



**2020/0353(COD)**

26.10.2021

# **AMENDMENTS**

## **233 - 547**

**Draft report**

**Simona Bonafè**

(PE696.435v02-00)

Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020

Proposal for a regulation

(COM(2020)0798 – C9-0400/2020 – 2020/0353(COD))



**Amendment 233**  
**Sven Giegold**

**Proposal for a regulation**  
**Citation 1**

*Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

*Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, **and Article 192(1) thereof in relation to Chapter VII of this Regulation,**

Or. en

*Justification*

*The current batteries directive has a double legal basis (Art. 175(1), with some provisions based on Art. 95 TFEU). This proposal pursues the twofold purpose of improving the functioning of the internal market and protecting the environment without one being subordinate or ancillary to the other. Article 114 TFEU is the appropriate legal basis for the adoption of the proposal, except for Chapter VII, which should be based on Article 192(1). Chapter VII deals with end-of-life management of batteries. Member States should be allowed to go beyond those requirements (e.g. on collection).*

**Amendment 234**  
**César Luena, Javi López**

**Proposal for a regulation**  
**Citation 1**

*Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular **Article 114** thereof,

*Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular **Articles 114 and 192.1** thereof,

Or. en

**Amendment 235**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) The European Green Deal<sup>24</sup> is Europe's growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A shift from the use of fossil fuels in vehicles to electromobility is one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner.

---

<sup>24</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

*Amendment*

(1) The European Green Deal<sup>24</sup> is Europe's growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled ***as far as possible*** from resource use. A shift from the use of fossil fuels in vehicles to electromobility is ***presented as*** one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner. ***However, the policy of reducing greenhouse gases must not be at the expense of the environment, social rights or human and civil rights.***

---

<sup>24</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

Or. en

**Amendment 236**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development,

*Amendment*

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development,

green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union. *Since the Green Deal ascribes a key role to transport and here to e-mobility, since a ban on internal combustion engines is planned and since an increase of at least 700 times the number of lithium-ion batteries is therefore to be expected, this batteries Regulation is of particular importance. At least if one persists with the narrative of emission-free e-mobility.*

Or. en

**Amendment 237**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Batteries are thus an important source of energy and one of the key

*Amendment*

(2) Batteries are thus an important source of energy and one of the key

enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. ***Considering technological and scientific progress, the chemical composition of, and substances contained in, batteries placed on the Union market should be subject to the same sustainability requirements.*** Moreover, it is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

Or. en

**Amendment 238**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road

*Amendment*

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road

transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries **to consumers and economic operators**. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

Or. en

#### **Amendment 239**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 8**

###### *Text proposed by the Commission*

(8) The new Circular Economy Action Plan adopted on 11 March 2020<sup>28</sup> states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries where alternatives exist. Furthermore, it is stated that sustainability and transparency requirements will be considered, taking

###### *Amendment*

(8) The new Circular Economy Action Plan adopted on 11 March 2020<sup>28</sup> states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries where alternatives exist. ***Such a phasing out should only take place if clear evidence can be presented that it will have substantial benefits,***

into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, repurposing and recycling of batteries.

---

<sup>28</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

*especially for the environment.*

Furthermore, it is stated that sustainability and transparency requirements will be considered, taking into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, repurposing and recycling of batteries.

---

<sup>28</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

Or. en

#### **Amendment 240**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 9**

*Text proposed by the Commission*

(9) Addressing the entire life cycle of *all* batteries placed on the Union market requires the setting up of harmonised product and marketing requirements, including conformity assessment procedures, as well as requirements to fully address the end-of-life stage of batteries. Requirements concerning the end-of-life stage are necessary to address the environmental implications of the batteries and, in particular, to support the creation of recycling markets for batteries and markets for secondary raw materials from batteries in order to close the materials loops. In order to reach the envisaged objectives to address the whole life cycle of a battery in

*Amendment*

(9) Addressing the entire life cycle of batteries placed on the Union market requires the setting up of harmonised product and marketing requirements, including conformity assessment procedures, as well as requirements to fully address the end-of-life stage of batteries. Requirements concerning the end-of-life stage are necessary to address the environmental implications of the batteries and, in particular, to support the creation of recycling markets for batteries and markets for secondary raw materials from batteries in order to close the materials loops. In order to reach the envisaged objectives to address the whole life cycle of a battery in

one legal instrument while avoiding barriers to trade and a distortion of competition and safeguarding the integrity of the internal market, the rules setting out the requirements for batteries should be of uniform application for all operators across the Union, and not give room for divergent implementation by Member States. Directive 2006/66/EC should therefore be replaced by a Regulation.

one legal instrument while avoiding barriers to trade and a distortion of competition and safeguarding the integrity of the internal market, the rules setting out the requirements for batteries should be of uniform application for all operators across the Union, and not give room for divergent implementation by Member States. Directive 2006/66/EC should therefore be replaced by a Regulation.

Or. en

#### **Amendment 241**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 10**

###### *Text proposed by the Commission*

(10) This Regulation should apply to all types of batteries and accumulators placed on the market or put into service within the Union, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles. ***This Regulation should apply regardless of whether a battery is specifically designed for a product or is of general use and regardless of whether it is incorporated into a product or is supplied together with or separately from a product in which it is to be used.***

###### *Amendment*

(10) This Regulation should apply to all types of batteries and accumulators placed on the market or put into service within the Union, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles.

Or. en

###### *Justification*

*Whether this regulation applies regardless of the incorporation in a product or not, is determined by the articles. Specific provisions apply.*

## Amendment 242

Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsík

### Proposal for a regulation

#### Recital 10

##### *Text proposed by the Commission*

(10) This Regulation should apply to all types of batteries and accumulators placed on the market or put into service within the Union, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles. This Regulation should apply regardless of whether a battery is specifically designed for a product or is of general use and regardless of whether it is incorporated into a product or is supplied together with or separately from a product in which it is to be used.

##### *Amendment*

(10) This Regulation should apply to all types of batteries and accumulators placed on the market or put into service within the Union, ***regardless if they were produced in the Union or imported***, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles. This Regulation should apply regardless of whether a battery is specifically designed for a product or is of general use and regardless of whether it is incorporated into a product or is supplied together with or separately from a product in which it is to be used.

Or. en

## Amendment 243

Karin Karlsbro, Frédérique Ries, Pascal Canfin

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) Within the Regulation's wide scope, it is appropriate to distinguish between different categories of batteries in accordance with their design and use, independent of the battery chemistry. The classification into portable batteries, on one hand, and industrial batteries and automotive batteries on the other hand under Directive 2006/66/EC should be further developed to better reflect new developments in the use of batteries. Batteries that are used for traction in electric vehicles and which under Directive

##### *Amendment*

(12) Within the Regulation's wide scope, it is appropriate to distinguish between different categories of batteries in accordance with their design and use, independent of the battery chemistry. The classification into portable batteries, on one hand, and industrial batteries and automotive batteries on the other hand under Directive 2006/66/EC should be further developed to better reflect new developments in the use of batteries. Batteries that are used for traction in electric vehicles and which under Directive

2006/66/EC fall in the category of industrial batteries, constitute a large and growing part of the market due to the quick growth of electric road transport vehicles. It is therefore appropriate to classify those batteries that are used for traction in road vehicles as a new category of electric vehicle batteries. Batteries used for traction in other transport vehicles including rail, waterborne and aviation transport, continue to fall under the category of industrial batteries under this Regulation. The industrial battery type encompasses a broad group of batteries, intended to be used for industrial activities, communication infrastructure, agricultural activities or generation and distribution of electric energy. In addition to this non exhaustive list of examples, any battery that is neither a portable battery nor an automotive battery nor an electric vehicle battery should be considered an industrial battery. Batteries used for energy storage in private or domestic environments. are considered industrial batteries for the purposes of this **Regulation. Furthermore, in order to ensure that all batteries used in light means of transport, such as ebikes and scooters, are classified as portable batteries, it is necessary to clarify the definition of portable batteries and to introduce a weight limit for such batteries.**

2006/66/EC fall in the category of industrial batteries, constitute a large and growing part of the market due to the quick growth of electric road transport vehicles. It is therefore appropriate to classify those batteries that are used for traction in road vehicles as a new category of electric vehicle batteries. Batteries used for traction in other transport vehicles including rail, waterborne and aviation transport, continue to fall under the category of industrial batteries under this Regulation. **Batteries used for traction in light means of transport, such as ebikes and scooters, were not clearly classified as batteries under Directive 2006/66/EC, and now constitute a significant part of the market due to their growing use in urban sustainable mobility. It is therefore appropriate to classify those batteries as a new category of batteries, namely light means of transport batteries.** The industrial battery type encompasses a broad group of batteries, intended to be used for industrial activities, communication infrastructure, agricultural activities or generation and distribution of electric energy. In addition to this non exhaustive list of examples, any battery that is neither a portable battery nor **a light means of transport battery nor** an automotive battery nor an electric vehicle battery should be considered an industrial battery. Batteries used for energy storage in private or domestic environments. are considered industrial batteries for the purposes of this **Regulation.**

Or. en

**Amendment 244**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 12**

(12) Within the Regulation's wide scope, it is appropriate to distinguish between different categories of batteries in accordance with their design and use, independent of the battery chemistry. The classification into portable batteries, on one hand, and industrial batteries and automotive batteries on the other hand under Directive 2006/66/EC should be further developed to better reflect new developments in the use of batteries. Batteries that are used for traction in electric vehicles and which under Directive 2006/66/EC fall in the category of industrial batteries, constitute a large and growing part of the market due to the quick growth of electric road transport vehicles. It is therefore appropriate to classify those batteries that are used for traction in road vehicles as a new category of electric vehicle batteries. Batteries used for traction in other transport vehicles including rail, waterborne and aviation transport, continue to fall under the category of industrial batteries under this Regulation. The industrial battery type encompasses a broad group of batteries, intended to be used for industrial activities, communication infrastructure, agricultural activities or generation and distribution of electric energy. In addition to this non exhaustive list of examples, any battery that is neither a portable battery nor an automotive battery nor an electric vehicle battery should be considered an industrial battery. Batteries used for energy storage in private or domestic environments. are considered industrial batteries for the purposes of this **Regulation. Furthermore, in order to ensure that all batteries used in light means of transport, such as ebikes and scooters, are classified as portable batteries, it is necessary to clarify the definition of portable batteries and to introduce a weight limit for such batteries.**

(12) Within the Regulation's wide scope, it is appropriate to distinguish between different categories of batteries in accordance with their design and use, independent of the battery chemistry. The classification into portable batteries, on one hand, and industrial batteries and automotive batteries on the other hand under Directive 2006/66/EC should be further developed to better reflect new developments in the use of batteries. Batteries that are used for traction in electric vehicles and which under Directive 2006/66/EC fall in the category of industrial batteries, constitute a large and growing part of the market due to the quick growth of electric road transport vehicles. It is therefore appropriate to classify those batteries that are used for traction in road vehicles as a new category of electric vehicle batteries. Batteries used for **light means of transport, including electric bicycles and electric scooters, are growing rapidly in use. As these batteries are not clearly classified under Directive 2006/66/EC it is appropriate to establish a new category for these batteries called light means of transport batteries. Batteries used for** traction in other transport vehicles including rail, waterborne and aviation transport, continue to fall under the category of industrial batteries under this Regulation. The industrial battery type encompasses a broad group of batteries, intended to be used for industrial activities, communication infrastructure, agricultural activities or generation and distribution of electric energy. In addition to this non exhaustive list of examples, any battery that is neither a portable battery nor an automotive battery nor an electric vehicle battery, **nor a light means of transport battery,** should be considered an industrial battery. Batteries used for energy storage in private or domestic environments. are considered

industrial batteries for the purposes of this **Regulation**.

Or. en

**Amendment 245**  
**Esther de Lange**

**Proposal for a regulation**  
**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) Considering that stationary battery energy storage systems will be an important factor in making the energy transition a success; Calls on the Commission to commit to encouraging co-operative initiatives from local communities and neighbourhoods to jointly purchase, manage and use stationary battery energy storage systems to maximise the cost-efficiency, energy-efficiency and to minimalise energy transmission losses.***

Or. en

**Amendment 246**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for rechargeable industrial batteries and electric vehicle batteries ***with internal storage with a capacity above 2 kWh*** as

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for rechargeable industrial batteries and electric vehicle batteries as such batteries represent the market segment which is

such batteries represent the market segment which is expected to increase most in the coming years.

expected to increase most in the coming years.

Or. en

#### **Amendment 247**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 13**

###### *Text proposed by the Commission*

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for rechargeable industrial batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh as such batteries represent the market segment which is expected to increase most in the coming years.

###### *Amendment*

(13) Batteries should be designed and manufactured so as to optimise their performance, durability, **affordability** and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for rechargeable industrial batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh as such batteries represent the market segment which is expected to increase most in the coming years.

Or. en

#### **Amendment 248**

**Karin Karlsbro, Frédérique Ries, Pascal Canfin**

#### **Proposal for a regulation**

##### **Recital 13**

###### *Text proposed by the Commission*

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for

###### *Amendment*

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for **light means**

*rechargeable* industrial batteries and electric vehicle batteries *with internal storage with a capacity above 2 kWh* as such batteries represent the market segment which is expected to increase most in the coming years.

*of transport batteries*, industrial batteries and electric vehicle batteries as such batteries represent the market segment which is expected to increase most in the coming years.

Or. en

**Amendment 249**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

*Amendment*

**(15) The use of hazardous substances in batteries should be restricted in order to protect human health and the environment and to reduce the presence of such substances in waste. Thus, in addition to the restrictions set out in Annex XVII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>29</sup>, it is appropriate to set out restrictions for mercury and cadmium in certain types of batteries. Batteries used in vehicles which benefit from an exemption under Annex II to Directive 2000/53/EC of the European Parliament and of the Council<sup>30</sup> should be excluded from the prohibition to contain cadmium.**

*deleted*

---

<sup>29</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation

*(EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1)*

*<sup>30</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ L 269, 21.10.2000, p. 34).*

Or. en

**Amendment 250**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) The use of hazardous substances in batteries should be restricted in order to protect human health and the environment and to reduce the presence of such substances in waste. Thus, in addition to the restrictions set out in Annex XVII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>29</sup>, it is appropriate to set out restrictions for mercury **and** cadmium in certain types of batteries. Batteries used in vehicles which benefit from an exemption under Annex II to Directive 2000/53/EC of the European Parliament and of the Council<sup>30</sup> should be excluded from the prohibition to contain cadmium.

*Amendment*

(15) The use of hazardous substances in batteries should be restricted in order to protect human health and the environment and to reduce the presence of such substances in waste. Thus, in addition to the restrictions set out in Annex XVII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>29</sup>, it is appropriate to set out restrictions for mercury, cadmium **and lead** in certain types of batteries. Batteries used in vehicles which benefit from an exemption under Annex II to Directive 2000/53/EC of the European Parliament and of the Council<sup>30</sup> should be excluded from the prohibition to contain cadmium. ***The Commission should, assisted by the Agency, make a holistic and systemic assessment of hazardous substances in batteries. This assessment should in particular evaluate high quantity battery chemistries, evolving and emerging chemistries and the availability of suitable alternatives to lead-acid industrial and automotive batteries and to nickel-cadmium industrial batteries.***

---

<sup>29</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1)

<sup>30</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269, 21.10.2000, p. 34).

---

<sup>29</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1)

<sup>30</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269, 21.10.2000, p. 34).

Or. en

### *Justification*

*The use of lead should also be restricted. A systemic review of hazardous substances in batteries should be undertaken.*

## **Amendment 251**

**Pietro Fiocchi**

### **Proposal for a regulation**

#### **Recital 15**

#### *Text proposed by the Commission*

(15) The use of hazardous substances in batteries should be **restricted** in order to protect human health and the environment and to reduce the presence of such substances in waste. Thus, in addition to the restrictions set out in Annex XVII of Regulation (EC) **No 1907/2006** of the European Parliament and of the Council<sup>29</sup>, it is appropriate to set out restrictions for mercury and cadmium in certain types of batteries. Batteries used in vehicles which

#### *Amendment*

(15) **Risks associated with** the use of hazardous substances in batteries should be **controlled** in order to protect human health and the environment and to reduce the presence of such substances in waste. Thus, in addition to the restrictions set out in Annex XVII of Regulation (EC) **No 1907/2006** of the European Parliament and of the Council<sup>29</sup>, it is appropriate to set out restrictions for mercury and cadmium in certain types of batteries. Batteries used

benefit from an exemption under Annex II to Directive 2000/53/EC of the European Parliament and of the Council<sup>30</sup> should be excluded from the prohibition to contain cadmium.

---

<sup>29</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1)

<sup>30</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269, 21.10.2000, p. 34).

in vehicles which benefit from an exemption under Annex II to Directive 2000/53/EC of the European Parliament and of the Council<sup>30</sup> should be excluded from the prohibition to contain cadmium.

---

<sup>29</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1)

<sup>30</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269, 21.10.2000, p. 34).

Or. en

## **Amendment 252**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

### **Proposal for a regulation**

#### **Recital 16**

*Text proposed by the Commission*

***(16) In order to ensure that hazardous substances that pose an unacceptable risk to human health or to the environment when used in batteries, can be duly addressed, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the***

*Amendment*

***deleted***

***Commission in respect of amending restrictions on hazardous substances in batteries.***

Or. en

**Amendment 253**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 16**

*Text proposed by the Commission*

*Amendment*

***(16) In order to ensure that hazardous substances that pose an unacceptable risk to human health or to the environment when used in batteries, can be duly addressed, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending restrictions on hazardous substances in batteries.*** ***deleted***

Or. en

**Amendment 254**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

*Amendment*

***(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be fully streamlined with Regulation (EC) No 1907/2006. To ensure effective decision-making, coordination and management of the related technical, scientific and administrative aspects of this Regulation, the European Chemicals*** ***deleted***

*Agency set up under Regulation (EC) No 1907/2006 ('the Agency') should carry out specified tasks with regard to the evaluation of risks from substances in the manufacture and use of batteries, as well as those that may occur after their end-of-life as well as the evaluation of the socio-economic elements and the analysis of alternatives, in accordance with relevant guidance by the Agency. Consequently, the Committees for Risk Assessment and Socio-economic Analysis of the Agency should facilitate the carrying out of certain tasks conferred on the Agency by this Regulation.*

Or. en

**Amendment 255**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Recital 17**

*Text proposed by the Commission*

*Amendment*

*(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be fully streamlined with Regulation (EC) No 1907/2006. To ensure effective decision-making, coordination and management of the related technical, scientific and administrative aspects of this Regulation, the European Chemicals Agency set up under Regulation (EC) No 1907/2006 ('the Agency') should carry out specified tasks with regard to the evaluation of risks from substances in the manufacture and use of batteries, as well as those that may occur after their end-of-life as well as the evaluation of the socio-economic elements and the analysis of alternatives, in accordance with relevant guidance by the Agency. Consequently,*

*deleted*

*the Committees for Risk Assessment and Socio-economic Analysis of the Agency should facilitate the carrying out of certain tasks conferred on the Agency by this Regulation.*

Or. en

#### **Amendment 256**

**Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Recital 17**

*Text proposed by the Commission*

(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be **fully streamlined with** Regulation (EC) No 1907/2006. **To ensure effective decision-making, coordination and management of the related technical, scientific and administrative aspects of this Regulation, the European Chemicals Agency set up under Regulation (EC) No 1907/2006 ('the Agency') should carry out specified tasks with regard to the evaluation of risks from substances in the manufacture and use of batteries, as well as those that may occur after their end-of-life as well as the evaluation of the socio-economic elements and the analysis of alternatives, in accordance with relevant guidance by the Agency. Consequently, the Committees for Risk Assessment and Socio-economic Analysis of the Agency should facilitate the carrying out of certain tasks conferred on the Agency by this Regulation.**

*Amendment*

(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be **that described in** Regulation (EC) No 1907/2006.

Or. en

#### **Amendment 257**

**Sven Giegold**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be fully streamlined with Regulation (EC) No 1907/2006. To ensure effective decision-making, coordination and management of the related technical, scientific and administrative aspects of this Regulation, the European Chemicals Agency set up under Regulation (EC) No 1907/2006 ('the Agency') should carry out specified tasks with regard to the evaluation of risks from substances in the manufacture and use of batteries, as well as those that may occur after their end-of-life as well as the evaluation of the socio-economic elements and the analysis of alternatives, in accordance with relevant guidance by the Agency. Consequently, the Committees for Risk Assessment and Socio-economic Analysis of the Agency should facilitate the carrying out of certain tasks conferred on the Agency by this Regulation.

*Amendment*

(17) The procedure for adopting new and amending current restrictions on hazardous substances in batteries should be fully streamlined with Regulation (EC) No 1907/2006. To ensure effective decision-making, coordination and management of the related technical, scientific and administrative aspects of this Regulation, ***there should be good cooperation, coordination and information between the Member States***, the European Chemicals Agency set up under Regulation (EC) No 1907/2006 ('the Agency'), ***other bodies of the Community, the Commission and the interested parties. Member States or the Agency*** should carry out specified tasks with regard to the evaluation of risks from substances in the manufacture and use of batteries, as well as those that may occur after their end-of-life as well as the evaluation of the socio-economic elements and the analysis of alternatives, in accordance with relevant guidance by the Agency. Consequently, the Committees for Risk Assessment and Socio-economic Analysis of the Agency should facilitate the carrying out of certain tasks conferred on the Agency by this Regulation.

Or. en

*Justification*

*The Commission calls for "full" streamlining with the provisions for REACH for adopting and amending restrictions. Pursuant to Article 69(4) of REACH, Member States can also submit a proposal for a restriction. The same should be possible in the context of this Regulation.*

**Amendment 258**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

***(17a) The Chemical Strategy for Sustainability states that REACH will be revised. In order to ensure that this Regulation is coherent with the provisions of REACH as revised, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the procedure for adopting restrictions on hazardous substances in batteries.***

Or. en

*Justification*

*It is important to foresee a mechanism to adapt the procedures for the adaption of restrictions to the revisions to be adopted under REACH.*

**Amendment 259**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbons emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries with internal

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbons emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries with internal

storage and a capacity above 2 kWh placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should *be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes* Harmonising the technical rules for calculating the carbon footprint for *all rechargeable industrial batteries and* electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility *and energy storage sectors* is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup> . *Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint , and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a*

storage and a capacity above 2 kWh placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should *indicate the average carbon footprint of each specific battery model.* Harmonising the technical rules for calculating the carbon footprint for electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility *sector* is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup> .

***result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.***

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/convang.pdf>

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/convang.pdf>

Or. en

## **Amendment 260**

**Sylvia Limmer**

### **Proposal for a regulation**

#### **Recital 18**

#### *Text proposed by the Commission*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and

#### *Amendment*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and

metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh placed on the Union market should therefore be accompanied by a carbon footprint **declaration**, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint **declaration** and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless

metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh **and batteries for light means of transports** placed on the Union market should therefore be accompanied by a carbon footprint **certification**, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint **certification** and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market

of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts. ***The expected massive use of batteries in sectors such as mobility and energy storage will only lead to an actual reduction in CO2 emissions if the batteries used have a correspondingly low carbon footprint. Since the CO2 footprint of batteries cannot be zero, this also applies to e-mobility.***

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveng.pdf>

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveng.pdf>

Or. en

## **Amendment 261**

### **Sven Giegold**

#### **Proposal for a regulation**

#### **Recital 18**

*Text proposed by the Commission*

(18) The expected massive deployment

*Amendment*

(18) The expected massive deployment

of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries **with internal storage and a capacity above 2 kWh** placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes. Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial batteries and electric vehicle batteries **with internal storage with a capacity above 2 kWh** placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the

of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, **greenhouse gas emissions exacerbating** climate change is the second highest related impact category for batteries after **mining and** the use of minerals and metals. The technical documentation for rechargeable industrial batteries, **light means of transport batteries** and electric vehicle batteries placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes. Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial batteries, **light means of transport batteries** and electric vehicle batteries placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into

carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's **objective** of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveng.pdf>

account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050 **at the latest**. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's **climate objectives, particularly that** of reaching climate neutrality by 2050 **at the latest**. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveng.pdf>

Or. en

**Amendment 262**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes. Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds

*Amendment*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for rechargeable industrial batteries, ***light means of transport batteries***, and electric vehicle batteries with internal storage and a capacity above 2 kWh placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific, if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes. Harmonising the technical rules for calculating the carbon footprint for all rechargeable industrial ***batteries, light means of transport*** batteries and electric vehicle batteries with internal storage with a capacity above 2 kWh placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>.

will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/convang.pdf>

Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/convang.pdf>

Or. en

## Amendment 263

Karin Karlsbro, Frédérique Ries

### Proposal for a regulation

#### Recital 18

*Text proposed by the Commission*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for **rechargeable** industrial batteries and electric vehicle batteries **with internal storage and a capacity above 2 kWh** placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific, **if necessary, per manufacturing batch. Batteries are manufactured in batches, made in specific amounts within certain timeframes**. Harmonising the technical rules for calculating the carbon footprint for all **rechargeable** industrial batteries and electric vehicle batteries **with internal storage with a capacity above 2 kWh** placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is

*Amendment*

(18) The expected massive deployment of batteries in sectors like mobility and energy storage should reduce carbon emissions, but to maximise this potential it is necessary that their overall life cycle has a low carbon footprint. According to the Product Environmental Footprint Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications<sup>31</sup>, climate change is the second highest related impact category for batteries after the use of minerals and metals. The technical documentation for **light means of transport batteries**, industrial batteries and electric vehicle batteries placed on the Union market should therefore be accompanied by a carbon footprint declaration, which should be specific **to each manufacturing plant and supply chain configuration for each battery model**. Harmonising the technical rules for calculating the carbon footprint for all **light means of transport batteries**, industrial batteries and electric vehicle batteries placed on the Union market is a prerequisite for introducing a requirement for the technical documentation of the batteries to include a carbon footprint declaration and subsequently establishing carbon footprint performance classes that will allow identifying the batteries with overall lower carbon footprints. Information and clear labelling requirements on batteries' carbon footprint is not expected in itself to lead to the behavioural change necessary to ensure that the Union's objective to decarbonise the mobility and energy storage sectors is achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds

achieved, in line with the internationally agreed objectives on climate change<sup>32</sup>. Therefore, maximum carbon thresholds will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveg.pdf>

will be introduced, further to a dedicated impact assessment to determine those values. In proposing the level of the maximum carbon footprint threshold, the Commission will, inter alia, take into account the relative distribution of the carbon footprint values in batteries on the market, the extent of progress in the reduction of carbon footprint of batteries placed on the Union market and the effective and potential contribution of this measure to the Union's objectives on sustainable mobility and climate neutrality by 2050. In order to bring about transparency on the batteries' carbon footprint, and shift the Union market towards lower carbon batteries, regardless of where they are produced, a gradual and cumulative increase in the carbon footprint requirements is justified. As a result of these requirements, the avoided carbon emissions in batteries' life cycle, will contribute to the Union's objective of reaching climate neutrality by 2050. This may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of batteries with lower environmental impacts.

---

<sup>31</sup> Product Environmental Footprint - Category Rules for High Specific Energy Rechargeable Batteries for Mobile Applications  
[https://ec.europa.eu/environment/eussd/sm\\_gp/pdf/PEFCR\\_Batteries.pdf](https://ec.europa.eu/environment/eussd/sm_gp/pdf/PEFCR_Batteries.pdf)

<sup>32</sup> Paris agreement (OJ L 282, 19.10.2016, p. 4) and the United Nations Framework Convention on Climate Change, available at  
<https://unfccc.int/resource/docs/convkp/conveg.pdf>

Or. en

## Amendment 264

Pascal Canfin, Karin Karlsbro, Martin Hojsík

### Proposal for a regulation

#### Recital 18 a (new)

*Text proposed by the Commission*

*Amendment*

***(18a) The maximum lifecycle carbon footprint thresholds should be future proof and evolve progressively according to the best available manufacturing and production processes. Therefore, when adopting the delegated act determining the maximum life cycle carbon footprint threshold referred to in Article 7, paragraph 3, the European Commission must take into account the best available manufacturing and production process and ensure that the selected technical criteria are consistent with the objective of this Regulation to ensure that batteries placed on the EU market guarantee a high level of protection of human health, safety, property and the environment.***

Or. en

## Amendment 265

César Luena, Javi López

### Proposal for a regulation

#### Recital 19

*Text proposed by the Commission*

*Amendment*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential

disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

***Innovations in novel applications using renewable raw materials should be also promoted as a way to complement the recovery and recycling of traditional critical raw materials.***

Or. en

### *Justification*

*The Regulation focuses only on optimising the use of existing technology and materials, which are mainly fossil-based and non-renewable. Recycling and reuse of such critical raw materials is clearly important, but not the only route to circularity. The use of renewable materials is increasingly possible in the context of batteries, e.g. using lignin from trees, previously a side-stream product that was burnt for energy. Lignin can now be used for a higher value purpose in creating anodes and thus replacing graphite. Other as yet unknown innovations may also emerge.*

## **Amendment 266**

**Jessica Polfjärd**

### **Proposal for a regulation**

#### **Recital 19**

#### *Text proposed by the Commission*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

#### *Amendment*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. ***In line with the Union's Industrial Strategy***, this is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. ***Enabling the responsible extraction and processing of these substances, as well as*** enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will

contribute to reaching that goal.

Or. en

**Amendment 267**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Recital 19**

*Text proposed by the Commission*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply *due to health or other crises*. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

*Amendment*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal. ***Besides that, the European Union must encourage the exploitation of new extraction sides for the aforementioned raw materials.***

Or. en

**Amendment 268**

**Pietro Fiocchi**

**Proposal for a regulation**

**Recital 19**

*Text proposed by the Commission*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources

*Amendment*

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources

which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

which are not easily available in the Union, and some are considered critical raw materials by the Commission. This is an area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency, with increased recycling and recovery ***based on a comprehensive environmental, economic and technical assessment*** of those raw materials, will contribute to reaching that goal.

Or. en

**Amendment 269**  
**Alexandr Vondra, Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19a) Notes that extraction of raw materials often takes place in insecure and politically unstable countries. Highlights, that this is especially the case with cobalt, of which around 70% of the current global production derives from Congo-Kinshasa, where working conditions are extremely poor. Emphasises therefore, that efforts within the EU to reduce CO2 emissions must not be connected with child labour, slave labour or unacceptable environmental pollution, nor contribute to financing armed conflicts.***

Or. en

**Amendment 270**  
**Agnès Evren, Nathalie Colin-Oesterlé**

**Proposal for a regulation**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**(19a) The European Union needs to step up innovation in battery manufacturing and recycling, especially in view of the potential of renewable materials to replace traditional critical raw materials.**

Or. fr

**Amendment 271**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste, establishing a requirement on the level of recycled content in batteries using cobalt, lead, lithium and nickel in active materials. ***This Regulation sets mandatory recycled content targets for cobalt, lead, lithium and nickel and which should be met by 2030. For cobalt, lithium and nickel increased targets are established by 2035. All targets,*** should take into account the availability of waste, from which such materials can be recovered, the technical feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, ***before such*** mandatory targets

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste, establishing a requirement on the level of recycled content in batteries using cobalt, lead, lithium and nickel in active materials. ***Any*** mandatory targets should take into account the availability of waste, from which such materials can be recovered, the technical feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, ***the Commission shall evaluate the suitability of setting*** mandatory recovery targets ***in legislation by 2027.***

*become applicable, the requirement related to recycled content should be limited to disclosure of information on recycled content.*

Or. en

## **Amendment 272**

**Pietro Fiocchi**

### **Proposal for a regulation**

#### **Recital 20**

*Text proposed by the Commission*

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste, ***establishing a requirement on the level of recycled content in batteries using cobalt, lead, lithium and nickel in active materials.*** This Regulation sets mandatory recycled content targets for cobalt, lead, lithium and nickel ***and which should be met by 2030. For cobalt, lithium and nickel increased targets are established by 2035. All*** targets, should take into account the availability of waste, from which such materials can be recovered, the technical feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, before such mandatory targets become applicable, ***the requirement related to recycled content should be limited to disclosure of information on recycled content.***

*Amendment*

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste. This Regulation sets ***the basis for establishing voluntary schemes for recycled content first, to implement in a subsequent step*** mandatory recycled content targets for cobalt, lead, lithium and nickel. Targets, should take into account the availability of waste, from which such materials can be recovered, the technical feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, before such mandatory targets ***may*** become applicable, ***necessary experience must be first gained.***

**Amendment 273****Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca****Proposal for a regulation****Recital 20***Text proposed by the Commission*

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste, establishing a requirement on the level of recycled content in batteries using cobalt, lead, lithium and nickel in active materials. This Regulation sets mandatory recycled content targets for cobalt, lead, lithium and nickel and which should be met by 2030. For cobalt, lithium and nickel increased targets are established by 2035. All targets, should take into account the availability of waste, from which such materials can be recovered, the technical feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, before such mandatory targets become applicable, the requirement related to recycled content should be limited to disclosure of information on recycled content.

*Amendment*

(20) The increased use of recovered materials would support the development of the circular economy and allow a more resource-efficient use of materials, while reducing Union dependency on materials from third countries. For batteries, this is particularly relevant for cobalt, lead, lithium and nickel. Therefore, it is necessary to promote the recovery of such materials from waste, establishing a requirement on the level of recycled content in batteries using cobalt, lead, lithium and nickel in active materials. This Regulation sets mandatory recycled content targets for cobalt, lead, lithium and nickel and which should be met by 2030. For cobalt, lithium and nickel increased targets are established by 2035. All targets, should take into account the availability of waste, from which such materials can be recovered, the technical **and economic** feasibility of the involved recovery and manufacture processes as well as the time needed by the economic operators to adapt their supply and manufacturing processes. Therefore, before such mandatory targets become applicable, the requirement related to recycled content should be limited to disclosure of information on recycled content.

**Amendment 274**  
**Alexandr Vondra, Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.

*Amendment*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the targets, ***by lowering them,*** for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries ***to limits that are technically and economically feasible.***

Or. en

**Amendment 275**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, ***the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending*** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.

*Amendment*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, ***in view of technical and scientific progress and in the spirit of technology neutrality,*** the Commission ***shall regularly assess, whether it is appropriate to revise*** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries ***and where appropriate submit a legislative proposal for that purpose.***

Or. en

**Amendment 276**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account the **risk of** supply of cobalt, lead, lithium and nickel and to assess their availability, the **power** to adopt acts in **accordance** with Article 290 of the Treaty on the Functioning of the European Union **should be delegated to the Commission in respect of amending the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.**

*Amendment*

(21) In order to take into account **possible shortages in** the supply of cobalt, lead, lithium and nickel and to assess their availability, the **state of technical progress should always be at the centre of the considerations and should be the chronological clock. Innovation cannot be brought about by virtue of a mandate given to the Commission** to adopt legislative acts in **line** with Article 290 of the Treaty on the Functioning of the European Union.

Or. en

**Amendment 277**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, **the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.

*Amendment*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, **and in view of technical and scientific progress, the Commission should assess whether it is appropriate to revise** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries **and, where appropriate, submit a legislative proposal for that purpose.**

Or. en

**Amendment 278**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of **amending** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.

*Amendment*

(21) In order to take into account the risk of supply of cobalt, lead, lithium and nickel and to assess their availability, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of **increasing** the targets for the minimum share of recycled cobalt, lead, lithium or nickel present in active materials in batteries.

Or. en

**Amendment 279**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model **and batch** per manufacturing plant, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

*Amendment*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model per manufacturing plant **and supply chain configuration**, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

Or. en

**Amendment 280**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model and batch per manufacturing plant, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

*Amendment*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model and batch per manufacturing plant, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission *in due time*.

Or. en

**Amendment 281**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model *and batch per manufacturing plant*, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

*Amendment*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

Or. en

**Amendment 282**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model **and batch** per manufacturing plant, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

*Amendment*

(22) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, per battery model per manufacturing plant, the amount of cobalt, lead, lithium or nickel recovered from waste present in active materials in batteries and the information requirements for technical documentation, implementing powers should be conferred on the Commission.

Or. en

**Amendment 283**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

***(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and***

*Amendment*

***deleted***

*representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.*

Or. en

#### **Amendment 284**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 23**

*Text proposed by the Commission*

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use *as well as for rechargeable industrial batteries* and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. *On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.*

*Amendment*

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements.

Or. en

**Amendment 285**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for ***portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle*** batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation ***is refraining from setting additional*** durability requirements. ***On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements.*** The introduction of minimum requirements related to performance and durability ***of these batteries*** should be accompanied by available adequate harmonised standards or common specifications.

*Amendment*

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation ***empowers the Commission to adopt delegated acts to strengthen and/or extend the*** durability requirements ***so that they are aligned or complementary to the ones which might be introduced by the UNECE Working Group.*** The introduction of minimum requirements related to performance and durability should be accompanied by available adequate harmonised standards or common specifications.

Or. en

**Amendment 286**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Batteries placed on the Union

*Amendment*

(23) Batteries placed on the Union

market should be durable **and** highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

market should be **rechargeable, reusable, durable, highly performant and at the end-of-life reusable as materials**. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

Or. en

#### **Amendment 287**

**Agnès Evren, Nathalie Colin-Oesterlé**

#### **Proposal for a regulation**

#### **Recital 23 a (new)**

*Text proposed by the Commission*

*Amendment*

***(23a) The content of this regulation falls within the scope of the current negotiations at the UNECE, which are expected to be concluded in November 2021 and its provisions must, therefore, take this into account.***

Or. fr

**Amendment 288**  
**Karin Karlsbro, Pascal Canfin**

**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for *portable batteries of general use and for rechargeable industrial* batteries.

*Amendment*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for batteries.

Or. en

**Amendment 289**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries *of general use* and for rechargeable industrial batteries.

*Amendment*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries, *light means of transport batteries* and for rechargeable industrial batteries.

Or. en

**Amendment 290**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries of general use *and for rechargeable industrial batteries*.

*Amendment*

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries of general use.

Or. en

**Amendment 291**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 25**

*Text proposed by the Commission*

*(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.*

*Amendment*

*deleted*

Or. en

**Amendment 292**  
**Annika Bruna**

**Proposal for a regulation**  
**Recital 25**

*Text proposed by the Commission*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

*Amendment*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

***Requirements should be established phasing out non-rechargeable portable batteries of general use in the medium term and the transition of the companies manufacturing them in Europe to production of rechargeable batteries should be managed in such a way as to avoid dependence on output from third countries and to preserve the jobs and know-how of European companies in the sector.***

Or. fr

**Amendment 293**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 25**

*Text proposed by the Commission*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective

*Amendment*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy ***and their use should***

requirements regarding the performance and durability of such batteries should be established in order to ensure that *fewer* low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

*be phased out.* Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that *no* low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

Or. en

#### **Amendment 294**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

##### **Recital 25**

###### *Text proposed by the Commission*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, *in particular, where*, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

###### *Amendment*

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, *if*, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

Or. en

#### **Amendment 295**

**Karin Karlsbro**

#### **Proposal for a regulation**

##### **Recital 26**

*Text proposed by the Commission*

(26) In order to ensure that **portable** batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such appliances are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

*Amendment*

(26) In order to ensure that batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such appliances are necessary, **taking into consideration the differing nature and specific safety requirements for the different categories of batteries**. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

Or. en

**Amendment 296**  
**Annika Bruna**

**Proposal for a regulation**  
**Recital 26**

*Text proposed by the Commission*

(26) In order to ensure that portable

*Amendment*

(26) In order to ensure that portable

batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such appliances are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such appliances are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. ***Measures should be taken in this context to promote their interoperability.*** The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

Or. fr

## **Amendment 297**

### **Esther de Lange**

#### **Proposal for a regulation**

##### **Recital 26**

###### *Text proposed by the Commission*

(26) In order to ensure that portable batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability

###### *Amendment*

(26) In order to ensure that portable batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling ***and downcycling*** once they have become waste, provisions to ensure their

in such appliances are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

removability and replaceability in such appliances are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the appliances they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council<sup>33</sup>. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

---

<sup>33</sup> Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

Or. en

**Amendment 298**  
**Róża Thun und Hohenstein**

**Proposal for a regulation**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

***(26a) Interoperability of chargers within specific categories of products could reduce unnecessary waste and costs for the benefit of consumers and other end-users. It should be possible therefore to recharge batteries for products such as electric vehicles, light means of transport, IT, telecommunications and consumer equipment as well as electric or electronic tools such as gardening tools or power drills, by making use of common chargers that allow interoperability within each category of products. A common charger***

*specifically for small and medium sized electronic devices, like mobile phones and tablets, should be introduced at an earlier stage as per revision of the Directive 2014/53/EU on the harmonization of the laws of the Member States relating to the making available on the market of radio equipment;*

Or. en

## **Amendment 299**

**Sven Giegold**

### **Proposal for a regulation**

**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) The right to repair is essential to prolong the life of batteries. Batteries can be repaired by professional repairers. Repaired batteries need standardised non-destructive performance and safety testing, separate from the tests required for new batteries. Professional repairers should be able to open battery packs, exchange defective modules, connectors or fuses. To ensure the safety of repaired batteries, professional repairers need access to data from the battery management system. Professional repairers should be defined as distributors, with the associated obligations.*

Or. en

## **Amendment 300**

**Sven Giegold**

### **Proposal for a regulation**

**Recital 26 b (new)**

*Text proposed by the Commission*

*Amendment*

***(26b) In order to further reduce waste, the interoperability of batteries, of connectors and of chargers across product types should be promoted in product specific eco-design implementing legislation, and in the upcoming sustainable product policy. For light means of transport batteries, the adoption of a common charger solution should be considered.***

Or. en

**Amendment 301**

**Sven Giegold**

**Proposal for a regulation**

**Recital 26 c (new)**

*Text proposed by the Commission*

*Amendment*

***(26c) Electric vehicle batteries and industrial batteries should be repairable and replaceable by professional repairers. In order to ensure that electric vehicle batteries and industrial batteries are subject to proper treatment and high quality recycling once they have become waste, provisions to ensure their disassembly are necessary. Fastening techniques should not impair access to valuable raw materials in individual cells.***

Or. en

**Amendment 302**

**Sven Giegold**

**Proposal for a regulation**

**Recital 26 d (new)**

*Text proposed by the Commission*

*Amendment*

**(26d) *In order to adapt to developments in recycling technologies and to technical and scientific progress in batteries and battery chemistries, while ensuring innovation in battery technologies is not harmed, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of updating disassembly requirements for electric vehicle batteries and industrial batteries.***

Or. en

### **Amendment 303**

**Pietro Fiocchi**

#### **Proposal for a regulation**

##### **Recital 27**

*Text proposed by the Commission*

*Amendment*

(27) Reliable batteries are fundamental for the operation and safety of many products, appliances and services. ***Therefore, batteries should be designed and manufactured to ensure their safe operation and use. This aspect is particularly relevant*** for stationary battery energy storage systems, ***which are currently not*** covered by other Union legislation. Parameters to be considered in safety tests should therefore be ***laid down*** for those energy storage systems.

(27) Reliable batteries are fundamental for the operation and safety of many products, appliances and services. ***Safety standards*** for stationary battery energy storage systems ***have not yet been*** covered by other Union legislation. Parameters to be considered in safety tests should therefore be ***developed*** for those energy storage systems ***by industry standardisation organisations.***

Or. en

### **Amendment 304**

**Alexandr Vondra, Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 28**

*Text proposed by the Commission*

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with **all** the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. **To ensure the availability of information over time, that** information should **also** be made available **by means of** QR codes.

*Amendment*

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should **only** be labelled with the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances, **given that, in the case of some batteries and their packaging, there is inadequate space to provide all** information. **Providing** information should **not lead to the size of the package being increased, and thus resources being wasted. More extensive information should** be made available **via** QR codes.

Or. en

**Amendment 305**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 28**

*Text proposed by the Commission*

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information

*Amendment*

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information

concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes. ***The QR code printed or engraved on all batteries should give access the battery's unique product passport.***

Or. en

**Amendment 306**  
**Annika Bruna**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

*Amendment*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way. ***With a view to greatly increasing the recovery rate of portable batteries of general use, portable batteries and automotive batteries, arrangements should be explored linked to introducing a deposit fee prior to placing these products on the consumer market.***

Or. fr

**Amendment 307**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries *of general use* and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

*Amendment*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries, ***light means of transport batteries***, and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications ***and their expected lifetime. In order to allow consumers to differentiate between batteries of different qualities, portable batteries of general use should be marked with a colour-coded label containing information on their performance and durability.*** Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. en

**Amendment 308**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on

*Amendment*

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use, ***light means of transport batteries*** and automotive batteries should be marked

their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. en

## **Amendment 309** **Sirpa Pietikäinen**

### **Proposal for a regulation** **Recital 30**

#### *Text proposed by the Commission*

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

#### *Amendment*

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health, **remaining maximum capacity** and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Or. en

**Amendment 310**  
**Karin Karlsbro, Frédérique Ries**

**Proposal for a regulation**  
**Recital 30**

*Text proposed by the Commission*

(30) **Rechargeable** industrial batteries and electric-vehicle batteries **with internal storage with a capacity above 2 kWh** should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric

*Amendment*

(30) **Light means of transport batteries**, industrial batteries and electric-vehicle batteries should contain a battery management system that stores data so that the state of health, **safety** and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to **read-only data from** the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric

vehicles.

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

vehicles.

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Or. en

## **Amendment 311**

### **Jessica Polfjärd**

#### **Proposal for a regulation**

#### **Recital 30**

##### *Text proposed by the Commission*

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined **at any time** by the end-user or any **other** third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the

##### *Amendment*

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined by the end-user or any **authorised** third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council<sup>34</sup>, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the

Environment on data access in electric vehicles.

Environment on data access in electric vehicles.

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

---

<sup>34</sup> Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Or. en

## **Amendment 312**

### **Sven Giegold**

#### **Proposal for a regulation**

#### **Recital 52**

##### *Text proposed by the Commission*

(52) It is necessary to ensure that batteries from third countries entering the Union market comply with the requirements of this Regulation, whether imported as self-standing batteries or contained in products, and in particular that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those batteries. Provision should therefore be made for importers to make sure that the batteries they place on the market and put into service comply with the requirements of this Regulation and that the CE marking on batteries and documentation drawn up by manufacturers are available for inspection by the national authorities.

##### *Amendment*

(52) It is necessary to ensure that batteries from third countries entering the Union market comply with the requirements of this Regulation ***and with relevant Union environment and social legislation***, whether imported as self-standing batteries or contained in products, and in particular that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those batteries. Provision should therefore be made for importers to make sure that the batteries they place on the market and put into service comply with the requirements of this Regulation and that the CE marking on batteries and documentation drawn up by manufacturers are available for inspection by the national authorities. ***Special attention should be given to the robustness and independence of the third party auditing of requirements of this regulation.***

Or. en

**Amendment 313**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 59**

*Text proposed by the Commission*

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. **Both** cobalt **and** nickel mining and refining are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

*Amendment*

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. Cobalt, **copper**, nickel, **iron and bauxite** mining and refining are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

Or. en

*Justification*

*To be coherent with the amendments 209 - 211 of the rapporteur and similar amendments by the author of this amendment.*

**Amendment 314**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 59**

*Text proposed by the Commission*

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. **Both cobalt and nickel** mining and refining are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

*Amendment*

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. Mining and refining **activities** are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

Or. en

**Amendment 315**  
**Esther de Lange**

**Proposal for a regulation**  
**Recital 59 a (new)**

*Text proposed by the Commission*

*Amendment*

**(59a) Acknowledges the need for the EU to claim an important global role in the recycling and downcycling of batteries;**

***Calls on the Commission to study the possibility to enable the import of (waste) batteries from outside the European Union for this purpose.***

Or. en

**Amendment 316**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 60**

*Text proposed by the Commission*

(60) Some of the raw materials in question, such as cobalt, lithium and natural graphite, are considered as critical raw materials for the EU<sup>38</sup> and their sustainable sourcing is required for the EU battery ecosystem to perform adequately.

---

<sup>38</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Critical Raw Materials Resilience: Charting a Path towards greater Security and Sustainability (COM(2020) 474 final).

*Amendment*

(60) Some of the raw materials in question, such as cobalt, lithium and natural graphite, are considered as critical raw materials for the EU<sup>38</sup> and their sustainable sourcing is required for the EU battery ecosystem to perform adequately. ***Sustainability and social responsibility shall not be limited to the raw materials sector, however. In view of the many final cells or modules imported to the EU, due diligence at the production and recycling stage shall be considered too.***

---

<sup>38</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Critical Raw Materials Resilience: Charting a Path towards greater Security and Sustainability (COM(2020) 474 final).

Or. en

**Amendment 317**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 63**

*Text proposed by the Commission*

(63) Therefore, in view of the expected exponential growth in battery demand in the EU, ***the economic operator that places a battery on the EU market should set up a supply chain due diligence policy. The requirements therefore*** should be laid down, with the objective to address the social and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes.

*Amendment*

(63) ***The corporate responsibility to respect human rights, social rights, human health and the environment should apply to all operations throughout the entire value chain.*** Therefore, in view of the expected exponential growth in battery demand in the EU ***and the fact that certain raw materials used in battery manufacturing carry particular risks, certain requirements for the due diligence process*** should be laid down, with the objective to address the social, ***human rights*** and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes, ***the manufacturing process itself as well as all relevant downstream operations.***

Or. en

*Justification*

*Amendment identical to AM 19 by the rapporteur, with the addition of a reference to the manufacturing process and all relevant downstream operations at the end. To be consistent with UN Guiding Principles on Business and Human Rights and OECD Due Diligence Guidance for Responsible Business Conduct, due diligence is not only about the supply chain, but also about own operations and other business relationships.*

**Amendment 318**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 63**

*Text proposed by the Commission*

(63) Therefore, in view of the expected exponential growth in battery demand in the EU, the economic operator that places a battery on the EU market should set up a supply chain due diligence policy. ***The requirements therefore should be laid down, with the objective to address the***

*Amendment*

(63) Therefore, in view of the expected exponential growth in battery demand in the EU, the economic operator that places a battery on the EU market should set up a supply chain due diligence policy ***fully in line with horizontal Union due diligence legislation.***

*social and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes.*

Or. en

**Amendment 319**  
**Pernille Weiss**

**Proposal for a regulation**  
**Recital 63**

*Text proposed by the Commission*

(63) Therefore, in view of the expected exponential growth in battery demand in the EU, the economic operator that places a battery on the EU market should set up a supply chain due diligence policy. ***The requirements therefore should be laid down, with the objective to address the social and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes.***

*Amendment*

(63) Therefore, in view of the expected exponential growth in battery demand in the EU, the economic operator that places a battery on the EU market should ***be encouraged to*** set up a supply chain due diligence policy ***in line with horizontal Union due diligence legislation.***

Or. en

**Amendment 320**  
**Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsík**

**Proposal for a regulation**  
**Recital 64**

*Text proposed by the Commission*

(64) When putting in place a risk-based due diligence policy, it should be based on internationally recognised due diligence principles in the Ten Principles of the United Nations Global Compact<sup>40</sup>, the Guidelines for Social Life Cycle Assessment of Products<sup>41</sup>, the ILO Tripartite Declaration of Principles

*Amendment*

(64) When putting in place a risk-based due diligence policy, it should be based on internationally recognised due diligence principles in ***the United Nations Guiding Principles on Business and Human Rights***<sup>39a</sup>, the Ten Principles of the United Nations Global Compact<sup>40</sup>, the Guidelines for Social Life Cycle Assessment of

concerning Multinational Enterprises and Social Policy<sup>42</sup>, and the OECD Due Diligence Guidance for Responsible Business Conduct (RBC)<sup>43</sup>, which reflect a common understanding amongst governments and stakeholders, and should be tailored to the specific context and circumstances of each economic operator. In relation to the extraction, processing and trading of natural mineral resources used for battery production, the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas<sup>44</sup> ('OECD Due Diligence Guidance') represents a long-standing effort by governments and stakeholders to establish good practice in this area.

Products<sup>41</sup>, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy<sup>42</sup>, *the OECD Guidelines for Multinational Enterprises* and the OECD Due Diligence Guidance for Responsible Business Conduct (RBC)<sup>43</sup>, which reflect a common understanding amongst governments and stakeholders, and should be tailored to the specific context and circumstances of each economic operator. In relation to the extraction, processing and trading of natural mineral resources used for battery production, the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas<sup>44</sup> ('OECD Due Diligence Guidance') represents a long-standing effort by governments and stakeholders to establish good practice in this area.

---

<sup>40</sup> The Ten Principles of the UN Global Compact, available at <https://www.unglobalcompact.org/what-is-gc/mission/principles>

<sup>41</sup> UNEP Guidelines for social life cycle assessment of products, available at <https://www.lifecycleinitiative.org/wp-content/uploads/2012/12/2009%20-%20Guidelines%20for%20sLCA%20-%20EN.pdf>

<sup>42</sup> Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, available at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_094386.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_094386.pdf)

<sup>43</sup> OECD (2018), OECD Due Diligence Guidance for Responsible Business Conduct, available at

---

<sup>39a</sup> *The United Nations Guiding Principles on Business and Human Rights*, available at [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf)

<sup>40</sup> The Ten Principles of the UN Global Compact, available at <https://www.unglobalcompact.org/what-is-gc/mission/principles>

<sup>41</sup> UNEP Guidelines for social life cycle assessment of products, available at <https://www.lifecycleinitiative.org/wp-content/uploads/2012/12/2009%20-%20Guidelines%20for%20sLCA%20-%20EN.pdf>

<sup>42</sup> Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, available at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_094386.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_094386.pdf)

<sup>43</sup> OECD (2018), OECD Due Diligence Guidance for Responsible Business Conduct, available at

<http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

<sup>44</sup> OECD (2016), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition, OECD Publishing, Paris, <https://doi.org/10.1787/9789264252479-en>.

<http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

<sup>44</sup> OECD (2016), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition, OECD Publishing, Paris, <https://doi.org/10.1787/9789264252479-en>.

Or. en

## Amendment 321 Sven Giegold

### Proposal for a regulation Recital 65

#### *Text proposed by the Commission*

(65) According to *the OECD Due Diligence Guidance*<sup>45</sup>, due diligence is an on-going, proactive and reactive process through which companies can ensure that they respect human rights and do not contribute to conflict<sup>46</sup>. Risk-based due diligence refers to the steps companies should take to identify and address actual or potential risks in order to prevent *or* mitigate adverse impacts associated with their activities or sourcing decisions. A company can assess risk posed by its activities and relationships and adopt risk mitigating measures in line with relevant standards provided under national and international law, recommendations on responsible business conduct by international organisations, government-backed tools, private sector voluntary initiatives and a company's internal policies and systems. This approach also helps to scale the due diligence exercise to the size of the company's activities or supply chain relationships.

#### *Amendment*

(65) According to *these standards*<sup>45</sup>, due diligence is an on-going, proactive and reactive process through which companies can ensure that they respect human rights and *the environment and* do not contribute to conflict<sup>46</sup>. Risk-based due diligence refers to the steps companies should take to identify and address actual or potential risks in order to prevent, *cease*, mitigate *and account for* adverse impacts associated with their activities or sourcing decisions. *Economic operators should conduct informed, effective and meaningful consultation with actually and potentially affected rights-holders.* A company can assess risk posed by its activities and relationships and adopt risk mitigating measures in line with relevant standards provided under national and international law, recommendations on responsible business conduct by international organisations, government-backed tools, private sector voluntary initiatives and a company's internal policies and systems. This approach also helps to scale the due diligence exercise to the size

of the company's activities or supply chain relationships.

---

<sup>45</sup> Page 15 of the OECD Due Diligence Guidance.

<sup>46</sup> OECD (2011), OECD Guidelines for Multinational Enterprises, OECD, Paris; OECD (2006), OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones, OECD, Paris; and, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and other Business Enterprises, John Ruggie, A/HRC/17/31, 21 March 2011).

---

<sup>45</sup> Page 15 of the OECD Due Diligence Guidance.

<sup>46</sup> OECD (2011), OECD Guidelines for Multinational Enterprises, OECD, Paris; OECD (2006), OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones, OECD, Paris; and, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and other Business Enterprises, John Ruggie, A/HRC/17/31, 21 March 2011).

Or. en

## **Amendment 322**

### **Sven Giegold**

#### **Proposal for a regulation**

#### **Recital 66**

##### *Text proposed by the Commission*

(66) Mandatory *supply* chain due diligence policies should be adopted or modified and address, at least, the most prevalent social and environmental risk categories. This should cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution and biodiversity, including community life.

##### *Amendment*

(66) Mandatory *value* chain due diligence policies should be adopted or modified and address, at least, the most prevalent social and environmental risk categories. This should cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution, *climate change* and biodiversity, including community life.

**Amendment 323**  
**Pernille Weiss**

**Proposal for a regulation**  
**Recital 66**

*Text proposed by the Commission*

(66) **Mandatory** supply chain due diligence policies **should be** adopted or modified **and** address, **at least**, the most prevalent social and environmental risk categories. This **should** cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution and biodiversity, including community life.

*Amendment*

(66) **Any** supply chain due diligence policies adopted or modified **could** address the most prevalent social and environmental risk categories. This **could** cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution and biodiversity, including community life.

Or. en

**Amendment 324**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Recital 68**

*Text proposed by the Commission*

(68) As regards the environmental risk categories, the due diligence policies should address the risks in the battery supply chain in relation to protection of the natural environment and of the biological diversity in line with the Convention on Biological Diversity<sup>49</sup>, which includes also the consideration of local communities, and the protection and the development of

*Amendment*

(68) As regards the environmental risk categories, the due diligence policies should address the risks in the battery supply chain in relation to protection of the natural environment and of the biological diversity in line with the Convention on Biological Diversity<sup>49</sup>, which includes also the consideration of local communities, and the protection and the development of

those communities.

those communities. *When defining “environmental due diligence”, input from international bodies, such as the United Nations and the OECD, should be taken into account. As regards that definition, it is essential to ensure that there is coherence with other Union law.*

---

<sup>49</sup> Such as set out in the Convention on biological diversity, available at <https://www.cbd.int/convention/text/> and, in particular, Decision COP VIII/28 “Voluntary guidelines on Biodiversity-Inclusive impact assessment, available at <https://www.cbd.int/decision/cop/?id=11042> .

---

<sup>49</sup> Such as set out in the Convention on biological diversity, available at <https://www.cbd.int/convention/text/> and, in particular, Decision COP VIII/28 “Voluntary guidelines on Biodiversity-Inclusive impact assessment, available at <https://www.cbd.int/decision/cop/?id=11042> .

Or. en

## **Amendment 325** **Sven Giegold**

### **Proposal for a regulation** **Recital 69 a (new)**

*Text proposed by the Commission*

*Amendment*

*(69a) Even when due diligence has been carried out, harm might occur. Economic operators should actively engage in remediation for such harm, by itself or in cooperation with other actors. They should be liable for adverse impact they or the entities they control or are able to control caused or contributed to. Those adversely impacted should be entitled to remediation and should be provided access to justice.*

Or. en

## **Amendment 326** **Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 70**

*Text proposed by the Commission*

(70) **Other** EU legislative instruments that lay down requirements regarding supply chain due diligence should apply ***in so far as there are no specific provisions with the same objective, nature and effect in this Regulation which may be adapted in the light of future legislative amendments.***

*Amendment*

(70) EU legislative instruments that lay down requirements regarding supply chain due diligence should apply ***to the activities covered by*** this Regulation.

Or. en

**Amendment 327**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 78**

*Text proposed by the Commission*

(78) In order to ensure high quality recycling in the batteries supply chains, boost the uptake of quality secondary raw materials and protect the environment, a high level of collection and recycling of waste batteries should be the rule. The collection of waste batteries is a fundamental crucial step for closing the loop for the valuable materials contained in batteries through their recycling and to keep the batteries value chain inside the Union, thus facilitating the access to the recovered materials that can further be used to manufacture new products.

*Amendment*

(78) In order to ensure high quality recycling in the batteries supply chains, boost the uptake of quality secondary raw materials and protect the environment, a high level of collection and recycling of waste batteries should be the rule. The collection of waste batteries is a fundamental crucial step for closing the loop for the valuable materials contained in batteries through their recycling and to keep the batteries value chain inside the Union, thus facilitating the access to the recovered materials that can further be used to manufacture new products. ***In recent years, improper handling and collection of batteries have been responsible for an increasing number of fire hazards in collection and sorting due to increased energy density in lithium portable batteries. Putting an appropriate economic value on batteries will increase the willingness of end users to properly return waste batteries to collection and***

*prevent harm to humans, the environment, and the circular economy. For reasons of hazard protection and the achievement of high collection and recycling levels, deposit refund schemes on lithium portable batteries shall be established in all Member States by 2025.*

Or. en

**Amendment 328**  
**Esther de Lange**

**Proposal for a regulation**  
**Recital 78**

*Text proposed by the Commission*

(78) In order to ensure high quality recycling in the batteries supply chains, boost the uptake of quality secondary raw materials and protect the environment, a high level of collection and recycling of waste batteries should be the rule. The collection of waste batteries is a fundamental crucial step for closing the loop for the valuable materials contained in batteries through their recycling and to keep the batteries value chain inside the Union, thus facilitating the access to the recovered materials that can further be used to manufacture new products.

*Amendment*

(78) In order to ensure high quality recycling in the batteries supply chains, ***stimulate downcycling where high quality recycling is not possible***, boost the uptake of quality secondary raw materials and protect the environment, a high level of collection and recycling of waste batteries should be the rule. The collection of waste batteries is a fundamental crucial step for closing the loop for the valuable materials contained in batteries through their recycling and to keep the batteries value chain inside the Union, thus facilitating the access to the recovered materials that can further be used to manufacture new products.

Or. en

**Amendment 329**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 79 a (new)**

**(79a) For portable batteries, they should do so by establishing a collection network that covers the whole territory of the Member States, that is close to the end user and that does not only target areas and batteries where the collection is profitable. The collection network should include any distributor, authorised treatment facility for waste electric and electronic equipment, civic amenity sites and other actors based on their own accord, such as public authorities and schools. In order to verify and improve the effectiveness of the collection network and the information campaigns, regular compositional surveys at least at NUTS 2 level<sup>32</sup> should be carried out on mixed municipal waste and waste electrical and electronic equipment collected to determine the amount of waste portable batteries therein.**

Or. en

### Amendment 330

Sven Giegold

#### Proposal for a regulation

##### Recital 81

*Text proposed by the Commission*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased. ***This Regulation entails that portable batteries also include batteries powering light means of transport. Since the current***

*Amendment*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased. ***In order to maximise collection and reduce safety risks, Union-wide deposit return systems for certain battery types and chemistries***

*increase in sales of this type of batteries makes it difficult to calculate the amount of them that are placed in the market and collected at the end of their life, these portable batteries should be excluded from the current collection rate for portable batteries. This exclusion is to be reviewed along with the collection target for waste portable batteries, which may also address changes in the methodology to calculate the collection rate for portable batteries. The Commission shall prepare a report to underpin these reviews.*

*should be considered. National deposit return systems should not prevent the introduction of a consumer-friendly harmonised Union-wide system.*

Or. en

**Amendment 331**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 81**

*Text proposed by the Commission*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased. ***This Regulation entails that portable batteries also include batteries powering light means of transport. Since the current increase in sales of this type of batteries makes it difficult to calculate the amount of them that are placed in the market and collected at the end of their life, these portable batteries should be excluded from the current collection rate for portable batteries. This exclusion is to be reviewed along with the collection target for waste portable batteries, which may also address changes in the methodology***

*Amendment*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased.

*to calculate the collection rate for portable batteries. The Commission shall prepare a report to underpin these reviews.*

Or. en

**Amendment 332**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Recital 81**

*Text proposed by the Commission*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased. ***This Regulation entails that portable batteries also include batteries powering light means of transport. Since the current increase in sales of this type of batteries makes it difficult to calculate the amount of them that are placed in the market and collected at the end of their life, these portable batteries should be excluded from the current collection rate for portable batteries. This exclusion is to be reviewed along with the collection target for waste portable batteries, which may also address changes in the methodology to calculate the collection rate for portable batteries. The Commission shall prepare a report to underpin these reviews.***

*Amendment*

(81) Considering the environmental impact and the loss of materials due to waste batteries not being separately collected, and consequently not treated in an environmentally sound way, the collection target for portable batteries already established under Directive 2006/66/EC should continue to apply and should be gradually increased.

Or. en

**Amendment 333**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 82**

*Text proposed by the Commission*

(82) ***The collection rate of portable batteries should continue to be calculated on the basis of average annual sales in the preceding years so as to have targets proportionate to the level of battery consumption in a Member State.*** In order to best reflect changes in the composition of the portable batteries category, as well as in the lifetime and consumption patterns of batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the methodology to calculate and verify the collection rate for portable batteries.

*Amendment*

(82) In order to best reflect changes in the composition of the portable batteries category, as well as in the lifetime and consumption patterns of batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the methodology to calculate ***the collection target based on the quantity of waste batteries available for collection*** and verify the collection rate for portable batteries.

Or. en

**Amendment 334**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 82 a (new)**

*Text proposed by the Commission*

***(82a) The collection rate for light means of transport should be calculated according to a new available collection methodology which the Commission, in accordance with Article 290 of the Treaty on the Functioning of the European Union, shall present.***

*Amendment*

Or. en

**Amendment 335**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Recital 83**

*Text proposed by the Commission*

(83) All automotive, industrial and electric vehicles batteries should be collected and for that purpose the producers of such batteries should be required to accept and take back free of charge, all waste automotive, industrial and electric vehicles batteries from end-users. Detailed reporting obligations should be established for all actors involved in the collection of waste automotive, industrial and electric vehicles batteries.

*Amendment*

(83) All automotive, industrial and electric vehicles batteries should be collected, **and the collection rate calculated using the new available for collection method referred to in Recital 82a**, and for that purpose the producers of such batteries should be required to accept and take back free of charge, all waste automotive, industrial and electric vehicles batteries from end-users. Detailed reporting obligations should be established for all actors involved in the collection of waste automotive, industrial and electric vehicles batteries.

Or. en

**Amendment 336**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Recital 86**

*Text proposed by the Commission*

(86) Targets for the efficiency of the recycling processes and material recovery targets should be established to ensure the production of recovered materials of quality for the battery industry, while at the same time ensuring clear and common rules for recyclers and avoiding distortions of competition or other impediments to the smooth functioning of the internal market for secondary raw materials from waste batteries. Recycling efficiencies, **as a measure of the total amount of materials recovered**, should be established for lead-acid batteries, nickel-cadmium batteries

*Amendment*

(86) Targets for the efficiency of the recycling processes and material recovery targets should be established to ensure the production of recovered materials of quality for the battery industry, while at the same time ensuring clear and common rules for recyclers and avoiding distortions of competition or other impediments to the smooth functioning of the internal market for secondary raw materials from waste batteries. Recycling efficiencies, should be established for lead-acid batteries, nickel-cadmium batteries and lithium batteries and targets should also be set out for the

and lithium batteries and targets should also be set out for the levels of recovered cobalt, lead, lithium and nickel materials to attain a high level of material recovery throughout the Union. The rules on the calculation and reporting on recycling efficiencies laid down in Commission Regulation (EU) No 493/2012<sup>56</sup> should continue to apply. In order to ensure uniform conditions for the calculation and verification of recycling efficiencies and recovery of materials in the recycling processes for batteries, implementing powers should be conferred on the Commission to the establishment of such rules. The Commission should also review Commission Regulation (EU) No 493/2012 to properly reflect technological developments and changes occurred in industrial recovery processes, to extend their scope to cover existing and new targets, and to provide tools for the characterization of intermediate products. Treatment and recycling facilities should be encouraged to introduce certified environmental management schemes in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council<sup>57</sup>.

---

<sup>56</sup> Commission Regulation (EU) No 493/2012 of 11 June 2012 laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators (OJ L 151, 12.6.2012, p. 9).

<sup>57</sup> Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1)

levels of recovered cobalt, lead, lithium, *cadmium* and nickel materials to attain a high level of material recovery throughout the Union. The rules on the calculation and reporting on recycling efficiencies laid down in Commission Regulation (EU) No 493/2012<sup>56</sup> should continue to apply. In order to ensure uniform conditions for the calculation and verification of recycling efficiencies and recovery of materials in the recycling processes for batteries, implementing powers should be conferred on the Commission to the establishment of such rules. The Commission should also review Commission Regulation (EU) No 493/2012 to properly reflect technological developments and changes occurred in industrial recovery processes, to extend their scope to cover existing and new targets, and to provide tools for the characterization of intermediate products. Treatment and recycling facilities should be encouraged to introduce certified environmental management schemes in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council<sup>57</sup>.

---

<sup>56</sup> Commission Regulation (EU) No 493/2012 of 11 June 2012 laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators (OJ L 151, 12.6.2012, p. 9).

<sup>57</sup> Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1)

**Amendment 337**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 87**

*Text proposed by the Commission*

(87) It should only be possible to carry out treatment and recycling outside the Member State concerned or outside the Union, where the shipment of waste batteries is in compliance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council<sup>58</sup> and Commission Regulation (EC) No 1418/2007<sup>59</sup> and where the treatment and recycling activities meet the requirements applicable for this type of wastes, according to their classification in Commission Decision 2000/532/EC, as amended.<sup>60</sup> That Decision, as amended, should be revised to reflect all battery chemistries. Where such treatment or recycling takes place outside the Union, in order to be counted towards the recycling efficiencies and targets, the operator for whose account it is carried out should be obliged to report on it to the competent authority of the respective Member State and to prove that the treatment is carried out in conditions equivalent to those under this Regulation. In order to lay down what are the requirements for such treatment to be considered equivalent, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of laying down detailed rules containing criteria for the assessment of equivalent conditions.

---

<sup>58</sup> Regulation (EC) No 1013/2006 of the

*Amendment*

(87) It should only be possible to carry out treatment and recycling outside the Member State concerned or outside the Union, where the shipment of waste batteries is in compliance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council<sup>58</sup> and Commission Regulation (EC) No 1418/2007<sup>59</sup> and where the treatment and recycling activities meet the requirements applicable for this type of wastes, according to their classification in Commission Decision 2000/532/EC, as amended.<sup>60</sup> That Decision, as amended, should be revised to reflect all battery chemistries. Where such treatment or recycling takes place outside the Union, in order to be counted towards the recycling efficiencies and targets, the operator for whose account it is carried out should be obliged to report on it to the competent authority of the respective Member State and to prove ***via independent verification*** that the treatment is carried out in conditions equivalent to those under this Regulation. In order to lay down what are the requirements for such treatment to be considered equivalent, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of laying down detailed rules containing criteria for the assessment of equivalent conditions.

---

<sup>58</sup> Regulation (EC) No 1013/2006 of the

European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).

<sup>59</sup> Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (OJ L 316, 4.12.2007, p. 6).

<sup>60</sup> 2000/532/EC: Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, OJ L 226, 6.9.2000, p. 3.

European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).

<sup>59</sup> Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (OJ L 316, 4.12.2007, p. 6).

<sup>60</sup> 2000/532/EC: Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, OJ L 226, 6.9.2000, p. 3.

Or. en

### *Justification*

*It is important that the requirement of equivalence is verified by an independent verifier.*

## **Amendment 338** **Sven Giegold**

### **Proposal for a regulation** **Recital 88**

#### *Text proposed by the Commission*

(88) Industrial and electric vehicle batteries that are no longer fit for the initial purpose for which they were manufactured may be used for a different purpose as stationary energy storage batteries. A market for the second life of used industrial and electric vehicle batteries is emerging and in order to support the practical application of the waste hierarchy, specific

#### *Amendment*

(88) Industrial and electric vehicle batteries that are no longer fit for the initial purpose for which they were manufactured may be used for a different purpose as stationary energy storage batteries. A market for the second life of used industrial and electric vehicle batteries is emerging and in order to support the practical application of the waste hierarchy, specific

rules should thus be defined to allow responsible repurposing of used batteries while taking into account the precautionary principle and ensuring safety of use for end users. Any such used battery should undergo an assessment of its state of health and available capacity to ascertain its suitability for use for any other than its original purpose. In order to ensure uniform conditions for the implementation of provisions related to the estimation of the state of health of batteries, implementing powers should be conferred on the Commission.

rules should thus be defined to allow responsible repurposing of used batteries while taking into account the precautionary principle and ensuring safety of use for end users. Any such used battery should undergo an assessment of its state of health and available capacity to ascertain its suitability for use for any other than its original purpose. ***Batteries that are found to be suitable for use other than its original purpose should be repurposed.*** In order to ensure uniform conditions for the implementation of provisions related to the estimation of the state of health of batteries, implementing powers should be conferred on the Commission.

Or. en

**Amendment 339**  
**Karin Karlsbro, Pascal Canfin**

**Proposal for a regulation**  
**Recital 88**

*Text proposed by the Commission*

(88) ***Industrial and electric vehicle*** batteries that are no longer fit for the initial purpose for which they were manufactured may be used for a different purpose as stationary energy storage batteries. A market for the second life of used ***industrial and electric vehicle*** batteries is emerging and in order to support the practical application of the waste hierarchy, specific rules should thus be defined to allow responsible repurposing of used batteries while taking into account the precautionary principle and ensuring safety of use for end users. Any such used battery should undergo an assessment of its state of health and available capacity to ascertain its suitability for use for any other than its original purpose. In order to ensure uniform conditions for the implementation of provisions related to the estimation of

*Amendment*

(88) Batteries that are no longer fit for the initial purpose for which they were manufactured may be used for a different purpose as stationary energy storage batteries. A market for the second life of used batteries is emerging and in order to support the practical application of the waste hierarchy, specific rules should thus be defined to allow responsible repurposing of used batteries while taking into account the precautionary principle and ensuring safety of use for end users. Any such used battery should undergo an assessment of its state of health and available capacity to ascertain its suitability for use for any other than its original purpose. In order to ensure uniform conditions for the implementation of provisions related to the estimation of the state of health of batteries, implementing

the state of health of batteries, implementing powers should be conferred on the Commission.

powers should be conferred on the Commission.

Or. en

**Amendment 340**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 89**

*Text proposed by the Commission*

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided *either* by classical means, such as outdoors, posters and social media campaigns, *or* by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

*Amendment*

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided by classical means, such as outdoors, posters and social media campaigns, *and* by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

Or. en

**Amendment 341**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 100**

*Text proposed by the Commission*

(100) *In order to establish the equivalence of due diligence schemes that have been developed by governments,*

*Amendment*

(100) In order to ensure that the list of raw materials and the associated social and environmental risks are kept up-to-date, as

***industry associations and groupings of interested organisation, implementing powers should be conferred on the Commission.*** In order to ensure that the list of raw materials and the associated social and environmental risks are kept up-to-date, as well the consistency with the Conflict Minerals Regulation and the OECD Due Diligence in terms of obligations for economic operators, implementing powers should be conferred on the Commission.

well the consistency with the Conflict Minerals Regulation and the OECD Due Diligence in terms of obligations for economic operators, implementing powers should be conferred on the Commission.

Or. en

#### *Justification*

*The rapporteur rightly proposes in amendment 117 to delete the possibility to meet certain requirements of due diligence through participation in industry-led systems. If that is adopted, there is no longer any need to recognise such schemes by the Commission, as foreseen under Art. 72, and therefore also no need to grant the Commission any implementing powers in that regard.*

#### **Amendment 342 Sven Giegold**

#### **Proposal for a regulation Recital 101**

*Text proposed by the Commission*

*Amendment*

***(101) In order to ensure uniform conditions for the implementation of the Commission's recognition of supply chain due diligence schemes, implementing powers should be conferred on the Commission.***

***deleted***

Or. en

#### *Justification*

*The rapporteur rightly proposes in amendment 117 to delete the possibility to meet certain requirements of due diligence through participation in industry-led systems. If that is adopted, there is no longer any need to recognise such schemes by the Commission, as foreseen under Art. 72, and therefore also no need to grant the Commission any implementing powers in that regard.*

**Amendment 343**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 106**

*Text proposed by the Commission*

(106) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The penalties provided for should be effective, proportionate and dissuasive.

*Amendment*

(106) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The penalties provided for should be effective, proportionate and dissuasive. ***The Commission should develop harmonised criteria in this regard to facilitate harmonised enforcement across the Union.***

Or. en

**Amendment 344**  
**Sven Giegold**

**Proposal for a regulation**  
**Recital 110**

*Text proposed by the Commission*

(110) Since the objective of this Regulation, namely to ***guarantee the functioning of the internal market while ensuring*** that batteries placed on the market ***fulfil the requirements*** providing for a high level of protection of human health, safety, ***property*** and the environment, cannot be sufficiently achieved by the Member States but can ***rather, by reason of the need for harmonisation,*** be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set

*Amendment*

(110) Since the objective of this Regulation, namely to ***ensure*** that batteries placed on the market ***as well as the operations linked to waste batteries*** providing for a high level of protection of human health, safety and the environment, cannot be sufficiently achieved by the Member States but can ***therefore*** be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that

out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

objective,

Or. en

### *Justification*

*Alignment of the Recital to the wording in Article 1.*

## **Amendment 345**

**Jessica Polfjärd**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1**

##### *Text proposed by the Commission*

1. This Regulation establishes requirements on sustainability, safety, labelling and information to allow the placing on the market or putting into service of batteries, as well as requirements for the collection, treatment and recycling of waste batteries.

##### *Amendment*

1. This Regulation establishes requirements on ***economic, environmental and social*** sustainability, safety, labelling and information to allow the placing on the market or putting into service of batteries, as well as requirements for the collection, treatment and recycling of waste batteries.

Or. en

## **Amendment 346**

**Jessica Polfjärd**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***1a. This Regulation lays down measures to strengthen the internal market for batteries as such measures are needed in order for the Union to become a global leader in sustainable batteries production as well as to guarantee the Union's long-term competitiveness and foster the decarbonisation of the Union's economy;***

**Amendment 347**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 1 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. This Regulation lays down measures to improve the treatment of waste batteries by creating harmonised rules within the Union as such measures are needed in order to improve the efficiency of resource use and for the transition to a circular economy;***

**Amendment 348**  
**Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsík**

**Proposal for a regulation**  
**Article 1 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. This Regulation shall apply to all batteries, namely portable batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

2. This Regulation shall apply to all batteries, namely portable ***batteries, light means of transport*** batteries, automotive batteries, electric vehicle batteries and industrial batteries, ***including stationary battery energy storage systems***, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

**Amendment 349**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 1 – paragraph 2**

*Text proposed by the Commission*

2. This Regulation shall apply to all batteries, namely portable batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

*Amendment*

2. This Regulation shall apply to all batteries, namely portable **batteries, light means of transport** batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Or. en

**Amendment 350**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 1 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) medical devices classified as class III according to Annex VIII of Regulation 2017/745 and in vitro diagnostic medical devices classified as class D according to Annex VIII of Regulation 2017/456**

Or. en

**Amendment 351**  
**Agnès Evren, Nathalie Colin-Oesterlé**

**Proposal for a regulation**  
**Article premier – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) Equipment specifically designed for the safety of nuclear installations, as**

*defined in Article 3 of Council Directive 2009/71/Euratom.<sup>1a</sup>*

---

*<sup>1a</sup> Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations (OJ L 172, 2.7.2009, p.18).*

Or. fr

**Amendment 352**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 1 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) equipment qualified for the safety of nuclear installations (as defined in Article 3 of Council Directive 2009/71/Euratom)*

Or. en

**Amendment 353**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 1 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*3a. With the exclusion of Chapter VII, this regulation shall not apply to industrial and EV batteries models designed before the entry into force of this Regulation or its individual requirements and a) to be used as spare parts for equipment designed before the entry into force of the Regulation b) placed on the market to be incorporated in safety-sensitive applications designed before the*

*entry into force of the Regulation or its individual requirements; or c) placed on the market in the 24 months following the entry into force of each individual requirements.*

Or. en

**Amendment 354**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 1 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a.** *With the exclusion of article 39 and chapter VII, this regulation shall not apply to batteries designed before the entry into force of this regulation, intended to be used:*

*(a) as spare parts for equipment which the producer can prove were produced before the entry into force of this regulation, or*

*(b) for safety-sensitive applications which the producer can prove were produced before the entry into force of this regulation;*

Or. en

**Amendment 355**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 1 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b.** *With the exclusion of chapter VII, this Regulation shall not apply to batteries designed before the entry into force of this Regulation, intended to be used: (a) as spare parts, (b) for safety-sensitive*

*applications, or (c) within the framework of a long-term supply contract signed before the entry into force of this Regulation. 5. With the exclusion of Chapter VII, this Regulation shall not apply to industrial, EV batteries and light means of transport batteries designed before the entry into force of this Regulation to be incorporated in equipment designed before the entry into force of the Regulation.*

Or. en

**Amendment 356**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 1 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

*3b. With the exclusion of article 39 and chapter VII, this regulation shall not apply to batteries which the producer can prove were produced before the entry into force of this regulation.*

Or. en

**Amendment 357**  
**Peter Liese**

**Proposal for a regulation**  
**Article 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 1a*

*1. With the exclusion of Chapter VII, this regulation shall not apply to industrial and EV batteries models designed before the entry into force of this Regulation or of its individual*

*requirements and*

*(a) to be used as spare parts for equipment designed before the entry into force of the Regulation or of its individual requirements; or*

*(b) placed on the market to be incorporated in applications or equipment designed before the entry into force of the Regulation or of its individual requirements; or*

*(c) placed on the market in the 24 months following the entry into force of each individual requirements.*

Or. en

**Amendment 358**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 3**

*Text proposed by the Commission*

(3) ‘active materials’ means material which reacts chemically to produce electric energy when the battery cell discharges;

*Amendment*

*(Does not affect English version)*

Or. cs

**Amendment 359**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4**

*Text proposed by the Commission*

(4) ‘non-rechargeable battery’ means a battery that is not designed to be electrically recharged;

*Amendment*

*(Does not affect English version)*

Or. cs

**Amendment 360**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 5**

*Text proposed by the Commission*

(5) ‘rechargeable battery’ means a battery that is designed to be electrically recharged;

*Amendment*

*(Does not affect English version)*

Or. cs

**Amendment 361**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 6**

*Text proposed by the Commission*

(6) ‘*battery with internal storage*’ means a battery with no attached external devices to store energy;

*Amendment*

*deleted*

Or. en

**Amendment 362**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 6**

*Text proposed by the Commission*

(6) ‘*battery with internal storage*’ means a battery with no attached external devices to store energy;

*Amendment*

*deleted*

Or. en

**Amendment 363**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7 – indent 2**

*Text proposed by the Commission*

*Amendment*

— ***weighs below 5 kg;*** ***deleted***

Or. en

**Amendment 364**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7 – indent 3**

*Text proposed by the Commission*

*Amendment*

— is not designed for industrial purposes; and — is not designed ***exclusively*** for industrial purposes; and

Or. en

**Amendment 365**  
**Silvia Modig, Nikolaj Villumsen**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7 – indent 3**

*Text proposed by the Commission*

*Amendment*

— is not designed for industrial purposes; and — is not designed for ***exclusively*** industrial purposes; and

Or. en

**Amendment 366**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7 – indent 3**

*Text proposed by the Commission*

— is not designed for industrial ***purposes***; and

*Amendment*

— is not designed ***exclusively*** for industrial ***uses***; and

Or. en

### **Amendment 367**

**Jessica Polfjärd**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 7 – indent 4**

*Text proposed by the Commission*

— is neither an electric vehicle battery nor an automotive battery;

*Amendment*

— is neither an electric vehicle battery nor an automotive battery, ***nor a light means of transport battery***;

Or. en

### **Amendment 368**

**Karin Karlsbro, Frédérique Ries**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 7 – indent 4**

*Text proposed by the Commission*

— is neither an electric vehicle battery nor an automotive battery;

*Amendment*

— is neither ***a light means of transport battery***, an electric vehicle battery nor an automotive battery;

Or. en

### **Amendment 369**

**Christian Doleschal**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 7 – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

- ***its habitual method of use should be based on the end user's handling of the battery. The decisive criterion should be "portable".***

Or. en

### **Amendment 370**

**Liudas Mažylis**

#### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 7 – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

- ***includes batteries designed to power light means of transport***

Or. en

### **Amendment 371**

**Jens Gieseke**

#### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 8**

*Text proposed by the Commission*

*Amendment*

(8) ‘portable batteries of general use’ means portable batteries with the following common formats: 4,5 Volts (3R12), D, C, AA, AAA, AAAA, A23, 9 Volts (PP3);

(8) ‘portable batteries of general use’ means portable batteries with the following common formats: 4,5 Volts (3R12), ***button cell without tags***, D, C, AA, AAA, AAAA, A23, 9 Volts (PP3);

Or. en

### **Amendment 372**

**Karin Karlsbro, Martin Hojsík**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) ‘portable batteries of general use’ means portable batteries with the following common formats: 4,5 Volts (3R12), D, C, AA, AAA, AAAA, A23, 9 Volts (PP3);

*Amendment*

(8) ‘portable batteries of general use’ means portable batteries with the following common formats: 4,5 Volts (3R12), D, C, AA, AAA, AAAA, A23, 9 Volts (PP3) **and button cells**;

Or. en

**Amendment 373**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) ‘portable batteries of general use’ means portable batteries with the following common formats: **4,5 Volts (3R12)**, D, C, AA, AAA, **AAAA**, **A23**, 9 Volts (PP3);

*Amendment*

(8) portable batteries of general use’ means portable batteries with the following common formats: D, C, AA, AAA, 9 Volts (PP3);

Or. en

**Amendment 374**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means of transport’ means wheeled vehicles that have an electric motor of less than **750 watts**, **on which travellers are seated when the vehicle is moving and** that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means of transport’ means wheeled vehicles **equipped with a removable battery to provide traction energy to vehicles for road transport** that have an electric motor **with a maximum continuous rated power** of less than **4kW**, that can be powered by the electric motor alone or by a combination of motor and human power. **This includes non-type**

*approved personal mobility devices such as mono-wheels, e-steps and EPACs as well as type-approved vehicles of categories L1 and L2 according to Regulation (EU) No 168/2013;*

Or. en

## **Amendment 375**

**Liudas Mažylis**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means *of* transport’ means wheeled vehicles *that have an electric motor of less than 750 watts, on which travellers are seated when the vehicle is moving and* that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means transport *batteries*’ means *any battery in* wheeled vehicles that can be powered by the electric motor alone or by a combination of motor and human power *and batteries in vehicles, including all batteries in non-type approved wheeled vehicles plus batteries in type approved L1e-L7e categories with an individual battery weight below 8 kg (and/or 2 kWh).*

Or. en

## **Amendment 376**

**Karin Karlsbro**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means of transport’ means *wheeled* vehicles *that have an electric motor of less than 750 watts, on which travellers are seated when the vehicle is moving and* that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means of transport *battery*’ means *any battery in moving* vehicles that can be powered by the electric motor alone or by a combination of motor and human power, *including vehicles exempted from type-approval legislation and vehicles of type-approved categories L1 to L2 provided for in Regulation (EU) No*

*168/2013 and with a weight below 25 kg;*

Or. en

**Amendment 377**

**Jessica Polfjärd**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means of transport’ means wheeled vehicles ***that have an electric motor of less than 750 watts, on which travellers are seated when the vehicle is moving and*** that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means of transport ***battery***’ means ***any battery in*** wheeled vehicles on which ***persons are transported*** that can be powered by the electric motor alone or by a combination of motor and human power, ***including vehicles of type-approved categories laid down in Regulation (EU) No 168/2013 and with a weight below 25 kg;***

Or. en

**Amendment 378**

**Sylvia Limmer**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means of transport’ means ***wheeled*** vehicles that have an electric motor of less than 750 watts, ***on which travellers are seated when the vehicle is moving*** and that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means of transport’ means vehicles that have an electric motor of less than 750 watts and that can be powered by the electric motor alone or by a combination of motor and human power;

Or. en

*Justification*

*In case that innovators use other mean than wheels, it is important that they don't fall into a*

*loophole in regards to the batteries they need to use. In the same idea, it would be more sustainable that light means of transports where people are not seating are also covered by the Regulation.*

**Amendment 379**

**Silvia Modig, Nikolaj Villumsen**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘light means of transport’ means wheeled vehicles that have an electric motor of less than 750 watts, ***on which travellers are seated when the vehicle is moving and*** that can be powered by the electric motor alone or by a combination of motor and human power;

*Amendment*

(9) ‘light means of transport’ means wheeled vehicles that have an electric motor of less than 750 watts that can be powered by the electric motor alone or by a combination of motor and human power;

Or. en

**Amendment 380**

**Karin Karlsbro**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used ***only*** for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery used for automotive ***and non-road mobile machinery*** starter, lighting or ignition power ***and any other supporting function in the vehicle***;

Or. en

**Amendment 381**

**Agnès Evren, Nathalie Colin-Oesterlé**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used only for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery used only for automotive starter, lighting or ignition power ***or other functions necessary for the vehicle’s main uses***;

Or. fr

**Amendment 382**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used ***only*** for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery used ***primarily*** for automotive starter, lighting or ignition power ***as well as for other key supporting functions in the vehicle***;

Or. en

**Amendment 383**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used ***only*** for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery ***primarily*** used for automotive starter, lighting or ignition power ***or other supporting functions in a vehicle***;

Or. en

**Amendment 384**  
**César Luena, Javi López**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used only for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery used only for automotive starter, lighting or ignition power ***or other supporting functions in the vehicle;***

Or. en

*Justification*

*Heavy-duty vehicles (HDV) starter batteries are also used for what is called ‘hotel functions’, meant for the driver during their resting periods in the HDV. The change proposed by the Commission would therefore disqualify HDV starter batteries from the definition of an automotive battery, which cannot be the intention of the proposal.*

**Amendment 385**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used ***only for automotive starter***, lighting ***or ignition power***;

*Amendment*

(10) ‘automotive battery’ means any battery used ***for the primary purpose of starting***, lighting, ignition ***or other support functions in a vehicle***;

Or. en

**Amendment 386**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery **used only** for automotive starter, lighting or ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery **designed** for automotive **auxiliary, back up or other supporting functions,** starter, lighting or ignition power;

Or. en

**Amendment 387**  
**Marek Paweł Balt**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘automotive battery’ means any battery used **only** for automotive starter, lighting **or** ignition power;

*Amendment*

(10) ‘automotive battery’ means any battery used **primarily** for automotive starter, lighting, ignition power **or other supporting functions in the vehicle;**

Or. en

*Justification*

*Heavy-duty vehicles (HDV) starter batteries are also used for what is called ‘hotel functions’, meant for the driver during their resting periods in the HDV. The change proposed by the Commission would therefore disqualify HDV starter batteries from the definition of an automotive battery, which cannot be the intention of the proposal.*

**Amendment 388**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 11**

*Text proposed by the Commission*

(11) ‘industrial battery’ means any battery designed for industrial uses and any other battery excluding portable batteries, electric vehicle batteries and automotive batteries;

*Amendment*

(11) ‘industrial battery’ means any battery designed for industrial uses and any other battery, **including all stationary battery energy storage systems,** excluding portable **batteries, light means of transport**

batteries, electric vehicle batteries and automotive batteries;

Or. en

### **Amendment 389**

**Jessica Polfjärd**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 11**

##### *Text proposed by the Commission*

(11) ‘industrial battery’ means any battery designed for industrial uses and any other battery excluding portable batteries, electric vehicle batteries and automotive batteries;

##### *Amendment*

(11) ‘industrial battery’ means any battery designed for industrial uses and any other battery excluding portable batteries, electric vehicle batteries, ***light means of transport batteries*** and automotive batteries;

Or. en

### **Amendment 390**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 11**

##### *Text proposed by the Commission*

11) ‘industrial battery’ means any battery ***designed for industrial uses and any other battery*** excluding portable batteries, electric vehicle batteries and automotive batteries;

##### *Amendment*

11) ‘industrial battery’ means any battery excluding portable batteries, electric vehicle batteries and automotive batteries;

Or. cs

### **Amendment 391**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 11**

*Text proposed by the Commission*

(11) ‘industrial battery’ means any battery designed for industrial uses and any other battery excluding portable batteries, electric vehicle batteries and automotive batteries;

*Amendment*

(11) ‘industrial battery’ means any battery ***exclusively*** designed for industrial uses and any other battery excluding portable batteries, electric vehicle batteries and automotive batteries;

Or. en

**Amendment 392**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 12**

*Text proposed by the Commission*

(12) ‘electric vehicle battery’ means any battery specifically designed to provide traction to hybrid and electric vehicles ***for road transport***;

*Amendment*

(12) ‘electric vehicle battery’ means any battery specifically designed to provide traction to hybrid and electric vehicles, ***designated as categories L3 to L7 as defined in Regulation (EU) No 168/2013, with a weight above 25 kg, or categories M, N or O as defined in Regulation (EU) No 2018/858, or the T categories as defined in Regulation (EU) No 167/2013 or the category for the non-road mobile machinery as defined in regulation (EU) No 2016/1628***;

Or. en

**Amendment 393**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 12**

*Text proposed by the Commission*

(12) ‘electric vehicle battery’ means any

*Amendment*

(12) ‘electric vehicle battery’ means any

battery specifically designed to provide traction *to hybrid and electric vehicles for road transport*;

battery specifically designed to provide *the energy for the traction of a vehicle of category L as provided for in Regulation (EU) No 168/2013 and with a weight above 25 kg, or to a vehicle of categories M, N or O as provided for in Regulation (EU) 2018/858 of the European Parliament and of the Council*;

Or. en

#### **Amendment 394**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 12**

*Text proposed by the Commission*

(12) ‘electric vehicle battery’ means any battery specifically designed to provide traction to hybrid and electric vehicles for road transport;

*Amendment*

(12) ‘electric vehicle battery’ means any battery specifically designed to provide traction to hybrid and electric vehicles for road transport *with the exception of batteries powering light means of transport*.

Or. en

#### **Amendment 395**

**Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 13**

*Text proposed by the Commission*

(13) ‘stationary *battery* energy storage *system*’ means a rechargeable industrial battery *with internal storage* specifically designed to store and deliver electric energy *into* the grid, regardless of where and by whom this battery is being used;

*Amendment*

(13) ‘stationary energy storage *battery*’ means a rechargeable industrial battery specifically designed to store and deliver electric energy *when connected to* the grid, regardless of where and by whom this battery is being used;

**Amendment 396**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 13**

*Text proposed by the Commission*

(13) ‘stationary battery energy storage system’ means a rechargeable industrial battery **with internal storage** specifically designed to store and deliver electric energy into **the** grid, regardless of where and by whom this battery is being used;

*Amendment*

(13) ‘stationary battery energy storage system’ means a rechargeable industrial battery specifically designed to store and deliver electric energy into **an electricity** grid, regardless of where and by whom this battery is being used;

Or. en

**Amendment 397**  
**Peter Liese**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 13**

*Text proposed by the Commission*

(13) ‘stationary **battery** energy storage **system**’ means a rechargeable industrial battery **with internal storage** specifically designed to store and deliver electric energy **into** the grid, regardless of where and by whom this battery is being used;

*Amendment*

(13) ‘stationary energy storage **battery**’ means a rechargeable industrial battery specifically designed to store and deliver electric energy **when connected to** the grid, regardless of where and by whom this battery is being used;

Or. en

*Justification*

*An energy storage system is not a battery. A battery energy storage system consists of one or more batteries and an electric power conversion system which converts the energy to the form which is compatible with the grid.*

**Amendment 398**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 17**

*Text proposed by the Commission*

(17) ‘battery model’ is any manufactured battery that is produced in series;

*Amendment*

(17) ‘battery model’ is any manufactured battery that is produced in ***a series comprising at least 10 batteries, including in the case where the batteries produced as part of the same series differ from one another in a manner that does not deviate from the declared design and performance of the batteries belonging to that series;***

Or. en

**Amendment 399**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 17**

*Text proposed by the Commission*

(17) ‘battery model’ is any ***manufactured*** battery that is ***produced*** in series;

*Amendment*

(17) ‘battery model’ is any battery that is ***manufactured*** in series. ***A model includes any battery with similar design, performance and carbon footprint;***

Or. en

**Amendment 400**  
**Marian-Jean Marinescu, Massimiliano Salini**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 17**

*Text proposed by the Commission*

(17) ‘battery model’ is any manufactured battery that is produced in series;

*Amendment*

(17) ‘battery model’ is any manufactured battery that is produced in series; ***with similar design, performance and carbon footprint;***

Or. en

**Amendment 401**  
**Michal Wiezik**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 20**

*Text proposed by the Commission*

(20) ‘independent operator’ means a natural or legal person, other than an authorised dealer or repairer or remanufacturer, who is independent from the manufacturer and the producer and is directly or indirectly involved in the repair, maintenance or repurposing of batteries, and include waste management operators, repairers, manufacturers or distributors of repair equipment, tools or spare parts, as well as publishers of technical information, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative-fuel vehicles;

*Amendment*

(20) ‘***qualified*** independent operator’ means a natural or legal person, other than an authorised dealer or repairer or remanufacturer, who is independent from the manufacturer and the producer and is directly or indirectly involved in the repair, maintenance or repurposing of batteries, and include waste management operators, ***professional*** repairers, manufacturers or distributors of repair equipment, tools or spare parts, as well as publishers of technical information, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative-fuel vehicles;

Or. en

*Justification*

*Ecodesign legislation defines a professional repairer, thus the proposed change*

**Amendment 402**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 20 a (new)**

*Text proposed by the Commission*

*Amendment*

**(20a) ‘battery removability and replaceability’ means non-destructive disassembly, or reversible extraction of the battery pack or modules from the device or constituent components without functional damage that would preclude reassembly, re-use, repurposing or remanufacturing.**

Or. en

**Amendment 403**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 21**

*Text proposed by the Commission*

*Amendment*

(21) ‘QR code’ means a matrix barcode that links to information about a battery model;

(21) ‘QR code’ means a matrix barcode that links to information **in *electronic* format** about a battery model;

Or. en

*Justification*

*Information may be available in paper format as well*

**Amendment 404**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 21**

*Text proposed by the Commission*

*Amendment*

(21) ‘QR code’ means a matrix **barcode** that links to information about a battery model;

(21) ‘QR code’ means a matrix that links to information about a battery model;

**Amendment 405**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 22**

*Text proposed by the Commission*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the state of health and expected lifetime of batteries laid down in Annex VII ***and that communicates with the vehicle or appliance in which the battery is incorporated;***

*Amendment*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the state of health and expected lifetime of batteries laid down in Annex VII;

**Amendment 406**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 22**

*Text proposed by the Commission*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, ***that manages and stores the data on the parameters for determining the state of health and expected lifetime of batteries laid down in Annex VII*** and that communicates with the vehicle or appliance in which the battery is incorporated;

*Amendment*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery ***to influence the battery’s safety, performance and/or service life*** and that communicates with the vehicle or appliance in which the battery is incorporated;

## **Amendment 407**

**Marian-Jean Marinescu, Massimiliano Salini**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 22**

*Text proposed by the Commission*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the state of health and expected lifetime of batteries laid down in Annex VII and that communicates with the vehicle or appliance in which the battery is incorporated;

*Amendment*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the **safety, the** state of health and expected lifetime of batteries laid down in Annex VII and that communicates with the vehicle or appliance in which the battery is incorporated;

Or. en

## **Amendment 408**

**Karin Karlsbro, Martin Hojsík**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 22**

*Text proposed by the Commission*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the state of health and expected lifetime of batteries laid down in Annex VII and that communicates with the vehicle or appliance in which the battery is incorporated;

*Amendment*

(22) ‘battery management system’ means an electronic device that controls or manages the electric and thermal functions of the battery, that manages and stores the data on the parameters for determining the **safety,** state of health and expected lifetime of batteries laid down in Annex VII and that communicates with the vehicle or appliance in which the battery is incorporated;

Or. en

**Amendment 409**  
**Karin Karlsbro, Martin Hojsík**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 26 a (new)**

*Text proposed by the Commission*

*Amendment*

***(26a) ‘remanufacturing’ means any process involving dismantling, restoring and replacing components of a battery, battery packs, battery modules and/or battery cells and testing the individual parts and the whole product to return a battery to a level of performance equivalent to that of a new battery, for the original or a different purpose;***

Or. en

**Amendment 410**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 30**

*Text proposed by the Commission*

*Amendment*

(30) ‘CE marking’ means a marking by which the manufacturer indicates that the battery is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing;

*(Does not affect English version)*

Or. cs

**Amendment 411**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 35**

*Text proposed by the Commission*

(35) ‘notified body’ means a conformity assessment body notified in accordance with Article 22 of this Regulation;

*Amendment*

(35) ‘notified body’ means a conformity assessment body notified in accordance with Article 21 of this Regulation;

Or. cs

**Amendment 412**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 36**

*Text proposed by the Commission*

(36) ‘**supply** chain due diligence’ means the obligations of the economic operator which places a **rechargeable industrial battery or an electric-vehicle battery** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

*Amendment*

(36) ‘**value** chain due diligence’ means the obligations of the economic operator which places a battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying, **preventing** and addressing actual and potential risks linked to the **supply chain, i.e.** sourcing, processing and trading of the raw materials, **chemicals and secondary raw materials** required for battery manufacturing, **to its manufacturing operations and linked to all business relationships**;

Or. en

*Justification*

*To be consistent with UN Guiding Principles on Business and Human Rights and OECD Due Diligence Guidance for Responsible Business Conduct, due diligence is not only about the supply chain, but also about own operations and other business relationships.*

**Amendment 413**  
**Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsik**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 36**

*Text proposed by the Commission*

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a **rechargeable industrial battery or an electric-vehicle battery** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

*Amendment*

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying, **preventing** and addressing actual and potential risks linked to the **production of the battery, including** sourcing, processing and trading of the **chemicals and** raw materials, **both primary and secondary**, required for battery manufacturing;

Or. en

**Amendment 414**  
**Maria Arena, Tiemo Wölken**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 36**

*Text proposed by the Commission*

(36) ‘**supply** chain due diligence’ means the obligations of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

*Amendment*

(36) ‘**value** chain due diligence’ means the obligations of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. en

**Amendment 415**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 37**

*Text proposed by the Commission*

(37) ‘producer’ means any **manufacturer, importer or distributor who**, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, supplies a battery for the first time for distribution or **use, including when** incorporated into appliances or vehicles, **within the territory of a Member State on a professional basis**;

*Amendment*

(37) ‘producer’ means any **natural or legal person in a Member State who, on a professional basis and** irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU: **(i) supplies a battery incorporated into appliances or vehicles for the first time in that member state for distribution or end use; (ii) or in case not** incorporated into appliances or vehicles, **otherwise supplies a battery for the first time in that member state for distribution or end use”**;

Or. en

**Amendment 416**  
**Karin Karlsbro, Martin Hojsík**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 39**

*Text proposed by the Commission*

(39) ‘waste battery’ means any battery which is waste within the meaning of Article 3(1) of Directive 2008/98/EC;

*Amendment*

(39) ‘waste battery’ means any battery **or battery cell** which is waste within the meaning of Article 3(1) of Directive 2008/98/EC;

Or. en

**Amendment 417**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 41 – introductory part**

*Text proposed by the Commission*

(41) ‘hazardous substance’ means any substance which fulfils the criteria for any of the **following** hazard classes or categories set out in Annex I of Regulation (EC) No 1272/2008 of the European Parliament and of the Council<sup>67</sup> :

---

<sup>67</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1)

*Amendment*

(41) ‘hazardous substance’ means any substance which fulfils the criteria for any of the hazard classes or categories set out in Annex I of Regulation (EC) No 1272/2008 of the European Parliament and of the Council<sup>67</sup> :

---

<sup>67</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1)

Or. en

*Justification*

*It is unacceptable to limit the notion of hazard only to certain hazards of EU legislation on the classification, labelling and packaging of substances and mixtures. To make the battery legislation future-proof, it is important to be able to consider all hazards pursuant to EU legislation.*

**Amendment 418**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 41 – point a**

*Text proposed by the Commission*

**(a) hazard classes 2.1 to 2.4, 2.6 and 2.7, 2.8 types A and B, 2.9, 2.10, 2.12, 2.13 categories 1 and 2, 2.14 categories 1 and 2, 2.15 types A to F;**

*Amendment*

**deleted**

Or. en

**Amendment 419**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 41 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) hazard classes 3.1 to 3.6, 3.7  
adverse effects on sexual function and  
fertility or on development, 3.8 effects  
other than narcotic effects, 3.9 and 3.10;** *deleted*

Or. en

**Amendment 420**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 41 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) hazard class 4.1;** *deleted*

Or. en

**Amendment 421**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 41 – point d**

*Text proposed by the Commission*

*Amendment*

**(d) hazard class 5.1;** *deleted*

Or. en

**Amendment 422**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 42**

*Text proposed by the Commission*

(42) ‘treatment’ means any activity carried out on waste batteries after they have been handed over **to a facility for sorting or** preparation for recycling;

*Amendment*

(42) ‘treatment’ means any **permitted** activity carried out on waste batteries after they have been handed over **in accordance with this Regulation, with the exception of collection and recycling, in particular** sorting **and** preparation for recycling;

Or. cs

**Amendment 423**  
**Karin Karlsbro, Martin Hojsík**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 42**

*Text proposed by the Commission*

(42) ‘treatment’ means any activity carried out on waste batteries after they have been handed over to a facility for sorting or preparation for recycling;

*Amendment*

(42) ‘treatment’ means any activity carried out on waste batteries after they have been handed over to a facility for sorting or preparation for **re-use, repurposing, remanufacturing or** recycling;

Or. en

**Amendment 424**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 44**

*Text proposed by the Commission*

(44) ‘waste management operator’ means any natural or legal person dealing on a professional basis with the separate collection, **sorting, or** treatment of waste batteries;

*Amendment*

(44) ‘waste management operator’ means any natural or legal person dealing on a professional basis with the separate collection, treatment **or recycling** of waste batteries;

**Amendment 425**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 45**

*Text proposed by the Commission*

(45) ‘permitted facility’ means any facility that is permitted in accordance with Directive 2008/98/EC to **carry out the treatment or recycling of** waste batteries;

*Amendment*

(45) ‘permitted facility’ means any facility that is permitted in accordance with Directive 2008/98/EC to **handle** waste batteries;

Or. cs

**Amendment 426**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 47**

*Text proposed by the Commission*

(47) ‘lifetime’ of a battery means the period of time **that starts when the battery is placed on the market, and ends when the battery becomes waste**;

*Amendment*

(47) ‘lifetime’ of a battery means the period of time **during which the battery retains its original characteristics**;

Or. cs

**Amendment 427**  
**César Luena, Javi López**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 50 a (new)**

*Text proposed by the Commission*

*Amendment*

**(50a) ‘remanufacturing’ means any process that involves dismantling a product, restoring and replacing**

*components, and testing the individual parts and the whole product to its original design specifications, with the performance after remanufacture expected to be the same or better than the original performance specification ('like new');*

Or. en

*Justification*

*Definition originating from the Blue Guide revision of June 2020 (based on ERN definition Horizon 2020, grant agreement No 645984).*

**Amendment 428**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 56 a (new)**

*Text proposed by the Commission*

*Amendment*

*(56a) ‘remanufacturing’ means any process that involves dismantling a product, restoring and replacing components, and testing the individual parts and the whole product in accordance with its original design specifications, with the expectation that the performance of the product after the process will be the same or better than the original performance specification ('like new');*

Or. en

**Amendment 429**

**Marek Pawel Balt**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 56 a (new)**

*Text proposed by the Commission*

*Amendment*

***(56a) ‘remanufacturing’ means any process that involves dismantling a product, restoring and replacing components, and testing the individual parts and the whole product to its original design specifications, with the performance after remanufacture expected to be the same or better than the original performance specification(‘like new’)***

Or. en

*Justification*

*Definition originating from the Blue Guide revision of June 2020 (based on ERN definition Horizon 2020, grant agreement No 645984)*

**Amendment 430**  
**Annika Bruna**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 56 a (new)**

*Text proposed by the Commission*

*Amendment*

***(56a) ‘deposit fee:’ additional fee payable by the consumer on a battery at the time of purchase and repaid to the consumer upon the return of the battery to a designated collection point (waste disposal centre, vendor, etc.) at the end of its useful life;***

Or. fr

**Amendment 431**  
**Maria Arena, Tiemo Wölken**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 56 a (new)**

*Text proposed by the Commission*

*Amendment*

***(56a) ‘business relationships’ means subsidiaries and commercial relationships of an undertaking throughout its value chain, including suppliers and sub-contractors, which are directly linked to the undertaking’s business operations, products or services;***

Or. en

**Amendment 432**

**Pietro Fiocchi**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 56 a (new)**

*Text proposed by the Commission*

*Amendment*

***(56a) ‘remanufacturing’ means any operation on a battery that results in a newly manufactured battery being used for the same purpose or application as the one that the battery was originally designed for;***

Or. en

**Amendment 433**

**Pietro Fiocchi**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 56 b (new)**

*Text proposed by the Commission*

*Amendment*

***(56b) ‘battery types’ are portable batteries, industrial batteries, electric vehicle batteries, or automotive batteries;***  
***‘remanufacturing’ means any operation on a battery that results in a newly manufactured battery being used for the same purpose or application as the one***

*that the battery was originally designed for;*

*‘End-use’ means the utilization of the battery functionality, excluding the incorporation of the battery into an equipment or a vehicle;*

*‘Designing’ means the completion of the design phase of a new battery model that has either received or is awaiting certification or customer approval.*

Or. en

#### **Amendment 434**

**Karin Karlsbro, Martin Hojsík**

#### **Proposal for a regulation**

**Article 2 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*The Commission shall set up a regularly updated electronic database for the various batteries belonging to the categories laid down in points (7)-(12) of this Article to support clear and coherent implementation of the Regulation.*

Or. en

#### **Amendment 435**

**Stanislav Polčák**

#### **Proposal for a regulation**

**Article 3 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. At trade fairs, exhibitions, demonstrations or similar events, Member States shall not prevent the showing of batteries, which do not comply with this Regulation, provided that a visible sign clearly indicates that such

2. At trade fairs, exhibitions, demonstrations or similar events, Member States shall not prevent the showing of batteries, which do not comply with this Regulation, provided that a visible sign clearly indicates that such

batteries do not comply with this Regulation and that they *are not for sale* until they have been brought into conformity.

batteries do not comply with this Regulation and that they *cannot be made available on the market* until they have been brought into conformity.

Or. cs

**Amendment 436**  
**Alexandr Vondra**  
on behalf of the ECR Group

**Proposal for a regulation**  
**Article 4 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Batteries shall only be placed on the market or put into service if they meet:

*Amendment*

1. Batteries *designed after the entry into force of this regulation* shall only be placed on the market or put into service if they meet:

Or. en

**Amendment 437**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Batteries *shall* only be placed on the market or put into service if they meet:

*Amendment*

1. Batteries *may* only be placed on the market or put into service if they meet:

Or. cs

**Amendment 438**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the sustainability and safety requirements set out in Chapter II;

*Amendment*

(a) the ***applicable*** sustainability and safety requirements set out in Chapter II;

Or. en

**Amendment 439**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the labelling and information requirements set out Chapter III.

*Amendment*

(b) the ***applicable*** labelling and information requirements set out Chapter III.

Or. en

**Amendment 440**

**Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsík**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the due diligence requirements set out in Article 39.***

Or. en

**Amendment 441**

**Marek Pawel Balt**

**Proposal for a regulation**

**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a.** *For electric vehicle batteries and automotive batteries placed on the market as replacements for defective batteries, the same requirements shall apply as for the replaced batteries ('repair as produced' principle).*

Or. en

*Justification*

*Electric vehicle batteries and automotive batteries (e.g. LiFePO) are part of the type-approval of a vehicle type. Type-approval-relevant modifications to these batteries must be notified to the type-approval authority and require a new type-approval of the vehicle model concerned. In order to keep this effort as low as possible, it should be possible to repair as produced. Furthermore, in order to comply with the legal obligations to provide spare parts to the customer up to 10 years (or more) after End of Production, it is urgently necessary to be able to repair as produced.*

#### **Amendment 442**

**Karin Karlsbro, Frédérique Ries, Martin Hojsík**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. For any aspects not covered by Chapters II and III, batteries shall not present a risk to human health, to safety, to property or to the environment.

2. For any aspects not covered by Chapters II and III **and article 39**, batteries shall not present a risk to human health, to safety, to property or to the environment.

Or. en

#### **Amendment 443**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2**

*Text proposed by the Commission*

2. For any aspects not covered by Chapters II and III, batteries shall not present **a** risk to human health, to safety, to property or to the environment.

*Amendment*

2. For any aspects not covered by Chapters II and III, batteries shall not present **an unacceptable** risk to human health, to safety, to property or to the environment.

Or. en

#### **Amendment 444**

**César Luena, Javi López**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. For electric vehicle batteries and automotive batteries placed on the market as replacements for defective batteries, the same requirements shall apply as for the replaced batteries ('repair as produced' principle).**

Or. en

#### *Justification*

*Electric vehicle batteries and automotive batteries (e.g. LiFePO) are part of the type-approval of a vehicle type. Type-approval-relevant modifications to these batteries must be notified to the type-approval authority and require a new type-approval of the vehicle model concerned. In order to keep this effort as low as possible, it should be possible to repair as produced. Furthermore, in order to comply with the legal obligations to provide spare parts to the customer up to 10 years (or more) after End of Production, it is urgently necessary to be able to repair as produced.*

#### **Amendment 445**

**Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a.** *For electric vehicle batteries and automotive batteries placed on the market as replacements for defective batteries, the same requirements shall apply as for the replaced batteries ('repair as produced' principle).*

Or. en

**Amendment 446**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 5 – paragraph 2 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

**(ea)** *the establishment and delivery of the carbon footprint certificate*

Or. en

*Justification*

*It is important that the carbon footprint of the batteries is certified by a neutral competent authority, it could be delegated to a notified body as well.*

**Amendment 447**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 5 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. By [three months after the date of entry into force of this Regulation], Member States shall notify the Commission of the names and addresses of the competent authorities designated pursuant to paragraph 1. Member States shall inform the Commission without

3. By [three months after the date of entry into force of this Regulation], Member States shall notify the Commission of the names and addresses of the competent authorities **or notified bodies** designated pursuant to paragraph 1. Member States shall inform the

undue delay of any changes to the names or addresses of those competent authorities.

Commission without undue delay of any changes to the names or addresses of those competent authorities.

Or. en

**Amendment 448**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 5 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a.** *For electric vehicle batteries and automotive batteries placed on the market as replacements for defective batteries, the same requirements shall apply as applied for the replaced batteries ('repair as produced' principle).*

Or. en

**Amendment 449**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 6**

*Text proposed by the Commission*

*Amendment*

**Article 6**

**deleted**

**Restrictions of hazardous substances**

**1.** *In addition to the restrictions set out in Annex XVII of Regulation (EC) No 1907/2006, batteries shall not contain hazardous substances for which Annex I contains a restriction unless they comply with the conditions of that restriction.*

**2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste phase, that needs to be addressed on a Union-wide basis, the Commission shall adopt a delegated act in accordance with the procedure referred to in Article 73 to amend the restrictions in Annex I, pursuant to the procedure laid down in Article 71.**

**3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance.**

**4. Restrictions adopted pursuant to paragraph 2 shall not apply to the use of a substance in scientific research and development (of batteries) as defined in Article 3(23) of Regulation (EC) No 1907/2006.**

**5. If a restriction adopted pursuant to paragraph 2 shall not apply to product and process oriented research and development, as defined in Article 3(22) of Regulation (EC) No 1907/2006, this exemption, as well as the maximum quantity of the substance exempted, shall be specified in Annex I.**

Or. en

**Amendment 450  
Jessica Polfjärd**

**Proposal for a regulation  
Article 6 – title**

*Text proposed by the Commission*

*Amendment*

Restrictions of **hazardous** substances

Restrictions of substances **that pose a risk to human health or the environment**

Or. en

**Amendment 451**

**Jessica Polfjärd**

**Proposal for a regulation**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**1. In addition to the restrictions set out in Annex XVII of Regulation (EC) No 1907/2006, batteries shall not contain hazardous substances for which Annex I contains a restriction unless they comply with the conditions of that restriction.**

**deleted**

Or. en

**Amendment 452**

**Pietro Fiocchi**

**Proposal for a regulation**

**Article 6 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste phase, that needs to be addressed on a Union-wide basis, the Commission shall adopt a delegated act in accordance with the procedure referred to in Article 73 to amend the restrictions in**

**deleted**

*Annex I, pursuant to the procedure laid down in Article 71.*

Or. en

#### **Amendment 453**

**Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2**

##### *Text proposed by the Commission*

2. When there is an unacceptable risk to human health *or* the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste phase, that needs to be addressed on a Union-wide basis, *the Commission shall adopt a delegated act in accordance with the procedure referred to in Article 73 to amend the restrictions in Annex I, pursuant to the procedure laid down in Article 71.*

##### *Amendment*

2. When there is an unacceptable risk to human health *and/or* the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste *and recycling* phase, that needs to be addressed on a Union-wide basis, *appropriate risk management measures shall be selected.*

Or. en

#### **Amendment 454**

**Jessica Polfjärd**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2**

##### *Text proposed by the Commission*

2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including

##### *Amendment*

2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including

the waste phase, that needs to be addressed on a Union-wide basis, *the Commission shall adopt a delegated act* in accordance with *the procedure* referred to in Article 73 to amend the restrictions in Annex I, pursuant to the procedure laid down in Article 71.

the waste phase, that needs to be addressed on a Union-wide basis, *action shall be taken* in accordance with *procedures* referred to in Article 133(4) of Regulation (EC) No 1907/2006 by adopting new restrictions or amending current restrictions pursuant to the procedure set out in Articles 68 to 73 of Regulation (EC) No 1907/2006.

Or. en

#### Amendment 455

Agnès Evren, Nathalie Colin-Oesterlé

#### Proposal for a regulation Article 6 – paragraph 2

##### *Text proposed by the Commission*

2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste phase, that needs to be addressed on a Union-wide basis, the Commission shall adopt a delegated act in accordance with the procedure referred to in Article 73 to amend the restrictions in Annex I, pursuant to the procedure laid down in Article 71.

##### *Amendment*

2. When there is an unacceptable risk to human health or the environment, arising from the use of a substance in the manufacture of batteries, or from a substance present in the batteries when they are placed on the market, or during their subsequent life cycle stages, including the waste phase, that needs to be addressed on a Union-wide basis, the Commission shall adopt, *in accordance with the REACH Regulation*, a delegated act in accordance with the procedure referred to in Article 73 to amend the restrictions in Annex I, pursuant to the procedure laid down in Article 71.

Or. fr

#### Amendment 456

Jessica Polfjärd

#### Proposal for a regulation Article 6 – paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance.** *deleted*

Or. en

**Amendment 457  
Pietro Fiocchi**

**Proposal for a regulation  
Article 6 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance.** *deleted*

Or. en

**Amendment 458  
Pietro Fiocchi**

**Proposal for a regulation  
Article 6 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance.** *deleted*

Or. en

**Amendment 459**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 6 – paragraph 3**

*Text proposed by the Commission*

3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance.

*Amendment*

3. In adopting a delegated act referred to in paragraph 2, the Commission shall take into account the socio-economic impact of the restriction, including the availability of alternatives for the hazardous substance. ***Alternatives shall not be listed on the last version of the critical raw material list established by the Commission.***

Or. en

**Amendment 460**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 6 – paragraph 4**

*Text proposed by the Commission*

***4. Restrictions adopted pursuant to paragraph 2 shall not apply to the use of a substance in scientific research and development (of batteries) as defined in Article 3(23) of Regulation (EC) No 1907/2006.***

*Amendment*

***deleted***

Or. en

**Amendment 461**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 6 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. If a restriction adopted pursuant to paragraph 2 shall not apply to product and process oriented research and development, as defined in Article 3(22) of Regulation (EC) No 1907/2006, this exemption, as well as the maximum quantity of the substance exempted, shall be specified in Annex I.** **deleted**

Or. en

**Amendment 462**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 6 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. If a restriction adopted pursuant to paragraph 2 shall not apply to product and process oriented research and development, as defined in Article 3(22) of Regulation (EC) No 1907/2006, this exemption, as well as the maximum quantity of the substance exempted, shall be specified in Annex I.** **deleted**

Or. en

**Amendment 463**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 6 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. By 31 December 2025, the Commission, assisted by the European Chemicals Agency, shall systematically review hazardous substances in batteries**

*to identify potential risks to human health or the environment. This assessment shall take into account the extent to which the use of a hazardous substance is necessary for health, safety or is critical for the functioning of society as well as the availability of suitable alternatives from the standpoint of environment and health. To that end, the Commission shall submit a report to the European Parliament and to the Council and consider taking the appropriate measures, including the adoption of delegated acts referred to in the second paragraph.*

Or. en

*Justification*

*Restriction of substances should be aligned with Chemicals Strategy, in particular concept of essential use*

**Amendment 464**

**Karin Karlsbro, Frédérique Ries, Pascal Canfin, Martin Hojsík, Linea Søgaard-Lidell**

**Proposal for a regulation**

**Article 6 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The Commission shall within 6 months of the adoption of any revision of Regulation (EC) No 1907/2006, or of any new relevant legislation relating to sustainability criteria for hazardous substances and chemicals, adopt a delegated act in accordance with Article 73 of this Regulation to guarantee alignment with this article and Article 71 with the revision of Regulation (EC) No 1907/2006 or with any new relevant legislation relating to sustainability criteria for hazardous substances and chemicals.**

Or. en

**Amendment 465**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

Carbon footprint of electric vehicle batteries and rechargeable industrial batteries

*Amendment*

Carbon footprint of **light means of transport batteries**, electric vehicle batteries and rechargeable industrial batteries

*(Horizontal amendment: the extension of the scope of carbon footprint requirements should apply throughout the text.)*

Or. en

*Justification*

*Exempting batteries below 2kWh would exclude nearly all light means of transport from the scope of this article as well as batteries in hybrid cars. In order to avoid market segmentation and to create a level playing field, the carbon footprint requirements should apply to all batteries in the mentioned categories. Creating this exemption would set a dangerous precedent for all coming files on sustainable product policy, reducing considerably the effect of a carbon footprinting.*

**Amendment 466**  
**Karin Karlsbro, Frédérique Ries, Pascal Canfin**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

Carbon footprint of electric vehicle batteries and rechargeable industrial batteries

*Amendment*

Carbon footprint of **light means of transport batteries** electric vehicle batteries and rechargeable industrial batteries

Or. en

**Amendment 467**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

Carbon footprint of electric vehicle batteries and rechargeable industrial batteries

*Amendment*

Carbon footprint of electric vehicle **and light means of transport** batteries and rechargeable industrial batteries

Or. en

*Justification*

*This modification applies to all the text as smart mobility is expected to grow including electric light mean of transport*

**Amendment 468**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

Carbon footprint of electric vehicle batteries and rechargeable industrial batteries

*Amendment*

Carbon footprint of electric vehicle batteries, **light means of transport** and rechargeable industrial batteries

Or. en

**Amendment 469**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

Carbon footprint of electric vehicle batteries **and rechargeable industrial**

*Amendment*

Carbon footprint of electric vehicle batteries

*batteries*

Or. en

**Amendment 470**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

*Amendment*

Carbon footprint of electric vehicle  
batteries and rechargeable industrial  
batteries

*(Does not affect English version)*

Or. cs

**Amendment 471**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Electric vehicle batteries *and* rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

1. Electric vehicle batteries *of an energy content above 2 kWh, as well as batteries for energy storage systems as defined in Art. 2 (13)* rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant *and supply chain configuration*, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

## Amendment 472

Alexandr Vondra

on behalf of the ECR Group

Eugen Jurzyca

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 1 – introductory part

*Text proposed by the Commission*

1. Electric vehicle batteries **and rechargeable industrial batteries with internal storage and a capacity above 2 kWh** shall be accompanied by technical documentation that includes, for each battery model **and batch per manufacturing plant**, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries shall be accompanied by technical documentation that includes, for each battery model a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

## Amendment 473

Sylvia Limmer

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 1 – introductory part

*Text proposed by the Commission*

1. Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint **declaration** drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries, **batteries for light means of transport** and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint **certification** drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

**Amendment 474**  
**Jessica Polfjärd**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle **batteries, light means of transport** batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

**Amendment 475**  
**Aldo Patriciello**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and **rechargeable industrial batteries with internal storage and a capacity above 2 kWh** shall be accompanied by technical documentation that includes, for each battery model **and batch** per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries and **stationary battery energy storage systems** shall be accompanied by technical documentation that includes, for each battery model per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

**Amendment 476**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and rechargeable industrial batteries with ***internal storage and*** a capacity above **2 kWh** shall be accompanied by technical documentation that includes, for each battery model and ***batch per manufacturing plant***, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries and rechargeable industrial batteries with a capacity above **2kWh** shall be accompanied by technical documentation that includes, for each battery model and ***manufacturer***, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

**Amendment 477**  
**Marek Paweł Balt**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and rechargeable industrial batteries with ***internal storage and*** a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and ***batch per manufacturing plant***, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries and rechargeable industrial batteries with a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and ***manufacturer***, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

## *Justification*

*The definition of manufacturing batch is too vague, and unmanageable for reporting*

### **Amendment 478**

**Stanislav Polčák**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*(Does not affect English version)*

Or. cs

### **Amendment 479**

**Jessica Polfjärd**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model **and batch** per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

1. Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each **final** battery model per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

**Amendment 480**  
**Peter Liese**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and **rechargeable industrial** batteries with **internal storage and** a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model **and batch** per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries and **stationary energy storage** batteries with a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

**Amendment 481**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

1. Electric vehicle batteries and **rechargeable industrial** batteries with **internal storage and** a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model **and batch** per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

*Amendment*

1. Electric vehicle batteries and **stationary energy storage** batteries with a capacity above 2 kWh shall be accompanied by technical documentation that includes, for each battery model per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

## Amendment 482

Karin Karlsbro, Frédérique Ries

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 1 – introductory part

##### *Text proposed by the Commission*

1. Electric vehicle batteries and **rechargeable** industrial batteries **with internal storage and a capacity above 2 kWh** shall be accompanied by technical documentation that includes, for each battery model **and batch** per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

##### *Amendment*

1. **Light means of transport batteries**, electric vehicle batteries and industrial batteries shall be accompanied by technical documentation that includes, for each battery model per manufacturing plant **and supply chain configuration**, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

## Amendment 483

Sven Giegold

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 1 – introductory part

##### *Text proposed by the Commission*

1. Electric vehicle batteries and rechargeable industrial batteries **with internal storage and a capacity above 2 kWh** shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

##### *Amendment*

1. Electric vehicle **batteries, light means of transport** batteries and rechargeable industrial batteries shall be accompanied by technical documentation that includes, for each battery model and batch per manufacturing plant, a carbon footprint declaration drawn up in accordance with the delegated act referred to in the second sub-paragraph and containing, at least, the following information:

Or. en

**Amendment 484**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) information about the battery for which the *declaration* applies;

(b) information about the battery for which the *certification* applies;

Or. en

**Amendment 485**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) information about the raw materials used, including the share of renewable content;*

Or. en

**Amendment 486**  
**César Luena, Javi López**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the total carbon footprint of the battery, calculated as kg of carbon dioxide equivalent;

(d) the total carbon footprint of the battery, calculated as kg of carbon dioxide equivalent, *including information about the raw materials used and the share of renewable content;*

Or. en

### *Justification*

*The source and nature of a battery's component parts are intrinsic to its overall carbon footprint. As new options become available, there is value in more clearly defining the contribution of the key raw materials to the overall carbon footprint of the battery. These materials will not necessarily be limited to those traditionally used for batteries, but are likely to include renewable materials (e.g. using lignin from trees to replace graphite for anodes). This is relevant for the carbon footprint. Other as yet unknown innovations may also emerge.*

#### **Amendment 487**

**Silvia Modig, Nikolaj Villumsen**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

(d) the total carbon footprint of the battery, calculated as kg of carbon dioxide equivalent;

*Amendment*

(d) the total carbon footprint of the battery, calculated as kg of carbon dioxide equivalent; ***per kWh battery produced and as energy used (kWh per kWh battery produced)***;

Or. en

#### **Amendment 488**

**Sven Giegold**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) the carbon footprint of the battery, expressed as kg of carbon dioxide equivalent per one kWh (kilowatt-hour) of the total energy provided over the service life by the battery system, measured in kWh***

Or. en

### *Justification*

*To allow the comparison of batteries, the total carbon footprint should be available (point d)*

*as well as the carbon footprint per kWh provided*

**Amendment 489**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

*(e) the carbon footprint of the battery differentiated per life cycle stage as described in point 4 of Annex II;* **deleted**

Or. en

**Amendment 490**

**Karin Karlsbro**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) the carbon footprint intensity, calculated as kg of carbon dioxide equivalent per kWh of produced battery capacity;*

Or. en

**Amendment 491**

**Agnès Evren, Nathalie Colin-Oesterlé**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) the battery's carbon footprint upon return to the collection point at the*

*recycling centre;*

Or. fr

**Amendment 492**

**Karin Karlsbro**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point e b (new)**

*Text proposed by the Commission*

*Amendment*

**(eb) the energy intensity calculated as the ratio of kWh of energy input per kWh of produced battery capacity;**

Or. en

**Amendment 493**

**Sylvia Limmer**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point g**

*Text proposed by the Commission*

*Amendment*

(g) a web link to get access to a public version of the study supporting the carbon footprint **declaration** results.

(g) a web link to get access to a public version of the study supporting the carbon footprint **certification** results.

Or. en

*Justification*

*This modification applies to all the text.*

**Amendment 494**

**Edina Tóth**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

**(ga) composition of components;**

Or. en

**Amendment 495**

**Karin Karlsbro, Pascal Canfin**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries and to *rechargeable* industrial batteries.

The carbon footprint declaration requirement in the first subparagraph shall apply as of **[12 months after the adoption of both the delegated and implementing acts referred to in the subparagraph below] and no later than** 1 July 2024 to **light means of transport batteries** electric vehicle batteries and to industrial batteries.

Or. en

**Amendment 496**

**Jens Gieseke**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries and to rechargeable industrial batteries.

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries and to rechargeable industrial batteries **18 months after the implementing act and the delegated act come into force, as set out in the following subparagraph.**

Or. en

**Amendment 497**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply **as of 1 July 2024** to electric vehicle batteries and to rechargeable industrial batteries.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply to electric vehicle batteries and to rechargeable industrial batteries **18 months after the entry into force of the implementing act and delegated act referenced in the next subparagraph.**

Or. en

**Amendment 498**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply **as of 1 July 2024** to electric vehicle batteries **and to rechargeable industrial batteries.**

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply to electric vehicle batteries **18 months after the entry into force of the implementing act and delegated act referred to in the second subparagraph..**

Or. en

**Amendment 499**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint **declaration** requirement in the first subparagraph shall apply as of 1 July **2024** to electric vehicle batteries **and** to rechargeable industrial batteries.

*Amendment*

The carbon footprint **certification** requirement in the first subparagraph shall apply as of 1 July **2023** to electric vehicle batteries, **batteries for light means of transport and as of 1 July 2024** to rechargeable industrial batteries.

Or. en

**Amendment 500**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply as of **1 July 2024** to electric vehicle batteries and to **rechargeable industrial** batteries.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of **24 months after the adoption of the delegated act** to electric vehicle batteries and to **stationary energy storage** batteries.

Or. en

**Amendment 501**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries and to rechargeable industrial batteries.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries, **light means of transport batteries**, and to rechargeable industrial batteries.

Or. en

**Amendment 502**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries and to rechargeable industrial batteries.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July 2024 to electric vehicle batteries, ***light means of transport batteries*** and to rechargeable industrial batteries.

Or. en

**Amendment 503**  
**Aldo Patriciello**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July **2024** to electric vehicle batteries and to ***rechargeable industrial batteries***.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 July **2025** to electric vehicle batteries and to ***stationary battery energy storage systems***

Or. en

**Amendment 504**  
**Simona Bonafè**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall

apply as of 1 **July** 2024 to electric vehicle batteries and to rechargeable industrial batteries.

apply as of 1 **January** 2024 to electric vehicle batteries and to rechargeable industrial batteries.

Or. en

**Amendment 505**  
**Silvia Modig, Nikolaj Villumsen**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 **July** 2024 to electric vehicle batteries and to rechargeable industrial batteries.

*Amendment*

The carbon footprint declaration requirement in the first subparagraph shall apply as of 1 **January** 2024 to electric vehicle batteries and to rechargeable industrial batteries.

Or. en

**Amendment 506**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***That implementing act shall be adopted in accordance with the examination procedure referred to in Article 74(3). The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.***

Or. en

**Amendment 507**  
**Pietro Fiocchi**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than 1 **July 2023**, adopt:

The Commission shall, no later than 1 **January 2024**, adopt:

Or. en

**Amendment 508**

**Silvia Modig, Nikolaj Villumsen**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than 1 **July 2023**, adopt:

The Commission shall, no later than 1 **January 2023**, adopt:

Or. en

**Amendment 509**

**Karin Karlsbro, Pascal Canfin, Martin Hojsík**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than 1 **July 2023**, adopt:

The Commission shall, no later than 1 **January 2023**, adopt:

Or. en

**Amendment 510**

**Sylvia Limmer**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 3 – introductory part**

*Text proposed by the Commission*

The Commission shall, no later than 1 July 2023, adopt:

*Amendment*

The Commission shall, no later than 1 July 2022, adopt:

Or. en

**Amendment 511**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 3 – point a**

*Text proposed by the Commission*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the total carbon footprint of the battery referred to in point (d), in accordance with the essential elements set out in Annex II;

*Amendment*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the total carbon footprint of the battery referred to in point (d), in accordance with the essential elements set out in Annex II. ***Dedicated methodologies shall be established for each application and battery chemistry;***

Or. en

**Amendment 512**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 3 – point a**

*Text proposed by the Commission*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the ***total*** carbon footprint of the battery referred to in ***point (d)***, in accordance with the essential elements set out in Annex II;

*Amendment*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the carbon footprint of the battery referred to in ***points (d) and (da)***, in accordance with the essential elements set out in Annex II, ***and its verification;***

Or. en

**Amendment 513**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 3 – point a**

*Text proposed by the Commission*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the total carbon footprint of the battery referred to in point (d), in accordance with the essential elements set out in Annex II;

*Amendment*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the methodology to calculate the total carbon footprint of the battery *model* referred to in point (d), in accordance with the essential elements set out in Annex II;

Or. en

**Amendment 514**

**Aldo Patriciello**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 4**

*Text proposed by the Commission*

***The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.***

*Amendment*

***deleted***

Or. en

**Amendment 515**

**Alexandr Vondra**

on behalf of the ECR Group

**Eugen Jurzyca**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

***The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.***

***deleted***

Or. en

**Amendment 516**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.

The Commission shall, ***in view of scientific and technical progress or to ensure technology neutrality and following economic and environmental impact assessments***, be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.

Or. en

**Amendment 517**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph.

The Commission shall be empowered to adopt delegated acts in accordance with Article 73 to amend the information requirements set out in the first subparagraph ***in view of scientific and technical progress***.

**Amendment 518**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***When adopting delegated acts referred to in Article 7 paragraph one, the Commission shall take into consideration the economic viability of newly introduced requirements.***

Or. en

**Amendment 519**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Electric vehicle batteries and rechargeable industrial batteries ***with internal storage and a capacity above 2 kWh*** shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

Electric vehicle ***batteries, light means of transport*** batteries and rechargeable industrial batteries shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint ***of the battery referred to in points (d) and (da) of paragraph 1 and the carbon footprint*** performance class that the individual battery corresponds to. ***In addition, this information shall be made available at the point of sale in a visible manner and online.***

Or. en

**Amendment 520**  
**Alexandr Vondra**

on behalf of the ECR Group  
Eugen Jurzyca

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries **and rechargeable industrial batteries with internal storage and a capacity above 2 kWh** shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

*Amendment*

Electric vehicle batteries shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

Or. en

**Amendment 521**  
Jessica Polfjärd

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

*Amendment*

Electric vehicle **batteries, light means of transport** batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

Or. en

**Amendment 522**  
Karin Karlsbro, Frédérique Ries

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries and **rechargeable** industrial batteries **with internal storage and a capacity above 2 kWh** shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

*Amendment*

**Light means of transport**, electric vehicle batteries and industrial batteries shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

Or. en

### **Amendment 523**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries and rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

*Amendment*

*(Does not affect English version)*

Or. cs

### **Amendment 524**

**Marek Pawel Balt**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries and rechargeable industrial batteries with **internal storage and** a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual

*Amendment*

Electric vehicle batteries and rechargeable industrial batteries with a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

battery corresponds to.

Or. en

*Justification*

*The definition of internal storage is too vague, and unmanageable for reporting.*

**Amendment 525**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Electric vehicle batteries and ***rechargeable industrial*** batteries with ***internal storage and*** a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

*Amendment*

Electric vehicle batteries and ***stationary energy storage*** batteries with a capacity above 2 kWh shall bear a conspicuous, clearly legible and indelible label indicating the carbon footprint performance class that the individual battery corresponds to.

Or. en

**Amendment 526**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***All communications about the electric vehicle and light mean of transport shall include a clear information on the carbon footprint of the batteries.***

Or. en

**Amendment 527**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January 2026 for electric vehicle batteries and for rechargeable industrial batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of **[12 months after the adoption of both the delegated and implementing acts referred to in the subparagraph below] and no later than** 1 January 2026 for **light means of transport batteries,** electric vehicle batteries and for rechargeable industrial batteries.

Or. en

**Amendment 528**  
**Jens Gieseke**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply **as of 1 January 2026 for** electric vehicle batteries and for rechargeable industrial batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply **18 months after the implementing act and the delegated act come into force, as set out in the following subparagraph,** to electric vehicle batteries and for rechargeable industrial batteries.

Or. en

**Amendment 529**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class

*Amendment*

The carbon footprint performance class

requirements in the first subparagraph shall apply *as of 1 January 2026* for electric vehicle batteries and for rechargeable industrial batteries.

requirements in the first subparagraph shall apply for electric vehicle batteries and for rechargeable industrial batteries *18 months after the entry into force of the implementing act and delegated act referenced in the next subparagraph.*

Or. en

**Amendment 530**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of *1 January 2026* for electric vehicle batteries and for *rechargeable industrial* batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of *24 months after the adoption of the delegated act* for electric vehicle batteries and for *stationary energy storage* batteries *with a capacity above 2 kWh.*

Or. en

**Amendment 531**  
**Sylvia Limmer**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January *2026* for electric vehicle batteries and for rechargeable industrial batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January *2024* for electric vehicle *and light means of transport* batteries and *as of 1 January 2026* for rechargeable industrial batteries.

Or. en

**Amendment 532**  
**Alexandr Vondra, Eugen Jurzyca**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply *as of 1 January 2026 for electric vehicle batteries and for rechargeable industrial batteries.*

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply **18 months after the entry into force of the implementing act and delegated act referred to in the second subparagraph of paragraph 2.**

Or. en

**Amendment 533**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January 2026 for electric vehicle batteries and for rechargeable industrial batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January 2026 for electric vehicle batteries, **light means of transport batteries** and for rechargeable industrial batteries.

Or. en

**Amendment 534**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January 2026 for electric

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January 2026 for electric

vehicle batteries and for rechargeable industrial batteries.

vehicle batteries, ***light means of transport vehicles*** and for rechargeable industrial batteries.

Or. en

#### **Amendment 535**

**Pascal Canfin, Martin Hojsik**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 3**

##### *Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January **2026** for electric vehicle batteries ***and for rechargeable industrial batteries.***

##### *Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January **2025** for electric vehicle batteries.

Or. en

#### **Amendment 536**

**Aldo Patriciello**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 3**

##### *Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January **2026** for electric vehicle batteries and for ***rechargeable industrial batteries.***

##### *Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 January **2027** for electric vehicle batteries and for ***stationary battery energy storage systems***

Or. en

#### **Amendment 537**

**Silvia Modig, Nikolaj Villumsen**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 **January 2026** for electric vehicle batteries and for rechargeable industrial batteries.

*Amendment*

The carbon footprint performance class requirements in the first subparagraph shall apply as of 1 **July 2025** for electric vehicle batteries and for rechargeable industrial batteries.

Or. en

**Amendment 538**  
**Sylvia Limmer**

**Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

The Commission shall, no later than 31 December **2024**, adopt

*Amendment*

The Commission shall, no later than 31 December **2022**, adopt

Or. en

**Amendment 539**  
**Pascal Canfin, Martin Hojsik**

**Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

The Commission shall, no later than **31 December 2024**, adopt

*Amendment*

The Commission shall, no later than **1 January 2024**, adopt

Or. en

**Amendment 540**  
**Pietro Fiocchi**

**Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than **31 December 2024**, adopt

The Commission shall, no later than **1 July 2025**, adopt

Or. en

**Amendment 541**  
**Silvia Modig, Nikolaj Villumsen**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than **31 December 2024**, adopt

The Commission shall, no later than **1 July 2024**, adopt

Or. en

**Amendment 542**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than **31 December 2024**, adopt

The Commission shall, no later than **1 July 2024**, adopt

Or. en

**Amendment 543**  
**Alexandr Vondra**  
on behalf of the ECR Group  
**Eugen Jurzyca**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than **31 December 2024**, adopt

The Commission shall, no later than **1 July 2025**, adopt

Or. en

**Amendment 544**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall, no later than **31 December 2024**, adopt

The Commission shall, no later than **1 July 2025**, adopt

Or. en

**Amendment 545**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – point a**

*Text proposed by the Commission*

*Amendment*

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the carbon footprint performance classes referred to in the first subparagraph. In preparing that delegated act, the Commission shall take into account the relevant essential elements set out in Annex II;

(a) a delegated act in accordance with Article 73 to supplement this Regulation by establishing the carbon footprint performance classes referred to in the first subparagraph. ***Separate performance classes shall be established for each application and battery chemistry.*** In preparing that delegated act, the Commission shall take into account the relevant essential elements set out in Annex II;

Or. en

**Amendment 546**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 – point b**

*Text proposed by the Commission*

(b) an implementing act establishing the formats for the labelling referred to in the first subparagraph and the format for the declaration on the carbon footprint performance class referred to in the second subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 74(3).

*Amendment*

(b) an implementing act establishing the formats for the labelling referred to in the first subparagraph and the format for the declaration on the carbon footprint performance class referred to in the second subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 74(3), ***following consultation with consumer organisations and other interested parties.***

Or. en

**Amendment 547**  
**Sven Giegold**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – subparagraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***The labelling referred to in the first subparagraph shall be part of the review of Directive 1999/94/EC as referred to in Article 15(6) of Regulation 2019/631.***

Or. en