ADVANCED RECHARGEABLE & LITHIUM BATTERIES ASSOCIATION

Legislative proposal on the right to repair

Sustainable consumption of goods – promoting repair and reuse

Public Consultation, March 2022

RECHARGE, the industry association for advanced rechargeable and lithium batteries in Europe, supports the principle of extending the useful life of goods with a right to repair embedded in an amended Sale of Goods Directive (Directive (EU) 2019/771) or in a new legislation, whereby consumer safety is addressed and prioritised.

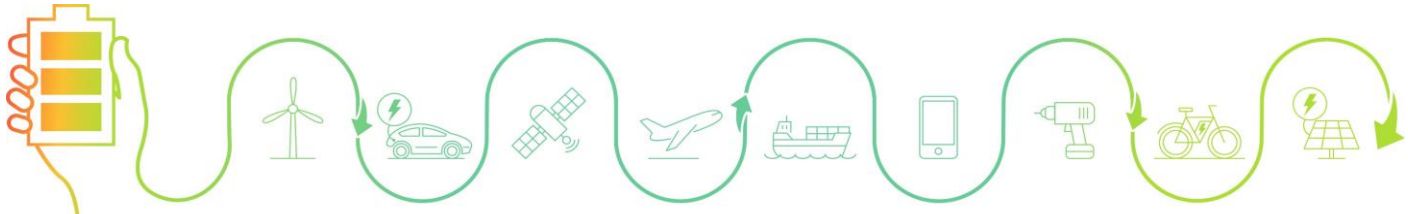
The amount of waste can be reduced due to incentives for a more sustainable consumption of goods and especially through the promotion to repair instead of replacing products in the case of defects that are covered by the legal guarantee.

In the right to repair legislative initiative, safety of consumers needs to come first. In the case of batteries, as energy releasing devices inside products, safety needs to be considered when setting reparability conditions or incentives.

<u>The advanced rechargeable batteries value chain stands for sustainable products:</u>

Through their strategic role in achieving the EU's 2050 climate-neutrality and industry sustainability leadership objectives, batteries are a key factor in achieving Europe's sustainably goals:

- Batteries are a main technology enabler for the transition towards low-GHG emission mobility and decarbonised electricity generation.
- The European battery value chain is expected to become the most responsible globally, aiming at setting sustainability standards for the rest of the world. This is being further strengthened through the new EU Batteries Regulation, covering the entire life cycle of batteries. The new Regulation is considered as a blueprint for sustainable products legislation.



ADVANCED RECHARGEABLE & LITHIUM BATTERIES ASSOCIATION

Having sustainability in its DNA, the advanced rechargeable batteries industry welcomes the right to repair initiative, however, the following needs to be considered: safeguarding the need for a high level of environmental protection cannot jeapordise a high level of consumer protection and safety.

Technical properties of batteries:

Advanced rechargeable batteries power an endless number of everyday applications, such as smartphones, tablets, power tools and robots. Depending on what a battery is used for, the technical features – and thereby material composition and battery morphology - vary. Some battery applications require light weight, others high power or very fast charging cycles. Important breakthroughs in battery technology and continuous improvements have led to a sheer endless number of battery-powered applications.

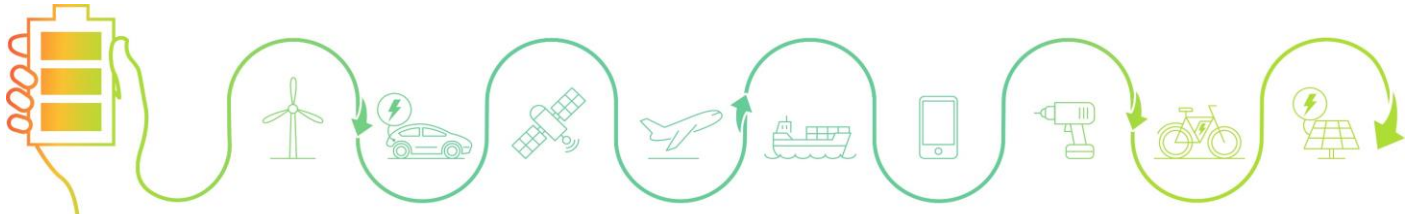
Batteries are made of assembled unit cells and come in different sizes and shapes. Portable batteries, for example, contain just several cells, while large industrial batteries can consist of hundreds of cells assembled in modules. The sound functioning of these modules, and hence the battery's performance, is managed by sophisticated electronic management systems, so-called BMS. BMS monitor and control important data and processes to prevent the battery to work outside its safe operating mode.

Safety and handling products containing batteries:

No matter what design, application or technology, all batteries are electro-chemical devices optimised to store and release energy according to the application demand. Due to their energy releasing and chemical properties, batteries must fulfil a series of international, European and national safety requirements during their production, transport, storage, use and end-of-life management. Safety is, hence, a key priority for RECHARGE and the advanced European rechargeable and lithium battery industry.

Batteries are designed and manufactured to withstand normal or reasonable, foreseeable conditions of use and damage for a very long time. Almost all batteries are sealed units and their single parts are carefully assembled to withstand the application's environment conditions.

Batteries undergo extensive testing before they can be placed on and transported in the European market. Standard testing, according to the UN Manual of Tests and Criteria, includes external short



circuit, abnormal charge and forced discharge as well as exposure to heat, drop, crush, shock or vibration.

Unprofessional repair or the use of unsuitable spare parts can decrease the safety of batteries. The reparability of battery packs and cells, places the control of safety at risk and may cause the loss of conformity with required international safety tests. It is advisable consumers do not modify, open, damage or otherwise manipulate a battery. Using non-original batteries, batteries designed for another application, or unsuitable charging systems, as well as combining different batteries, can decrease the safety of a battery or battery-powered equipment. The repair and refurbishment of a product with a safety risk need to be limited to qualified operators only.

All measures considered for incentivising the extension of the use period of goods need to bear safety of the consumer considerations. All second-hand and refurbished goods need to undergo the same safety tests as a new product. Only product categories with no inherent safety risks during repair, refurbishment or reuse should be covered by a new right to repair legislation.

ABOUT RECHARGE

RECHARGE is the European industry association for advanced rechargeable and lithium batteries. Founded in 1998, it is our mission to promote advanced rechargeable batteries as a key technology that will contribute to a more empowered, sustainable and circular economy. RECHARGE's unique membership covers all aspects of the advanced rechargeable battery value chain in Europe: From suppliers of primary and secondary raw materials, to battery, equipment and original equipment manufacturers (OEMs), to logistic partners and battery recyclers. www.rechargebatteries.org

Contact: Kinga Timaru-Kast, Director, Public Affairs & Communications, ktimaru-Kast@rechargebatteries.org