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Executive Vice President Séjourné,

Commissioner Dombrovskis & Commissioner Roswall

Berlaymont building, Rue de la Loi 200/Wetstraat 200

1040 Brussels

Belgium

Cc Secretary-General Ilze Juhansone

Presidency of the Council, Ireland

Brussels, 2 November 2026

Subject: Environmental Omnibus – Battery substance labelling is moving away from simplification. Restore the original Batteries Regulation approach to substance labelling

Dear Executive Vice President Séjourné,
Dear Commissioner Dombrovskis,
Dear Commissioner Roswall,

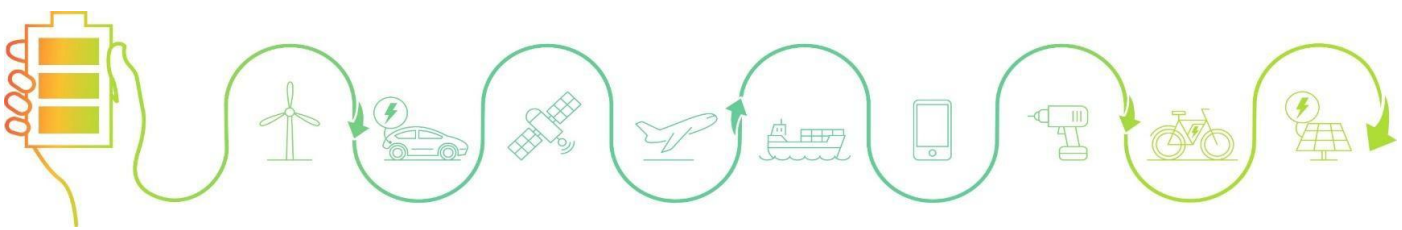
The Undersigned Associations urge the Commission to correct the direction of the Environmental Omnibus negotiations on battery substance labelling.

The Environmental Omnibus is intended to **simplify** EU legislation and reduce administrative burden for businesses whilst keeping the EU's objectives to **protect the environment and human health**. Yet the current negotiations risk doing the opposite by expanding the scope of substances subject to labelling, creating regulatory uncertainty and imposing additional obligations across complex battery supply chains.

Recital 44 of the Batteries Regulation (EU) 2023/1542 refers to the labelling of "certain hazardous substances". The Undersigned Associations consider that this requirement should be implemented through the **established REACH Candidate List** , which provides a clear and established framework of approximately 253 well understood **Substances of Very High Concern (SVHCs)** which industry is already required to report in articles such as batteries today.

Instead, the Commission's proposal and subsequent institutional approaches have introduced alternative definitions of SVHCs and potentially broader scopes, including CLP-linked hazardous substances and ESPR-based Substances of Concern (SoC), which are not relevant to articles such as batteries. These approaches risk creating new obligations and significant administrative burdens for battery manufacturers and their suppliers, **without demonstrated evidence that broader labelling would deliver corresponding environmental or health benefits.**

The Commission must return to the original legislative intent and establish the REACH SVHC definition as the basis for battery substance labelling. The solution is not to choose between the



competing approaches now under negotiation, but to reject the proposed expansion of scope through new or alternative definitions.

The implications of an **expanded scope** would extend throughout the supply chain. Manufacturers and suppliers would face greater demands to identify, trace, verify and communicate information on almost 3000 substances, with disproportionate impacts on SMEs and businesses operating across multiple sectors and jurisdictions. **Chemical suppliers may ultimately have to operate with different substance-information requirements depending on whether they supply the battery sector or other articles sectors using the same substances.** This would create additional complexity and administrative burdens without demonstrated environmental or health benefits.

Further uncertainty would arise from introducing broader labelling obligations by using the ESPR definition of substances of concern (SoC) while the Commission and ECHA are still assessing substances of concern under Article 6(5) of the Batteries Regulation.

At a time when Europe is seeking to strengthen its battery industry, accelerate CLEAN-TEC investment and improve competitiveness, the introduction of further regulatory complexity risks undermining these objectives.

The battery industry supports meaningful labelling that protects human health and the environment. However, expanding the scope of labelling without a clear justification and assessment of its impacts would run counter to the Environmental Omnibus's objective of simplifying EU legislation.

We therefore urge the Commission to:

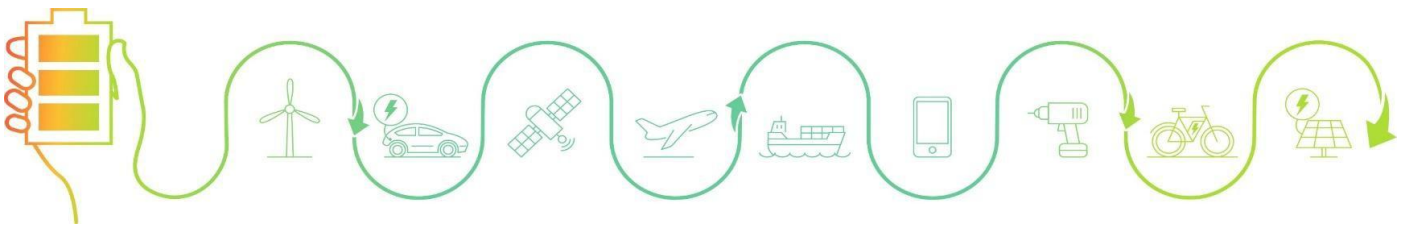
- **Establish the REACH SVHC definition as the basis for battery substance labelling.**
- **Reject broader or competing definitions** based on CLP hazardous substances or ESPR Substances of Concern that would expand the scope of labelling under the Environmental Omnibus.
- **Restore the simplification objective** by ensuring clear, proportionate and workable obligations for battery manufacturers and their suppliers.

The Commission introduced much of the additional complexity now under discussion and must take the lead in correcting it. We urge the Commission to work with the Council and European Parliament to secure this outcome before the legislative process concludes.

The accompanying Annex sets out the evolution of the substance-labelling proposals and explains why the competing approaches risk expanding regulatory scope and administrative burdens. It supports the Undersigned Associations call to establish the REACH SVHC definition as the basis for battery substance labelling.

Yours sincerely

The Undersigned Associations



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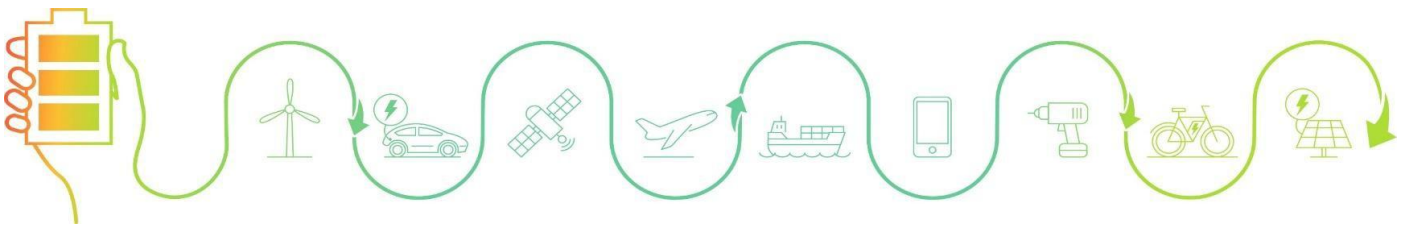
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ASSOCIATION OF EUROPEAN AUTOMOTIVE AND INDUSTRIAL BATTERY MANUFACTURERS

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Annex – Battery Substance Labelling: The Case for the REACH SVHC Candidate List

A1. The issue

The Batteries Regulation (EU) 2023/1542 refers to labelling "certain hazardous substances" to provide transparent and reliable information to end-users and support the appropriate treatment of waste batteries.

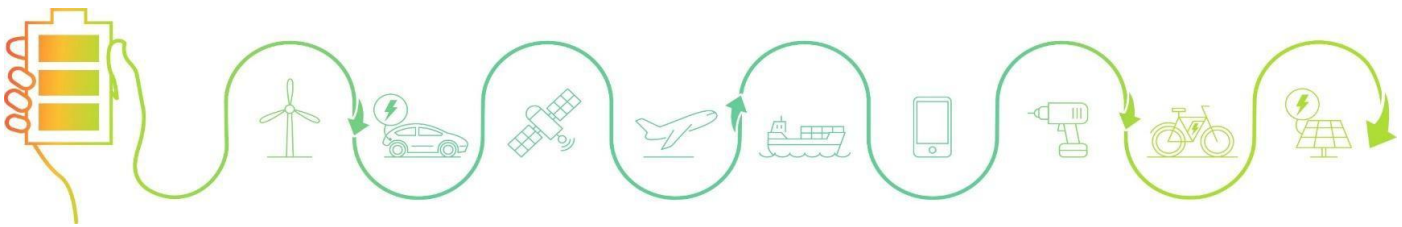
The Undersigned Associations consider that the **REACH SVHC definition should be the basis for implementing this labelling requirement**. It provides an established framework for identifying SVHCs and communicating relevant information across the chemical supply chain.

However, the Environmental Omnibus negotiations have introduced alternative definitions and potentially broader scopes. This would run counter to the Environmental Omnibus's objective of simplifying EU and will lead to additional regulatory complexity and administrative burden.

A2. How the proposal has evolved

Table A1: Summary of Regulatory Developments on substance labelling

Date of publication	Regulatory Development	Terminology	Number of substances	Potential implications for industry
July 2023	Recital 44, **Batteries Regulation (2023)**	"Certain hazardous substances"	Limited	Understood as a defined and limited group of substances.
10 December 2025	**Commission Environmental Omnibus proposal (Dec 2025)**	"SVHCs" linked to REACH and CLP	2656	Confusion to have same term and different definition of SVHC for battery industry. Chemical suppliers will have to treat battery customers differently due to different product definitions of the same substances.
15 December 2025	**Draft Implementing Regulation for battery labelling (Dec 2025)**	"Hazardous substances" with reference to CLP	~ 200 000	Further uncertainty regarding the number and identity of substances in scope.
25 June 2026	**Council general approach (June 2026)**	"Substances of concern" linked to ESPR	~2500–3000	Parallel work remain under development with ECHA and Commission on methodology and scope under Article 6(5).
Industry position	Preferred approach	Use established REACH SVHC definition	253 on Candidate List	Clearer scope and established process is already defined.



A3. Why the scope matters

The choice of definition determines which substances companies must identify, assess, trace through supply chains, verify and communicate. A broader scope would:

- Increase administrative burdens for battery manufacturers and suppliers, particularly SMEs.
- Create parallel information requirements for chemical suppliers serving different sectors.
- Increase uncertainty over which substances must be declared and labelled.
- Risk premature obligations while the Commission and ECHA continue their assessment of substances of concern under Article 6(5) of the Batteries Regulation.

The Commission and Council approaches have not been supported by an impact assessment demonstrating that expanding the scope of substance labelling would reduce administrative burdens while maintaining environmental and health protection.

A4. Industry position and required outcome

The Undersigned Associations call for a clear and definitive outcome: **the REACH SVHC definition must be established as the basis for battery substance labelling.**

The Commission should use the ongoing legislative process to correct the direction of the Environmental Omnibus negotiations, rejecting proposed expansions of scope through broader CLP-linked or ESPR-based definitions and restoring the original legislative intent of the Batteries Regulation. The established REACH SVHC framework provides the basis for substance labelling without introducing competing definitions that risk creating additional regulatory complexity.

Any future expansion beyond the REACH SVHC definition should require clear justification, supported by an assessment of its environmental benefits, feasibility and administrative impacts.

The objective is straightforward: meaningful substance labelling, a clearly defined scope and genuine regulatory simplification—not an expansion of labelling obligations through the Environmental Omnibus.

