regulation (EU) 2024/1257 of the European Parliament and of the Council, or in UN Global Technical Regulation No. 22 on in-vehicle battery durability for electrified vehicles."	"(c) have been compliant with the battery energy based minimum performance requirements for battery durability set out in Regulation (EU) 2024/1257 of the European Parliament and of the Council, or in UN Global Technical Regulation No 22 on in-vehicle battery durability for electrified vehicles **or in *UN Global Technical Regulation No. 25 on In-Vehicle Battery Durability for Electrified Heavy-Duty Vehicles."***

Including UN GTR No. 25 would ensure consistent treatment of light-duty and heavy-duty vehicle batteries when they are subsequently reused, remanufactured or repurposed for industrial applications.

4. Conclusions

EUROMOT believes that addressing the points raised in this submission would significantly improve legal certainty, reduce the risk of divergent interpretations, and facilitate the consistent implementation of the Regulation throughout the Union. We therefore encourage the Commission to consider these clarifications when finalising the Delegated Regulation and remain available to provide further technical input as required.

THIS IS 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.

Delivering dependable power for society at high energy conversion efficiency with low emissions remains a key objective of EUROMOT member companies. EUROMOT asserts internal combustion engines and alternative powertrains are a key enabler to address the additional societal need for decarbonisation across multiple industry sectors. This can be achieved by continuing to advance the development of highly efficient energy conversion systems capable of operating on low and net-zero Greenhouse Gas (GHG) energy carriers.

Headquartered in Brussels, EUROMOT is a European interest group, and our profile is registered in the EU Transparency Register under the identification number 6284937371-73. We have been granted consultative status at the United Nations IMO (International Maritime Organization, London) and United Nations ECE (Economic Commission for Europe - Geneva) and other relevant stakeholders.

OUR MEMBERS



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