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Proposal to reassess the timeline and scope of the Battery Passport under Regulation (EU) 2023/1542

EUROBAT recommendations

1. To consider a “stop-the-clock” initiative and postpone enforcement to 2030.
2. To exclude industrial batteries from the initial phase of implementation of the Battery Passport.
3. To consider limiting the disclosure of highly sensitive data.
4. EUROBAT warns against publicising commercially sensitive, highly granular technical parameters such as minimal and maximum voltage, original power capability, internal battery cell resistance.
5. EUROBAT also warns against requiring universal statement of:
   i. round trip energy efficiency at 50% of cycle life, share of renewable content as they lack uniform measurement protocols and industry-wide standards while offering limited value in some applications.
   ii. mass collection of dynamic performance data as they contradict the "data minimization" principle under General Data Protection Regulation (GDPR 2016/679).

EUROBAT, the Association of European Automotive and Industrial Battery Manufacturers, welcomes the objectives of the EU Batteries Regulation (Regulation (EU) 2023/1542) in promoting sustainability, transparency, and circularity across the battery value chain, including through the introduction of the **Battery Passport**. Scheduled for enforcement in February 2027, the Battery Passport aims to provide consumers, regulators, and industry actors with standardised, accessible data.

However, EUROBAT is concerned about the **feasibility of implementing the Battery Passport within the current timeframe provided under the Batteries Regulation.**

EUROBAT considers that the design requirements and the Battery Passport itself should be enforced once the necessary infrastructure and technical standards have been finalised. The delays in key components necessary under Batteries Regulation such as carbon footprint declaration and due diligence obligations are **intensifying uncertainty and raising the compliance burden** for companies. As a first step, EUROBAT recommends that the carbon footprint and due diligence requirements should be introduced, followed by the recycled content obligations. This would allow companies to establish robust reporting foundations and ensures that the data feeding into the Battery Passport is available, is

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complete and that the reporting remains consistent across regulatory requirements of the Batteries Regulation.

Therefore, EUROBAT urges the European Commission to consider a "stop-the-clock" initiative and postpone enforcement to 2030.

A comprehensive postponement would:

i. Facilitate consistency and harmonisation with other digital product passport requirements in legislation by finalising the technical standards on Digital Product Passport through JTC 24 and clarify the respective roles of industry initiatives like Catena-X and GAIA-X;
ii. Alleviate the regulatory burden on industry, particularly SMEs by enabling industry to first define and implement carbon and due diligence requirements;
iii. Provide sufficient time to address critical challenges and harmonise requirements by redefining a technically feasible and actionable data reporting scope through a cost-benefit lens and resolve conflicts with GDPR and Trade Secrets Directive.

Furthermore, EUROBAT asks the European Commission to use this delay as an opportunity **to review both the scope of battery types** covered by the Battery Passport, as defined in Article 77(1) of the Batteries Regulation, and **the specific information requirements** set out in Article 77(2).

In particular, **EUROBAT recommends excluding industrial batteries from the initial phase of implementation of the Battery Passport**. The Battery Passport was originally conceived to support second-life applications, primarily for electric vehicle (EV) batteries. By contrast, most industrial batteries are not repurposed, significantly reducing the relevance of detailed historical traceability. It will allow resource to be focussed on the introduction of the battery passport in areas where it will bring the most benefit.

Moreover, the industrial battery sector is highly diverse, serving a wide range of applications including alarm systems, telecommunications equipment, and uninterruptible power supply (UPS) systems. Many industrial batteries are custom-built to meet specific end uses but industrial applications have a low commercial value. This range of applications adds significant complexity to the implementation of the Battery Passport for industrial batteries, introduces challenges around standardisation and imposes a disproportionate administrative burden on manufacturers. Including industrial batteries at the outset could overcomplicate implementation and distract from the Passport's core purpose.

The exclusion of the industrial batteries in the initial phase would:

I. Simplify the initial rollout and reduce administrative burden;
II. Focus early regulatory efforts where the Battey Passport's benefits are most immediate;
III. Give the industry the necessary time to develop harmonised standards appropriate for the complexity and customisation of industrial batteries;

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IV. Allow future expansion of scope once the framework is operational and technically mature;
V. Allow the currently successful recycling stream to consistently adjust to the demands of the battery directive across borders.

Additionally, we consider the disclosure of highly sensitive data problematic. EUROBAT warns against the consequence of mandating disclosure of highly sensitive technical data, including battery pack design specifications, and cell-level recipes through the battery passport; these are core business know-how, their dissemination should be as limited as possible. In Europe, recycling of waste lithium-ion batteries for electric vehicles is expected to be conducted by companies that also often belong to manufacturers of battery cells; therefore, absent strict confidentiality provisions, the battery passport would enable transfer of confidential business information from battery cell manufacturers to their rivals, disincentivising innovation.

The name of the electrode and electrolyte materials is sensitive information between different departments of the same corporation, no cell level material information at this granularity should be shared with the original equipment manufacturers. While we agree that that access to cell-level information would facilitate battery recycling, it is crucial that disclosure of such information comes with carefully designed confidentiality provisions.

EUROBAT also warns against publicising commercially sensitive, highly granular technical parameters such as minimal and maximum voltage, original power capability, internal battery cell resistance as it holds no practical value for end users or circular economy operators and may result in incorrect application of values leading to potential hazards.

The Joint Research Centre (JRC) has already acknowledged these concerns and excluded most performance and durability parameters from the list of technical minimum requirements, with limited exceptions such as energy efficiency and cycle life. The JRC's approach to carbon footprint methodology for industrial batteries further reinforces this view. It takes into account the complexity of the market and the specificalities of custom-built batteries.

Furthermore, EUROBAT warns against requiring universal statement of:

i. round trip energy efficiency at 50% of cycle life, share of renewable content as they lack uniform measurement protocols and industry-wide standards while offering limited value in some applications;
ii. mass collection of dynamic performance data as they contradict the "data minimization" principle under General Data Protection Regulation (GDPR 2016/679).

EUROBAT stands ready to support the Commission in developing a technically feasible, proportionate, and future-proof Battery Passport framework that enhances transparency

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without compromising industrial competitiveness or innovation. The aim of this document is to optimise the implementation of the Batteries Regulation.

It is critical that for various applications the required parameters are defined for a period before a battery passport can provide useful information. The labelling regulations Article 13, will meet the requirements of a partial implementation of a battery passport. Harmonised standards must be in place before the Battery passport can be implemented.

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About EUROBAT
www.eurobat.org
EUROBAT is the leading association for European automotive and industrial battery manufacturers, covering all battery technologies, and has more than 40 members. The members and staff work with all policymakers, industry stakeholders, NGOs and media to highlight the important role batteries play for decarbonised mobility and energy systems as well as numerous other applications.
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