Chemistry for Batteries Europe

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Chemistry for Batteries Europe input to the EC Public Consultation on New Rules for Battery Labelling

Chemistry for Batteries Europe, a Sector group of Cefic, the European Chemical Industry Council, is the forum of producers of chemical substances essential to the battery value chain in Europe. Chemistry for Batteries Europe welcomes the European Commission's efforts to establish harmonised labelling specifications under the Batteries and Waste Batteries Regulation (EU) 2023/1542.

We would like to highlight that to support a sustainable and competitive European battery ecosystem, streamlining regulatory compliance and ensuring operational feasibility are key to create a competitive functioning market for battery materials and technologies in Europe.

Streamlining regulatory compliance

Chemical producers supplying into the battery value chain already operate under an extensive regulatory framework, including REACH, CLP, the WFD/SCIP notification regime, transport legislation, and multiple product-specific regulations. The draft Implementing Regulation introduces multiple detailed formatting, size, and information layering requirements, which add up to other pieces of legislation. For operators handling a wide range of chemical substances used in, but not limited to, battery manufacturing, this creates a fragmented compliance landscape.

A multiplication of timelines and technical specifications leads to:

- continuous updates to labels, packaging and digital systems;
- operational uncertainty across supply chains;
- increased compliance costs and administrative burden, especially for SMEs.

Flexibility for label formatting rules

We strongly support the Commission's goal of harmonisation but caution against overly prescriptive formatting specifications (e.g., minimum font size, margin borders, icon size, mandatory display of information directly on the battery surface), that may unintentionally create bottlenecks.

Formatting rules should:

- remain at high level, allowing for sector specific flexibility;
- allow greater use of digital tools (QR codes, electronic documentation, battery passports) to avoid overcrowding of information on small battery surfaces;
- where needed, be addressed through non-binding guidance rather than detailed legal obligations.

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This approach will ensure compliance while preserving innovation, readability, and practicality across diverse battery chemistries and applications.

Hazardous substances - Ensuring regulatory coherence and practicality

Ensuring alignment with existing EU chemicals legislation is essential for the successful implementation of the labelling framework. Based on coordination with downstream and upstream associations, we recommend the following:

SVHC disclosure only on the physical label (REACH logic, 0.1% w/w)

Disclosure of substances on the physical battery label should be limited to Substances of Very High Concern (SVHC) in accordance with REACH Articles 57 and 59, applying the long-established 0.1% w/w article-level threshold.

This ensures:

- full consistency with existing REACH/SCIP obligations;
- legal clarity, avoiding the creation of parallel or conflicting disclosure systems;
- predictability for operators who already manage SVHC screening and reporting.

Additional information (e.g. composition details, CRM content, other hazardous substances) should be disclosed via QR code and in the battery passport, not on the physical label.

Delete / replace Draft Article 4(1) and 4(2)

Draft Article 4(1) and 4(2) extend CLP based classification and labelling - legally applicable only to substances and mixtures - to battery articles and introduces obligations without practical thresholds.

We recommend deleting Article 4(1) and 4(2) and replacing them with Environmental Omnibus text referencing only SVHC disclosure, avoiding duplication of CLP labelling requirements and ensuring legal consistency.

Keep "Substances of Concern (SoC)" methodology out of labelling scope

The SoC methodology is relevant for circularity and recycling but must not determine consumer facing labelling obligations. SoC and SVHC serve different policy objectives, merging them risks confusion and over notification. A recital should be added clarifying that SoC identification does not trigger labelling requirements.

QR Code first approach for multilingual and space-restricted labelling

We support the Draft IR's priority order for labelling elements. When space or multilingual requirements limit readability, SVHC and supplementary information should be delivered digitally via QR code, with a clear on-label pointer. This approach is consistent with digitalization objectives and preserves accessibility.

Protecting confidential business information

The physical label should only use the standardized electrochemical nomenclature set out in Annex IV (e.g., Li-ion NMC, LFP, NCA; Ni-MH; Na-ion). Proprietary formulas, additives, CAS/EC numbers, and detailed element ratios must remain exclusively in the battery passport under Article 77 to safeguard intellectual property and competitiveness.

Coherent implementation timelines & sell-through

To ensure smooth implementation and avoid supply chain disruption, we recommend:

- applying the new requirements 18 months after publication in the Official Journal;

- allowing a 18-month sell-through period for batteries already placed on the market;
- aligning dates with other delegated/implementing acts, such as the carbon-footprint declaration format, to avoid conflicting deadlines.

Enabling a competitive EU battery value chain and level playing field

Ultimately, the Batteries Regulation must enable and boost the scaling of a competitive European battery market and value chain.

Excessively prescriptive and burdensome labelling rules risk slowing investments in the EU in key chemicals substances for battery production, incentivising production outside the EU where compliance is less onerous and creating barriers for innovative solutions.

A simplified, flexible, and coherent labelling framework is a prerequisite for establishing a competitive EU-based value chain capable of meeting the EU strategic autonomy and carbon neutrality goals.

Meanwhile, it is crucial that standards, for example regarding enforcement and custom controls, are in place to **ensure there is a level playing field with international competitors**. Materials entering the EU batteries market should meet the same standards and requirements as materials manufactured within the EU.

The chemical industry remains committed to supporting the objectives of the Batteries Regulation while ensuring that the EU remains an attractive and competitive location for battery innovation and production. Chemistry for Batteries Europe and its members is open to exchange with and support EU Institutions in a collaborative and constructive dialogue on Batteries legislation.

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