

EU Batteries Regulation

New legislative framework for portable batteries in the EU

On August 18, 2023, the new [Regulation on batteries and waste batteries \(EU\) 2023/1542](#) ("Batteries Regulation") entered into force. The Batteries Regulation will become applicable on February 18, 2024, meaning that its provisions will have legal effect from that day onwards.

The Batteries Regulation is the first European legislation that considers the full life cycle of batteries, including sourcing, manufacturing, use, and recycling, all in a single law. This aligns with the European Green Deal's circularity goals and promotes the sustainability of batteries throughout their life cycle. EPBA is pleased with the outcome of the Batteries Regulation. Most of its content will aid in making batteries more sustainable throughout their life cycle. This will play a significant role in the EU's clean energy transition, the growth of a competitive industry, and energy independence from third countries.

The Batteries Regulation will apply to all batteries, including portable batteries, and more specifically, portable batteries of general use. The Regulation defines a portable battery as a sealed battery that weighs up to 5 kg, is not specifically designed for industrial use, and is neither an electric vehicle battery, an LMT battery, nor an SLI battery. A portable battery of general use (PBGU) is defined as the most commonly used sizes known to the average consumer, including 4.5 Volts (3R12), button cells, D, C, AA, AAA, AAAA, A23, 9 Volts (PP3), all of which

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may be rechargeable and non-rechargeable (Article 3). The Batteries Regulation introduces the following new requirements for economic operators:

1. Due diligence policy

Economic operators that place batteries on the EU market (excluding SMEs) are obligated to establish and **implement a due diligence policy** that addresses the social and environmental impacts throughout the supply chain, from raw material extraction to disposal (Article 48). Stricter due diligence rules require operators to verify the source of raw materials used in batteries. Notified bodies may audit compliance with due diligence obligations.

2. New labeling requirements

The general information that needs to be printed on the **battery label** is laid down in Annex VI and must include information on the manufacturer, battery category, type and chemistry, manufacturing date, weight, information on hazardous substances and critical raw materials, capacity marking for rechargeable batteries and minimum average duration of discharge for primary batteries, crossed-out dustbin to indicate the mandatory separate collection of waste batteries and CE marking. As already required under the 2006 Batteries Directive, batteries must be marked with the crossed-out dust bin symbol.

The Regulation requires batteries containing **hazardous substances** such as cadmium and lead to be marked with a chemical symbol label if certain thresholds are exceeded (Cd for more than 0,002% Cadmium and Pb for more than 0,04% Lead). The use of mercury in portable batteries is no longer possible. This is done to safeguard human health and the environment, as well as to manage the presence of such substances in waste

The Commission will adopt an implementing act on the specificities of the labeling requirements no later than August 18, 2025, which will, depending on the exact date of the adoption, become applicable between August 2026, and February 2027.

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The label must also include a QR code through which the user will get access to

additional information such as those required under due diligence reporting, which will apply from August 18, 2027, onwards. This information includes details about the mandatory separate collection of waste batteries, the carbon footprint, and the EU Declaration of Conformity with applicable safety and sustainability requirements (Article 13).

3. Conformity assessment

From August 18, 2024, batteries are required to undergo a **conformity assessment procedure** (Article 17). This conformity assessment will become the prerequisite for obtaining the **EU declaration of conformity** (Article 18) and affixing the **CE marking of conformity** (Articles 19, 20, and 38(3)), both of which will also be mandatory as of August 18, 2024. These steps will demonstrate compliance with the sustainability and safety requirements laid out in Chapter II.

The general rules on how to affix the CE marking to a product, including portable batteries, are available in the [Commission's Blue Guide on the implementation of EU Product Rules 2022](#).

4. Removability and replaceability

Products containing portable batteries must be designed in such a way that **the batteries are readily removable and replaceable by the end-user, using the necessary commercially available tools (or specialized tools if provided with the product)**. Instructions and safety information on removing and replacing the batteries must be made available online. Exceptions are in place for electric devices meant to operate in an environment subject to water, certain medical devices, products for which the continuity of power supply and permanent connection between the product and battery is required for safety, and products whose main function is to collect and supply data (to ensure data security).

5. Performance and durability requirements

The regulation foresees the development of the **performance and durability requirements for portable batteries** (Article 9 and Annex III). These standards are a practical means of improving the overall quality, **Button Battery Ingestion** and **EU Batteries Regulation** **Keep out of reach** **New legislative framework**

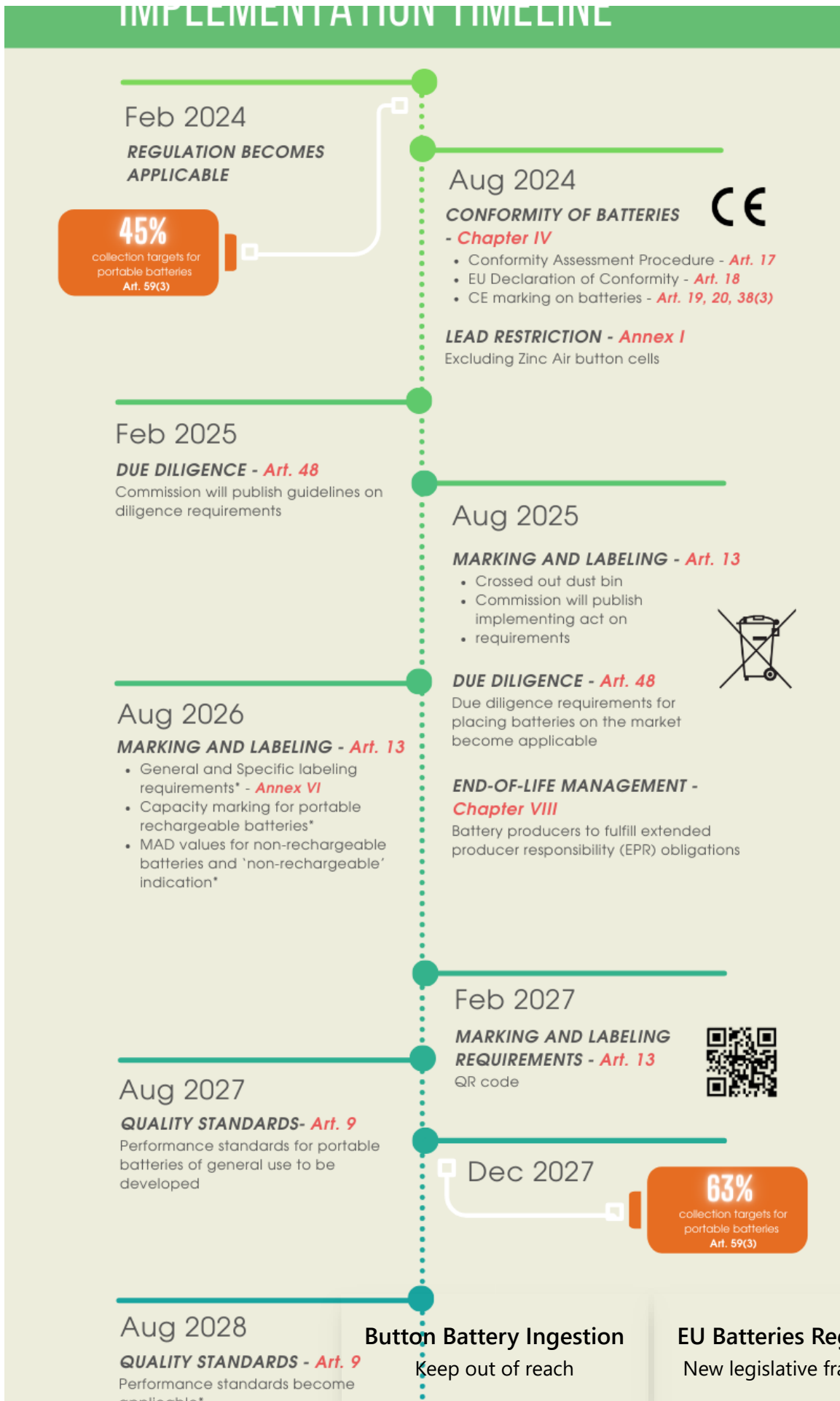
sustainability, and safety of portable batteries sold in the EU. However, the Regulation does not foresee the lifecycle assessments of portable batteries before at least 2030.

6. End-of-life management

The Regulation broadens extended producer responsibility (EPR) to standardize the waste management rules for batteries at their end-of-life stage. Producers of portable batteries are required to establish a system for collecting waste portable batteries, with designated collection points, and collect them free of charge. These collection schemes must also ensure that the collected batteries are treated at a waste management facility. The Regulation sets **ambitious collection targets for portable batteries**. The collection rate must reach 45% by the end of 2023, 63% by the end of 2027, and 73% by the end of 2030 (Article 59). To achieve these ambitious targets, the calculation methodology needs to consider the real flow of batteries on the market, i.e., the number of batteries available for collection. The Regulation also completely prohibits the landfilling of all batteries. End-users must also discard batteries separately from other waste streams and bring them to the collection points.

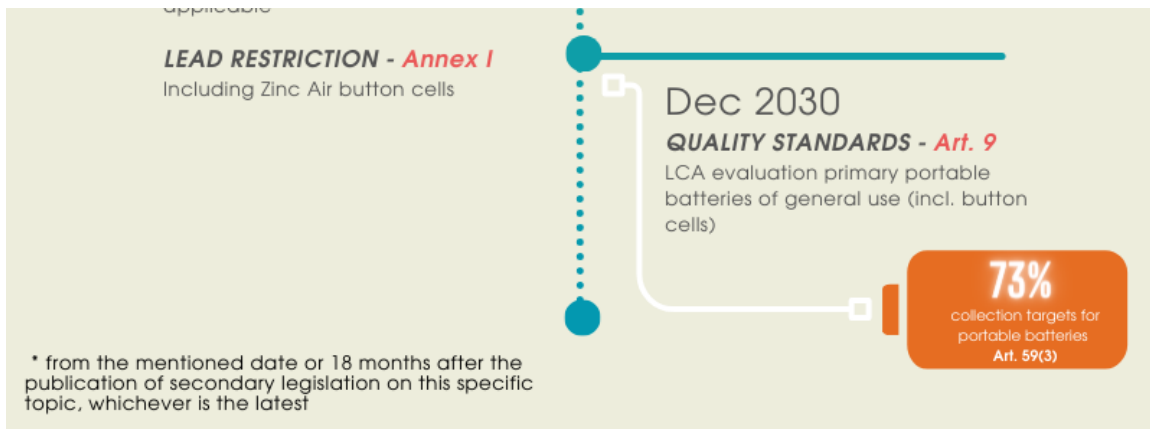
EPBA contributed its expertise during the legislative discussions of Batteries Regulation and will continue doing so in the drafting of secondary legislation but also in the long term. Our aim is to contribute to the development of an efficient legal framework for a sustainable and competitive European portable battery sector.

The graphic features a green background with a light green top bar. On the left, the words "BATTERIES REGULATION" are written in large, bold, yellow capital letters. Below this, the text "IMPLEMENTATION TIMELINE" is partially visible in white. On the right side, there is a white circular logo for EPBA (European Portable Battery Association). Below the logo, the text "EU Batteries Regulation" and "New legislative framework" is displayed in black. At the bottom center, the text "Button Battery Ingestion" and "Keep out of reach" is written in black.



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