

6 July 2026

EUROBAT's proposed amendments to the Environmental Omnibus

This position builds on the agreed positions of the co-signing associations and reflects industry priorities on the Environmental Omnibus proposal. It covers areas where the European Parliament can deliver genuine simplification for the battery sector:

1. Battery Passport — phased rollout and protection of commercially sensitive data
2. Producer definition — clarification of Art. 3(47)(b)
3. Extended Producer Responsibility — centralised registration
4. Due diligence — regulatory alignment

1. Battery Passport: Phased rollout and protection of commercially sensitive data

1.1 The Problem

Article 77(1) of Regulation (EU) 2023/1542 requires that, from 18 February 2027, each industrial battery, EV battery and LMT battery placed on the market shall have a battery passport containing the information set out in Annex XIII. However, several foundational elements required for the passport remain incomplete:

- Core technical and data interoperability standards (including under ISO/IEC JTC 24) are still under development, with delays already announced.
- Critical data fields — including product identifiers, performance metrics and sustainability indicators — lack harmonised definitions, measurement protocols and testing standards.
- The implementing act under Article 77(9) specifying access rights to restricted data (Annex XIII points 2, 3 and 4) has not yet been adopted.
- The Digital Product Passport registry infrastructure under Regulation (EU) 2024/1781 **is not yet operational**.

1.2 Proposed Amendment

Phased implementation of the Battery Passport

Current text of Art. 77	Proposed amendment
(2) ...	(2) ... The information in the battery passport shall comprise information accessible to the

The information in the battery passport shall comprise: (a) information accessible to the general public in accordance with point 1 of Annex XIII; (b) information accessible only to notified bodies, market surveillance authorities and the Commission in accordance with points 2 and 3 of Annex XIII; and (c) information accessible only to any natural or legal person with a legitimate interest in accessing and processing that information for the purposes referred to in points (a) and (b) of the third subparagraph in accordance with points 2 and 4 of Annex XIII.	general public in accordance with point 1 of Annex XIII, <i>provided that the corresponding delegated acts, implementing acts and harmonised standards necessary for the collection, verification and reporting of that information have entered into force by the time of implementation;</i> <i>From 18 February 2030, the battery passport shall also contain:</i> <i>(a) information accessible only to notified bodies, market surveillance authorities and the Commission in accordance with points 2 and 3 of Annex XIII; and</i> <i>(b) information accessible to persons with a legitimate interest in accordance with points 2 and 4 of Annex XIII, subject to the access conditions laid down in the implementing act adopted pursuant to paragraph 9.'</i>
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Justification: This amendment retains the February 2027 start date but limits the initial scope to publicly accessible data fields (Annex XIII point 1) for which standards and methodologies are already available. This relative-trigger approach gives industry the lead time to build robust, interoperable systems while ensuring the passport delivers meaningful transparency.

2. Producer Definition: Clarification of Article 3(47)(b)

2.1 The Problem

Article 3(47)(b) of Regulation (EU) 2023/1542 allocates the producer role to a reseller only where the manufacturer's name or trademark "does not appear" on the battery. Since Article 13 and Article 38(7) make it mandatory for the manufacturer's name and contact details to appear on every battery, resellers sometimes (incorrectly) conclude that they never assume the producer role. In practice, these resellers are placing products on national markets using their own sales organisation and logistics, and should bear producer obligations including EPR registration.

The Commission proposal already clarifies the producer definition for cross-border/distance sellers (Recital 6, amending Art. 3(47)(e)), but it does not address the ambiguity in Art. 3(47)(b).

2.2 Proposed Amendment

Clarification of producer definition

Current text of Art. 3(47)(b)	Proposed amendment
(b) is established in a Member State and resells within the territory of that Member State, under its own name or trademark, batteries, including those incorporated in appliances, light means of transport or other vehicles, manufactured by others, on which the name or trademark of those other manufacturers does not appear ;	<i>(b) is established in a Member State and resells within the territory of that Member State, under its own name or trademark, batteries, including those incorporated in appliances, light means of transport or other vehicles, manufactured by others;</i>

Justification: Deleting the clause "on which the name or trademark of those other manufacturers does not appear" removes the loophole that currently allows resellers to avoid producer status. Since manufacturer identification on the battery is already mandatory under Articles 13 and 38(7), the current wording effectively makes the condition in Art. 3(47)(b) permanently unsatisfied, undermining the effectiveness of EPR obligations.

3. Extended Producer Responsibility: Centralised registration

3.1 The Problem

Article 55 of Regulation (EU) 2023/1542 requires producers to register under EPR schemes in each Member State where they place batteries on the market. In the absence of a common EU-wide platform, standardised data formats or shared infrastructure, producers active in multiple Member States must navigate 27 divergent national systems — creating disproportionate administrative burden with limited environmental benefit.

3.2 Proposed Amendment

Commission feasibility assessment for centralised EPR registration

Current text	Proposed new paragraph
(new)	<i>'14. By 31 December 2027, the Commission shall assess the feasibility of establishing a Union-level system or single-entry point to support producer registration under this Article. That assessment shall examine, in particular:</i>

	<i>(a) options for improving transparency and accessibility of national registration requirements;</i>
	<i>(b) the potential for interoperability between national electronic data-processing systems referred to in paragraph 9;</i>
	<i>(c) the development of common data formats and standardised submission templates;</i>
	<i>(d) the reduction of administrative burden for producers operating in more than one Member State.'</i>

Justification: Comparable EU-level digital simplification models already exist, including the Single Digital Gateway and the Public Procurement Data Space. A centralised portal — or at minimum an authoritative directory listing national EPR portals, procedures, data fields and contact points — would reduce duplication, improve consistency and ease compliance for cross-border producers without replacing national systems or altering the underlying data that producers must provide.

4. Due Diligence: Regulatory alignment

4.1 The Problem

Battery manufacturers currently face overlapping due diligence obligations under Regulation (EU) 2023/1542 (Articles 48–50, Annex X), the Corporate Sustainability Due Diligence Directive (CS3D) and the Corporate Sustainability Reporting Directive (CSRD). This creates duplicative reporting (e.g. Annex X annual statements vs. ESRS E5-4 disclosures on the same cobalt/lithium supply-chain risks), inconsistent grievance mechanisms and divergent verification pathways.

4.2 Recommendation

EUROBAT calls on the co-legislators to ensure that the **postponement** of battery due diligence obligations is maintained until Commission guidelines and national verification body designations are operational.



ASSOCIATION OF EUROPEAN AUTOMOTIVE AND INDUSTRIAL BATTERY MANUFACTURERS

About EUROBAT:

EUROBAT is the leading association for European automotive and industrial battery manufacturers, covering all battery technologies, and has 34 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 all other numerous applications.

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