



ADVANCED RECHARGEABLE & LITHIUM BATTERIES ASSOCIATION

RECHARGE recommendations and feedback on the Environmental Omnibus (Omnibus VIII) Package ‘Simplifying for sustainable competitiveness’

May 2026

RECHARGE, representing the European battery industry and the entire European batteries ecosystem, overall welcomes the European Commission’s **Environmental Omnibus Package** proposed on 10 December 2025 to **simplify and streamline EU environmental legislation** without weakening existing environmental or health protections. It is noticed that it aims at improving EU competitiveness by reducing unnecessary administrative burdens.

The targeted changes affecting the batteries industry, which is weathering fierce international competitive while developing a homegrown value chain and while it is heavily regulated and some case “double-regulated” (e.g.: on due diligence and chemicals management), this simplification effort is particularly welcomed and needed.

The Repeal of the SCIP database (Substances of Concern in Products) is the most welcome change. While the SCIP database is well-intentioned, it imposed a disproportionately high bureaucratic burden on companies relative to its actual benefits. In the current economic climate, businesses urgently require genuine relief from excessive administrative demands, and the Commission has recognised this in the Environment Omnibus proposal. The welcomed discontinuation of the SCIP database provides immediate and necessary relief to companies, allowing them to redirect resources more effectively. The SCIP database has not been effective in informing recyclers about the presence of hazardous substances in products and has imposed substantial administrative costs. The Commission rightfully mentions the digital product passport to progressively fulfil the envisaged role of the database.

RECHARGE calls on the co-legislators to relieve the administrative burden on companies and to consider the here outlined RECHARGE recommendations for additional simplification to be introduced through the Environmental Omnibus package. The overall objective of our recommendations is to attain more efficiency, targeting avoidable unnecessary administrative costs to our businesses. We strongly encourage the co-decision-makers to include these additional changes to the EU Batteries Regulation (EUBR) as well as the Industrial Emissions Directive as part of the simplification initiative with regards to environmental legislation. These amendments will also support SMEs and SMCs in line with the Commission’s intention to reduce the administrative burden for such companies.

As a key contributor to the EU’s energy and digital transition and the bloc’s 2050 decarbonisation target, the growth of a homegrown battery ecosystem contributes to Europe’s industrial prosperity and job creation. Further simplification is much needed, and RECHARGE appreciates the urgency this is given by the co-legislators to conclude negotiations on the Environmental Omnibus by the end of 2026.

Following our [position paper detailing our recommendations](#), the proposed amendments address:

I. Amendments to Regulation (EU) 2023/1542 (Batteries Regulation / EUBR)

1) The scope of the substances that need to be labelled (Article 1 of the Omnibus VIII file COM(2025) 981 final)

RECHARGE welcomes the intent of the Commission's proposed environmental simplification package COM(2025) 981 to clarify which substances should be labelled, but this should not introduce a new definition of 'substance of very high concern' which conflicts with the REACH Regulation (EC) No 1907/2006. The REACH Regulation has been in place for almost 20 years and specifically identifies a 'substance of very high concern' as any substance which fulfils the criteria laid down in Article 57 of REACH and is identified in accordance with Article 59(1) of REACH. This definition should not be amended in the Batteries Regulation.

Proposed amendments

(1) Article 3(1) is amended as follows:

(b) the following point (69) is added: 'substance of very high concern' means any substance which fulfils the criteria laid down in Article 57 of Regulation (EC) No 1907/2006 and is identified in accordance with Article 59(1) of that Regulation, ~~or any substance which fulfils the criteria laid down in Article 57 of Regulation (EC) No 1907/2006 and listed in Annex VI of Regulation (EC) 1272/2008.~~

(4) in Annex VI Point 8 in Part A is replaced by the following:

'8. the substances of very high concern in the meaning of Article 3 (1) (69) which are present in the battery, other than mercury, cadmium and lead, with a concentration ~~equal or~~ above 0,1%, weight by weight.'

In particular, RECHARGE is concerned about proposals for the Environmental Omnibus COM(2025) 981 to amend Article 13 of the Batteries Regulation by requiring labelling of Substances of Concern in batteries where Substances of Concern is defined as Article 2(27), points (27)(a) and (27)(b) of Regulation (EU) 2024/1781 (Ecodesign for Sustainable Products Regulation – ESPR), which are present in the battery, other than mercury, cadmium and lead, in a concentration of more than 0,1% weight on weight.

Such proposed new substance labelling requirements would **obligate battery manufacturers to investigate an enormous number of substances in their supply chains which it is simply not feasible for industry to do** – even if the scope would be limited to Article 2(27), points (27)(a) and (27)(b)(i) to (vii).

As highlighted at the below weblink, the CMR (Carcinogenic, Mutagenic, and toxic to Reproduction) substances in (27)(b)(i) to (iii) alone represent 1,783 substances:
<https://globalcosing.chemradar.com/tools/cis/inv/6593b44205b53d5bc391a5c8>

We appreciate why these CMR substances are restricted in cosmetic products under Article 15 of the Cosmetics Regulation 1223/2009 because cosmetic products contact with skin and this leads to direct human exposure to these CMR substances. However, we fail to understand the benefit of labelling whether a battery contains CMR substances because these substances are sealed inside the battery during battery use and at end-of-life.

Figure 1. Substances of concern defined as Article 2(27), points (27)(a) and (27)(b) of Regulation (EU) 2024/1781

(27) 'substance of concern' means a substance that:

- (a) meets the criteria laid down in Article 57 of Regulation (EC) No 1907/2006 and is identified in accordance with Article 59(1) of that Regulation;
- (b) is classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 in one of the following hazard classes or hazard categories:
 - (i) carcinogenicity categories 1 and 2;
 - (ii) germ cell mutagenicity categories 1 and 2;
 - (iii) reproductive toxicity categories 1 and 2;
 - (iv) endocrine disruption for human health categories 1 and 2;
 - (v) endocrine disruption for the environment categories 1 and 2;
 - (vi) persistent, mobile and toxic or very persistent, very mobile properties;
 - (vii) persistent, bioaccumulative and toxic or very persistent, very bioaccumulative properties;
 - (viii) respiratory sensitisation category 1;
 - (ix) skin sensitisation category 1;
 - (x) hazardous to the aquatic environment — categories chronic 1 to 4;
 - (xi) hazardous to the ozone layer;
 - (xii) specific target organ toxicity — repeated exposure categories 1 and 2;
 - (xiii) specific target organ toxicity — single exposure categories 1 and 2;

Instead, we strongly believe that **the substance labelling requirement should be limited to (27)(a) which is the REACH Candidate List of Substances of Very High Concern (SVHC)** which currently contains 253 substances. Under REACH Article 33(2), all companies are required to inform consumers within 45 days if their hardware products contain any of these 253 REACH Candidate List substances in concentrations > 0.1% by weight of an article. Companies comply with this requirement by collecting materials declarations from supply chains on whether supplier parts and materials contain any of these 253 substances.

Even though this REACH Article 33 obligation is reasonably well understood by article suppliers, it is still a huge effort for companies to collect information on 253 substances in all supplier parts and materials across their supply chains.

There is no obligation today for companies to inform consumers if any articles in their hardware products contain any of the other substances listed in (27)(b)(i) to (vii), and so today companies do not collect this information from their supply chains. Requiring labelling of batteries that contain any of these substances would place an **enormous burden on companies** to ask their suppliers, many of whom are SMEs, to check whether parts and materials contain **thousands of new substances which they are not required to report today for any other legislation impacting articles.**



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2) LMT battery packs to be removable and replaceable by independent professionals at module level instead of cell level (Article 1 of the Omnibus VIII file COM(2025) 981 final)

Recharge believes that the amendment to Article 11(5) of the Battery Regulation submitted under Proposal COM (2025) 981, Article 1(2)], is a vital step forward. The amendment adjusts repairability requirements for Light Means of Transport (LMT) batteries, recognising that requiring cell-level repairability for LMT batteries by February 2027 creates unintended and negative side-effects for consumer safety, effective circularity and industry competitiveness.

RECHARGE urges that further refinement and simplification of the Battery Regulation LMT Battery repairability provisions, **requiring pack-level rather than module-level repairability, would offer the safest, most effective and enforceable requirement for the industry and e-bike users.**

Module-level repair reduces risks but still implies opening the battery pack. By contrast, pack-level repairs, conducted by qualified professionals, ensure the battery's sealed integrity is never compromised and therefore prevents significant risks of fire and injury associated with unsafe handling of batteries.

Ensuring pack-level repairability allows European and world-leading e-bike technology providers to build on their global reputation for product safety and continue innovating in durable, safe, and long-lasting battery technologies.

We recommend MEPs and Member States to support a swift adoption of the Commission proposal COM(2025) 981 with the following amendment, ensuring that LMT battery repairability requirements are safe, clear and enforceable in February 2027:

Proposed amendments

(2) in Article 11, paragraph 5 is replaced by the following:

'5. Any natural or legal person that places on the market products incorporating LMT batteries shall ensure that those batteries, ~~as well as individual battery modules included in the battery pack,~~ are readily removable and replaceable by an independent professional at any time during the lifetime of the product.'

We urge the co-decision makers to refrain from amending the Commission proposal to require cell-level removability and replaceability. For further reading on the safety risks associated with a cell-level requirement, please see: [Recharge position paper \(April 2023\) - Safety is a priority for the battery industry: Risks associated with the design requirement for individual cell replacement](#)

3) Other Amendments targeting simplification of the Batteries Regulation (EU) 2023/1542

a. Streamlining Data Points in the Battery Passport

The data points specified in Annex XIII for the Battery Passport currently present significant challenges due to inconsistencies, inaccuracies, overlaps, and a lack of relevance for all battery types – especially when it comes to the more burden-some dynamic data sets.

Challenges: This leads to considerable interpretative burdens for companies and incurs unnecessary costs without providing tangible benefits to manufacturers or end-users.

- Examples of Inconsistencies:
 - Annex XIII, point 1(a) requests the "information specified in Part A of Annex VI," yet subsequent point (b) redundantly spells out specific information already covered in Part A of Annex VI.
 - Point (f) requests the "share of renewable content," an information point that is neither requested nor clearly defined elsewhere in the Regulation.

Furthermore, reporting requirements under Annex XIII are excessive, vague, not fit for purpose, overlap with other regulations, and are costly to implement.

Recommendation: We urge the Commission to conduct a thorough review of Annex XIII to rationalize and refine the required data points, ensuring they are clear, non-redundant, and genuinely add value. (For EV batteries, RECHARGE would like to point to the work made by CEN experts within the TS18363.)

Concrete amendments to the Annex XIII:

The RECHARGE paper [RECHARGE recommendations on the Digital Battery Passport as part of the Batteries Regulation](#) provides the analysis of inconsistencies, inaccuracies, overlaps and potential inadequacies depending on battery category within Annex XIII of the Batteries Regulation, and suggests concrete amendments.

b. Phased approach with 18-months lead time for the Battery Passport

A phased approach with 18-months lead time ensures an effective implementation:

Displaying dynamic data should only be legally mandated once standards, interfaces, and responsibilities are firmly established. Data points that require identification of third parties (Points 2, 3 and 4 of Annex XIII) should be applicable only once the framework and the technologies are put in place by the EU. To ensure effective implementation, a phased approach for battery passport data should be introduced, with entry into force starting no earlier than 18 months after the publication of final guidelines and supporting standards adopted through non-legislative acts under the Batteries Regulation.

c. Other recommendation related to the Battery Passport

Also, there is **clarity required regarding who will manage the authentication and authorisation of third parties with access rights to non-public data of the passport**. Currently, economic actors are left alone in the task of authenticating and authorising third parties who may legally have the right to access non-public data of the passport. A clear governance model is essential to ensure harmonisation, interoperability, and legal certainty.

Regarding data ownership and use, clear allocation of responsibility for the digital battery passport is required for a successful implementation. **The entity who has access to the Battery Management System (BMS) and the dynamic data should manage the passport and ensure data accuracy.**

RECHARGE has outlined more specific recommendations related to the Digital Battery Passport in its paper: [‘RECHARGE recommendations on the Digital Battery Passport as part of the Batteries Regulation’](#)

d. Article 6 Substances of Concern

Challenge: Battery manufacturers must currently declare and notify the presence of SVHCs under REACH Article 33, and separately disclose certain hazardous substances under the labelling requirements in Article 13 of the Batteries Regulation. In addition, under Article 6 of the Batteries Regulation, ECHA is required to prepare a report on substances of concern. The Commission will submit this report to the European Parliament and the Council and may consider appropriate follow-up measures, including the adoption of delegated acts. These measures could potentially introduce further declaration or notification obligations for substances used in batteries.

Recommendation: Introduce a streamlined and efficient method for declaration and notification to avoid duplication. Currently, Article 6 of the Batteries Regulation includes substances of concern during the waste stage. However, there is an opportunity for the upcoming targeted REACH modernisation to also cover the waste stage and therefore Article 6 of the EUBR is no longer required. **RECHARGE recommends deleting the Article 6 of the Batteries Regulation, and to address the waste stage through a harmonised approach under REACH.**

e. Digital-First Approach for Information Requirements

To reduce paper waste and administrative burdens, we advocate for a comprehensive "digital-first" approach for all reporting and information requirements within the Batteries Regulation.

Challenges: The current regulation mandates various reporting and information requirements, including technical documentation and labelling, that often necessitate physical delivery (e.g., paper documents accompanying shipments or physical labels on packaging). This approach is incongruous given the concurrent requirements for digital labels and Product Passports.

Recommendation: We request the Commission clarify that phrases such as "accompanied by" are fulfilled when documentation is provided in a readily accessible digital format.

We propose allowing battery labelling information to be provided via QR codes on the battery itself, especially, but not only, in cases of limited physical space. This would streamline information dissemination and align with the digital shift already underway.

f. Introduction of a "Repair as produced" principle

Alignment should be sought between the EUBR and other requirements, such as the EU's 2022 Blue Guide and Type Approval requirements. Manufacturers should be able to repair existing batteries or replace them with newly produced spare batteries without having to incur additional conformity requirements, which were not in force at the time the battery was placed in the market.

g. Acceptance of English as easily understood language

Since the labelling information under EUBR shall be written "in a language or languages which can be easily understood by end-users in the Member State in which the battery is placed on the market or put into service", but that each Member State is free to define the languages which are "easily understood", the information be duplicated in every national language in the EU. This leads to added bureaucracy e.g., due to translation and design of the labels, with minimal environmental or customer safety benefits. We therefore call on English being recognized as "easily understood language".

h. On the Recycled Content targets

If the rules to calculate the recycled content does not take into account the market realities and the established practices in Europe, the recycled content provision risks to put the entire battery value chain under further immense pressure and favour sourcing of materials, components and batteries from outside Europe. Calculation of Recycled Content targets for Batteries should help developing a value chain in Europe and not favour sourcing from outside the EU; the calculation rules should minimize the negative impacts of this target. The review of the Article 8 can also be anticipated (under Art. 8.5 planned for 2028 only) – to further take into account market developments and availability of waste material in Europe.

i. On Member States Reporting waste collection & treatment

We had identified as the main issue that the recyclers do not have the information where the battery was placed on the market initially, and the reporting format for MS should not impose on recyclers to source such data which would be a significant administrative burden and cost. Batteries incorporated in vehicles or appliances are one of the most common products to be sold within different countries across the EU, including non-EU countries, which may lead to impossibility to track those that were once introduced in an EU Member State. Clarification is therefore needed with regards to the scope of waste traceability and collection, where we urge for a realistic approach.

j. Assess the added value of the Green public procurement provisions

In the context of more recent legislation – in particular the Net-Zero Industry Act (NZIA) and the proposed Industrial Accelerator Act (IAA), which both cover public procurement criteria for which batteries are under the scope, RECHARGE calls on the co-decision makers to assess the added value and use of the Article 85 of the EUBR on Green public procurement.

The Article 85 explicitly requires a life-cycle approach, and may create inconsistencies with the criteria applicable through the NZIA as well as the IAA provisions – and further adds in complexity.

It also brings limited market leverage, as public procurement of batteries as such represents a small fraction of total battery demand. This limits Article 85's capacity to create lead markets, especially compared with IAA-style Union originating rules.

The is also a risk of duplication and confusion: Contracting authorities may face **three parallel procurement logics** for batteries:

- environmental performance (Article 85),
- resilience/sustainability (NZIA),
- origin and industrial policy (IAA)

Without careful coordination, Article 85 risks becoming **procedurally redundant or ignored in practice** when stronger, simpler IAA criteria apply.

II. Amendments to Regulation (EU) 2023/1542 (Industrial Emissions Directive / IED 2.0)

The Environmental Omnibus introduces several positive modifications to the IED 2.0 which supports efficiency, flexibility and real environmental performance enhancements which RECHARGE welcomes. Some examples include: allowing multiple installations to be covered by a single EMS (Environmental Management System), repealing mandatory EMS audits and removing chemical inventory and substitution analysis requirements in the EMS (page 3, [2025/0394 \(COD\)](#)).

However, administrative burden remains for the EU battery manufacturing industry which should be addressed. RECHARGE would like to emphasise the following points:

1) Importance of simplification and avoidance of duplication

Although chemical inventory and substitution analysis requirements are proposed to be removed from the EMS, revised Article 14(1)(ab) of the IED still requires Member States to ensure that permits include an assessment of the need to prevent or reduce emissions of hazardous substances. RECHARGE acknowledges that such assessments are installation-specific and depend on each organisation's manufacturing processes; however, we emphasise the importance of simplification. **In light of the substantial work already carried out by industry under Article 6 of the Batteries Regulation on substances of concern, RECHARGE recommends that existing data which has been provided by industry be taken into account.** Making use of this data would avoid duplication, reduce administrative burden, and support a more efficient and coherent regulatory approach.

2) Postponing the development of the Production of Batteries in Gigafactories (PBG) BREF

European battery industry is currently at a critical and sensitive stage of development. As acknowledged by the Article 13 Forum, **only a very limited number of installations presently fall within the scope of the Production of Batteries in Gigafactories (PBG) BREF** under the revised Industrial Emissions Directive (IED 2.0). Moreover, several of these installations are still in ramp-up phases and are not yet operating under stable or representative industrial conditions.

At the same time, participation in the PBG BREF process entails a significant administrative and technical burden for operators, requiring substantial dedicated resources over an extended period. This effort comes at a moment when the European battery industry is facing intense competitive pressure from manufacturers operating outside the EU, often under less stringent regulatory frameworks.

In this context, RECHARGE recommends postponing the development of a PBG BREF until a sufficient number of fully operational and mature installations are established in Europe. Such a sequencing is **essential to ensure that any future BREF is grounded in robust, representative, and reliable data, capable of providing a sound and credible reference framework for future installations.** It would also avoid placing additional regulatory pressure on an industry that is still scaling up and remains strategically important for Europe's competitiveness, resilience, and decarbonisation objectives.



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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

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