POSITION PAPER

26 January 2026

JBCE'S CONTRIBUTION TO THE CALL FOR FEEDBACK ON THE PROPOSED NEW BATTERIES LABELLING RULES

INTRODUCTION

Being a cross-sectoral association with member companies operating in different industries and across various stages in the supply chain, the Japan Business Council in Europe (JBCE) welcomes the opportunity to submit its feedback regarding the upcoming Implementing Regulation laying down rules as regards format and harmonised specifications for certain batteries labelling requirements.

The EU Batteries Regulation[1] aims to enhance the sustainability, safety, and circularity of batteries by strengthening transparency of information related to batteries. We understand that the essence of the labelling requirements is to accurately and clearly convey critical information—such as battery performance, durability, and chemical composition—to stakeholders including users, repairers, recyclers and waste facilities, thereby supporting proper battery usage and promoting a circular economy.

In pursuit of this, we further detail our position and insights below.

KEY MESSAGES

- Information disclosed through labelling should be limited to what is truly necessary and useful for relevant stakeholders, to avoid confusion. In addition, due consideration should be given to providing greater flexibility for manufacturers in implementing the requirements.
- Ensuring coherence with existing EU legislation is essential to avoid inconsistency, duplication and inefficiency.
- Flexible labelling formats are necessary to reflect different product types, size constraints and real-life conditions of use.
- Clear rules, adequate transition periods, and due consideration of foreseeable costs and practical difficulties in reflecting information are key to ensuring smooth and effective implementation.
- These approaches align with the EU's objective of "streamlining environmental regulations" by avoiding regulatory overlaps and unnecessary costs, and by improving the effectiveness of the system.

[1] Regulation (EU) 2023/1542
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023R1542

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1. Simplification of Disclosure Requirements

By limiting the required information to what is genuinely necessary and useful for each stakeholder – especially downstream stakeholders - and simplifying it as much as possible, confusion could be avoided and the sustainability, safety, and circularity of batteries could be improved more efficiently. From the perspective of users, repairers, recyclers and waste facilities, the information required for a standalone battery differs from that required for a final product containing a battery.

- Where final products incorporate batteries, the information about the final product is more important than the information about the battery itself. For example, in cases where a final product (in which battery replacement by the user is not expected) catches fire, information on how to extinguish the fire for the final product should take priority, and the fire-extinguishing procedure for the incorporated battery itself does not need to be prioritized on the physical label.
- Batteries incorporated in final products are usually disposed of as a parts of the final products and not disposed of as batteries alone. For the users, it is important to put a label showing that the final products should not be disposed of as municipal waste. Such labelling is already introduced by the WEEE Directive[2]. For waste facilities or recyclers, it is important to know which types of batteries are incorporated in which parts of the final products. Other information on the battery itself is not important.
- In particular, when the replacement of incorporated batteries is not foreseen (in the case of Article 11(3) of the Batteries Regulation), information such as the manufacturing date and serial number of the battery itself is not useful for the user. Providing such information about the battery itself to the user would rather cause confusion. Information such as the expiration date of the final products is far more useful and important for downstream stakeholders than the information about batteries incorporated in it.

We recommend **reviewing whether excessive information displays may lead to inefficiency or confusion for stakeholders and streamlining the disclosure items especially for the final products mentioned in Article 11(3) of the Batteries Regulation.**

[2] Directive 2012/19/EU
https://eur-lex.europa.eu/eli/dir/2012/19/oj/eng

In addition, due consideration should be given to the ease of implementation of disclosure requirements for manufacturers, as this would support manufacturers and promote a more harmonised approach to implementation. Furthermore, there are cases in which manufacturers wish to protect information related to manufacturing processes for competitive reasons.

- For example, with regard to the indication of the manufacturing location as required under Annexes I, II and III, Part A of the Draft Implementing Regulation, it would be preferable to **limit the requirement to indicating the country of manufacture, without requiring more detailed information** such as municipalities or regions.

We recommend **reviewing the level of granularity of the disclosure information set out in Annexes I, II and III of the Draft Implementing Regulation, with careful consideration given to whether such requirements may undermine implement ability for manufacturers and the protection of confidential business information.**

2. Ensuring Consistency with Existing Regulations

Designing labelling requirements with consideration of existing disclosure obligations under other regulations can help avoid user confusion and reduce the burden on manufacturers in creating labels. Specifically, the requirements proposed in Article 4 of the Draft Implementing Regulation need to be reviewed in the following points:

- The Batteries Regulation requires disclosure of information on hazardous substances contained in batteries other than mercury, cadmium or lead. However, Article 4(1) of the Draft Implementing Regulation requires disclosure of information on the concentrations of substances (not limited to hazardous substances) other than mercury, lead and cadmium. Furthermore, Article 4(1) goes beyond the legal requirements set out in Article 13(5) of the Batteries Regulation and introduces an obligation to disclose substances present even below applicable restriction limits, which is impractical and would result in labelling obligations for trace impurities. Therefore, we recommend deleting Article 4(1) of the Draft Implementing Regulation.
- Article 4(2) of the Draft Implementing Regulation requires the disclosure of information on substances classified as hazardous pursuant to Article 3 of the CLP Regulation[3], and specifies that such disclosure should follow the requirements set out in Article 18 of the CLP Regulation.

[3] Regulation (EC) No 1272/2008
https://eur-lex.europa.eu/eli/reg/2008/1272/oj/eng

However, the CLP Regulation is primarily designed to regulate chemicals, while articles are outside its scope. Batteries are articles, and therefore the direct application of the CLP Regulation to batteries is inappropriate for the following reasons:

- Requiring the listing of all hazardous substances contained in a battery, regardless of concentration, would not be useful to downstream stakeholders. Applying the CLP framework to articles and mandating the disclosure of all hazardous substances without any concentration threshold would result in the provision of excessive and low-value information. By contrast, under Article 33 of the EU REACH Regulation[4], information communication obligations apply only when substances of very high concern (SVHCs) are present in articles above a concentration of 0.1% w/w. From the perspective of consistency with existing EU legislation, aligning battery labelling requirements with this REACH framework by limiting disclosure to SVHCs to substances present above 0.1% w/w would ensure that users receive relevant and meaningful information, while also making compliance more manageable for manufacturers. This approach is further supported by Omnibus IV, which limits marking requirements to SVHCs present above 0.1% w/w. In this regard, the approach taken in the Draft Implementing Regulation appears to diverge from the direction set out in that proposal.
- For substances not subject to Harmonized Classification and Labelling (CLH), classification may differ among manufacturers. As a result, the same substance may be classified as hazardous by one manufacturer but not by another. Such inconsistencies would likely cause confusion and render the disclosed information of limited practical value to downstream stakeholders.

In light of the above, we recommend **deleting Article 4(1) and Article 4(2) of the Draft Implementing Regulation and, in place of Article 4(2), introducing amended provisions based on the Commission's environmental simplification package[5], establishing labelling obligations limited to substances of very high concern (SVHCs), as defined in and aligned with the REACH Regulation, when present at concentrations of 0.1% w/w or above.**

[4] Regulation (EC) No 1907/2006 https://eur-lex.europa.eu/eli/reg/2006/1907/oj/en

[5] COM(2025) 981 ad737347-bf74-476e-9159-a05214844cb6_en

In addition, a review of the specific labelling elements set out in the Annexes of the Draft Implementing Regulation reveals further inconsistencies with the Batteries Regulation and its Annex VI.

The Batteries Regulation and its Annex VI do not require the display of substance concentrations; only the names of substances are mandatory. Accordingly, **the phrase "and concentration" should be deleted from Annexes I–III, Part A, point VIII, which specifies the labelling element for listing substances.**

The Batteries Regulation and its Annexes do not mandate the use of hazard pictograms, and the inclusion of such icons may lead to confusion with GHS/CLP warning symbols, which have specific legal meaning under other regulations. To avoid misinterpretation and ensure consistency, we propose that **the icons shown in Annexes I–III, Part B be explicitly stated as illustrative and non-binding.**

If the above proposal to delete Article 4(1) and Article 4(2) and to align the labelling requirements with the REACH SVHC framework is not accepted, we would like to propose to take into account that:

- the reference basis for the weight/weight (w/w) calculation is unclear (cell, module, or entire pack including housing), and a uniform definition is needed to avoid ambiguity, which should be explicitly defined as "the entire battery"; and
- the phrase "lower than" contradicts the intent of restriction, as only hazardous substances that exceed the restricted limit should be subject to disclosure,

We propose **amending the wording of Article 4(1) in line with the suggestions outlined above.**

3. Flexibility in Labelling Formats

By allowing labelling formats that take into account battery type, size constraints, and actual conditions of use, unnecessary administrative burden and costs can be reduced.

For example, the label design requirements set out in Part B of the Annexes of the Draft Implementing Regulation, including the 3 mm margin and the mandatory red border, would entail disproportionate costs without a clear added benefit. We therefore propose **reducing the margin requirement and removing the obligation to use a red border**. Moreover, the requirements relating to label size should be applied with greater flexibility. In particular, the combination of the minimum label size of 5% of the battery surface and the

maximum font size of 25 points could, in certain cases, result in excessively large labels (e.g. A3 size), which would be unnecessary. **Where 5% of the battery surface exceeds an A5 size, manufacturers should therefore be allowed to choose whether to further increase the label size or to keep the label within an A5 format**, provided that the information remains clearly legible and complies with the other applicable layout requirements.

In addition, we consider that more flexible labelling approaches should be permitted in the following specific cases.

3.1 Batteries Incorporated into Products or Vehicles and Not Immediately Visible

- Article 1(6) of the Draft Implementing Regulation requires that the QR code shall be visible on both the surface of the battery and in documentation accompanying the product. However, **it should be considered sufficient for the QR code to be visible either on the surface of the battery or in accompanying documentation. It should also be allowed to show the QR code on the packaging.**

- If the battery inside the product is replaced, the QR code information will remain as that of the original battery, which may result in a discrepancy between the information from the QR code and the replaced battery information.

Therefore, **the treatment of the following underlined wording in Articles1(5) and 1(6) of the Draft Implementing Regulation should be given due consideration**.,

"(5) ~and may, in addition, be displayed on the surface of the battery itself or on the surface of the product where it is incorporated."
"(6) ~such as instructions for use or other commercial documentation, and may in addition be displayed on the surface of the product or vehicle where it is incorporated."

It should be clearly stated in Article 5 that, since the battery is integrated into the product, the battery's CE marking is not visible from the outside does not constitute a legal violation.

3.2 Batteries and Products Small in Size

- In the Recital (8) of the Draft Implementing Regulation, the proposal text states that "*where national legislation requires explicitly that labelling information is displayed in more than one language, manufacturers should be allowed to use several physical labels to display the same information in*

different languages." However, given the limited label space available on the battery, placing multiple physical labels is impractical. Where national legislation requires multilingual information to be displayed physically, we recommend **allowing such information to be placed on the product packaging or in accompanying documents, instead of requiring multiple physical labels on the battery.**

- Where all mandatory information set out in the Annexes of the proposal cannot fit on the label, flexibility is provided to display information **both** on the packaging **and** in accompanying documents. However, given limited space, we recommend **allowing the information to be provided either on the packaging or in the accompanying documents, without requiring duplication on both**. This approach supports consistency with Article 38 point (6) and point (7) of the Regulation (EU) 2023/1542.
- Article 2(4) of the Draft Implementing Regulation provides that "*the position of the label on the surface of the battery shall be determined following criteria of visibility and durability*." We recommend **prioritizing the visibility of the label after the battery has been removed at the end of its service life**, rather than focusing on visibility during the use phase of the battery.

3.3 General-Purpose Portable Batteries (e.g. Coin Cells / Button Cells)

- In line with the objective of Omnibus IV[6] to promote the digitalization of product information, **QR codes should be used as the primary means of providing information. The location of the QR code should also be flexibly defined, allowing manufacturers to choose, at their discretion, to display it on the battery itself, the product, the packaging, and/or in accompanying documentation.**

- Furthermore, when displaying the QR code for a built-in battery on the product, the current proposal requires a battery icon to be placed next to the QR code. This may cause confusion for users. To avoid such confusion, **it would be more appropriate to ensure that the information displayed after scanning the QR code clearly indicates that it relates to a "built-in general-purpose portable battery."** This approach would also help avoid duplication of labels and reduce user confusion as digital product passports (DPPs) become more widespread and the number of QR codes increases.

3.4 Batteries Manufactured in Third Countries Outside the EU

[6] Omnibus IV – European Commission https://single-market-economy.ec.europa.eu/publications/omnibus-iv_en

- Since such batteries must also comply with the labelling requirements of those jurisdictions, it is desirable to allow a certain degree of flexibility in labelling formats—such as physical label placement, language options, and the use of QR codes—provided that the mandatory information required by the EU is met. We therefore propose **explicitly stating in Article 5 of the Draft Implementing Regulation that consideration should be given to labelling requirements in third countries.**

4. Ensuring Practical and Feasible Implementation

- From the perspective of clarifying practical implementation of each requirement under this Regulation, we request that, in cases where multiple provisions apply and each stipulates different labelling requirements in the Article 1 of the Draft Implementing Regulation, **it should be clearly stated that the most relevant single provision can be selected and applied.**

- The application date of this Draft Implementing Regulation is set at 18 months after its entry into force. However, Article 13(6) of the Batteries Regulation stipulates that the obligation to display QR codes will apply from 18 February 2027, which is earlier than the application date of this Implementing Regulation. The period between the publication of this Draft Implementing Regulation and the start date of the QR code obligation is therefore very short, while the information to be made accessible via QR codes—namely the information requirements set out in Article 13(1), (2), and (3) of the Batteries Regulation—is defined and specified by this Implementing Regulation. As the collection and verification of such information across the supply chain requires significant preparation time, **Article 13(6) of the Batteries Regulation should be amended so that the QR code display obligation is aligned with the application date of this Implementing Regulation**, without affecting the overall timeline for the Battery Passport implementation.

- Under Article 13(1), which requires all batteries to display the general information listed in Annex VI Part A, we request that **the Regulation explicitly clarify that "Battery Category" and "Model identification, batch or serial number, product number, or other identification elements" must be treated as two separate mandatory items**, because these elements serve different regulatory purposes and should not be interpreted as a single combined requirement.
- The date of manufacture (month and year) may be indicated on the battery, on the packaging, or in the document accompanying the battery. **Where a QR code is used, it shall be sufficient to provide "the information that the date of manufacture is provided (and/or how to confirm it) on any of the battery,**

the packaging, or the document accompanying the battery", instead of providing the actual date of manufacture through a QR code.

- **Critical raw materials** listed in Annex II to Regulation (EU) 2024/1252 which are present in the battery in a concentration of more than 0.1 %, weight by weight, **do not need to be provided in all official languages of the Union when the chemical symbols are supplied**.;

- Although a high priority is given to the use of QR codes, depending on the label material and the shape of the display surface, it may be difficult to display or scan a QR code. It is therefore necessary to **establish priorities for cases where a QR code cannot be displayed**. Accordingly, we propose that **this consideration be added to Article 5.**

- Where the manufacturer of a product incorporating a battery is not the original battery manufacturer, the host product manufacturer is not involved in, or control over, the battery manufacturing process and bears no responsibility for battery labelling. Requiring the host product manufacturer to align its product labelling, including labelling on packaging and documents accompanying with the host product in case of tiny battery which cannot indicate labelling on the battery and design with battery-specific labelling elements, including the battery QR code, would create significant practical and operational constraints and disrupt established manufacturing processes.

  Moreover, any subsequent change in the battery manufacturing process that affects battery labelling (for example, a change in the manufacturing site, necessity of indicating additional a substance by adding the substance as hazardous substance under CLP Regulation, which contained in the battery) would require the host product manufacturer to amend its own labelling, leading to additional costs and administrative burdens arising from circumstances entirely outside its control.

  In addition, where an end user installs a compatible replacement battery from a different manufacturer, the battery labelling applicable to that replacement battery would necessarily differ from that of the originally installed battery. In such cases, it would be neither feasible nor appropriate to require the host product labelling (including labelling on packaging and accompanying document of the host product) to reflect battery-specific information that may change depending on the battery installed by the user.

  Taking these considerations into account, it is necessary to **more concretely organise the implementation responsibilities for the manufacturer of the product by incorporating the battery.**

- To facilitate smooth practical implementation, **editable application icon data should be provided** as guidance for stakeholders.

- **How to describe fire extinguishing agents should be specified in Annex**, same as Electrochemical composition nomenclature in Annex IV.

ABOUT JBCE

Founded in 1999, the Japan Business Council in Europe (JBCE) is a leading European organisation representing the interests of over 110 multinational companies of Japanese parentage active in Europe. Our members operate across a wide range of sectors, including information and communication technology, electronics, chemicals, automotive, machinery, wholesale trade, precision instruments, pharmaceuticals, textiles, and glass products.

For more information: https://www.jbce.org/ / E-mail: info@jbce.org

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