

BattR: EU Batteries Regulation (Regulation (EU) 2023/1542), explained

The Batteries Regulation sets sustainability, safety, labelling, due diligence and end-of-life rules for every battery placed on the EU market, from AA cells to electric vehicle packs. It has applied since 18 February 2024, replacing the 2006 Batteries Directive, with the battery passport due from 18 February 2027 and due diligence from 18 August 2027.

Reviewed 24 September 2026 by Conphora compliance team · Next review 18 February 2027 · Not legal advice

Key facts

Reference	Regulation (EU) 2023/1542	Act type	Regulation
In force	17 August 2023	Applies from	18 February 2024
Amended by	Regulation (EU) 2024/1781, Regulation (EU) 2025/1561, Regulation (EU) 2026/1738	Enforced by	National market surveillance authorities enforce the product rules and can order corrective action, restrict, withdraw or recall non-compliant batteries; the competent authorities each Member State designates oversee producer registration and extended producer responsibility; and Member States set the penalties, which must be effective, proportionate and dissuasive.
CELEX	32023R1542		

Key dates

28 July 2023	Published in the Official Journal (OJ L 191)	
17 August 2023	Entry into force, the twentieth day after publication	Art. 96(1)
31 December 2023	First collection target for waste portable batteries: 45 %	Art. 59(3)
18 February 2024	The Regulation applies, save for the provisions with their own dates	Art. 96(2)
18 July 2024	Regulation (EU) 2024/1781 (ESPR) in force: the unique identifier of each battery passport must be uploaded to the ESPR registry (new Art. 77(10))	Art. 78, Art. 80
18 August 2024	Conformity assessment (Art. 17) and the obligations of manufacturers, importers, distributors and fulfilment service providers (Chapter VI) apply, except Art. 17(2) on the conformity assessment of the carbon footprint and recycled content requirements (Art. 7 and 8), which applies 12 months after the first publication of the list of notified bodies	Art. 96(2)(b), Art. 17(2), Art. 30(2)
18 August 2024	Performance and durability document for rechargeable industrial batteries above 2 kWh, LMT batteries and electric vehicle batteries; state-of-health data in the battery management system; safety documentation for stationary storage systems; lead limit of 0,01 % in portable batteries	Art. 10(1), Art. 12(2), Art. 14(1), Annex I
24 July 2025	Commission Delegated Regulation (EU) 2025/606 in force: methodology for recycling efficiency and material recovery rates	Art. 2
31 July 2025	Regulation (EU) 2025/1561 in force: due diligence obligations postponed to 18 August 2027	Art. 1, Art. 2
18 August 2025	Chapter VIII (producer registration, extended producer responsibility, collection, treatment and reporting) applies; Directive 2006/66/EC repealed; separate collection symbol on all batteries; Member States' penalty rules due	Art. 96(2), Art. 95, Art. 13(4), Art. 93
26 July 2026	Deadline for the Commission's guidelines on battery due diligence	Art. 48(5)
13 August 2026	Regulation (EU) 2026/1738 (end-of-life vehicles) applies to BattR: Annex I substance restrictions replaced: the mercury, cadmium and lead limits are kept and new conditions on cadmium, lead and hexavalent chromium are added for batteries incorporated in M1 and N1 vehicles	Art. 53, Art. 59(2), Annex XII
18 August 2026	General information label on all batteries, capacity label on rechargeable portable, LMT and SLI batteries, and 'non-rechargeable' label, or 18 months after the implementing act if later	Art. 13(1)-(3)

18 February 2027	Portable batteries must be removable and replaceable by the end user and LMT batteries by an independent professional (Art. 11); QR code on all batteries; battery passport for LMT, industrial above 2 kWh and electric vehicle batteries	Art. 96(2), Art. 13(6), Art. 77(1)
18 August 2027	Battery due diligence obligations apply to economic operators with a net turnover of EUR 40 million or more	Art. 48(1), Art. 47
31 December 2027	Collection target for waste portable batteries: 63 %	Art. 59(3)
18 August 2028	Recycled content documentation for industrial batteries above 2 kWh, electric vehicle and SLI batteries (or 24 months after the delegated act if later); minimum performance for portable batteries of general use and LMT batteries (or 18 to 24 months after the delegated acts if later); lead limit applies to zinc-air button cells	Art. 8(1), Art. 9(1), Art. 10(3), Annex I
31 December 2028	Collection target for waste LMT batteries: 51 %	Art. 60(3)
31 December 2030	Collection target for waste portable batteries: 73 %	Art. 59(3)
18 August 2031	Minimum recycled content in active materials: 16 % cobalt, 85 % lead, 6 % lithium, 6 % nickel	Art. 8(2)
31 December 2031	Collection target for waste LMT batteries: 61 %	Art. 60(3)
18 August 2033	Recycled content documentation extends to LMT batteries	Art. 8(1)
18 August 2036	Minimum recycled content rises to 26 % cobalt, 85 % lead, 12 % lithium, 15 % nickel, LMT batteries included	Art. 8(3)

Obligations by role

Manufacturer

- Design and make every battery to the substance, carbon footprint, recycled content, performance, safety and state-of-health requirements of Art. 6 to 10, 12 and 14, mark and label it under Art. 13, and supply instructions and safety information in the languages of the Member State of sale. Art. 38(1)
- Design and make every battery to the substance, carbon footprint, recycled content, performance and durability, safety and state-of-health requirements of Art. 6 to 10, 12 and 14. Art. 38(1)
- Mark and label every battery as Art. 13 requires (general information, capacity, separate-collection symbol, hazardous substances, QR code). Art. 38(1), Art. 13
- Supply instructions and safety information with the battery in the language(s) of the Member State of sale. Art. 38(1)
- Before placing a battery on the market, draw up the Annex VIII technical documentation, carry out the conformity assessment procedure of Art. 17 (Module A, D1 or G, with a notified body for carbon footprint and recycled content), draw up the EU declaration of conformity and affix the CE marking.
Art. 38(2)-(3), Art. 17, Art. 18, Art. 20
- Before placing a battery on the market, draw up the technical documentation of Annex VIII.
Art. 38(2), Annex VIII
- Carry out the conformity assessment procedure of Art. 17 (Module A, D1 or G — with a notified body for the carbon footprint and recycled-content requirements) before placing the battery on the market.
Art. 38(2), Art. 17
- Draw up the EU declaration of conformity of Art. 18 and keep it with the technical documentation.
Art. 38(3), Art. 18
- Affix the CE marking to the battery, or to its packaging and accompanying documents where the battery does not allow it, before placing it on the market. Art. 38(3), Art. 20
- Keep the technical documentation and the EU declaration of conformity at the disposal of national authorities for 10 years after the battery was placed on the market, and keep series production in conformity. Art. 38(4)-(5)
- Keep the technical documentation and the EU declaration of conformity at the disposal of national authorities for 10 years after the battery was placed on the market. Art. 38(4)
- Have procedures in place so that batteries that are part of series production remain in conformity, taking account of changes in design or characteristics and in the harmonised standards, common specifications or other technical specifications referenced. Art. 38(5)
- Mark each battery with a model identification and batch or serial number, and with your name or trademark, postal address and a single contact point, or put this on the packaging or an accompanying document where the battery is too small. Art. 38(6)-(7)
- From 18 August 2024, accompany rechargeable industrial batteries above 2 kWh, LMT batteries and electric vehicle batteries with a document stating the Annex IV performance and durability values, and hold up-to-date state-of-health data in the battery management system of stationary storage, LMT and electric vehicle batteries with read-only access for whoever has legally purchased the battery, including independent operators or waste management operators, or a third party acting on their behalf.
Art. 10(1), Art. 14(1)-(2), Art. 38(8)
- From 18 August 2024, accompany rechargeable industrial batteries above 2 kWh, LMT batteries and electric vehicle batteries with a document stating the values of the Annex IV electrochemical performance and durability parameters. Art. 10(1)

- Hold up-to-date state-of-health and expected-lifetime data in the battery management system of stationary battery energy storage systems, LMT batteries and electric vehicle batteries, with read-only access for anyone who has legally purchased the battery, including independent operators or waste management operators, or a third party acting on their behalf. Art. 14(1)-(2), Art. 38(8)
- Draw up a carbon footprint declaration per battery model and manufacturing plant for electric vehicle batteries, rechargeable industrial batteries above 2 kWh and LMT batteries, staged from 18 February 2025 (electric vehicle), 18 February 2026 (rechargeable industrial) and 18 August 2028 (LMT), or 12 to 18 months after the Commission's methodology and format acts if that is later; performance classes and maximum thresholds follow on later dates. Art. 7(1)-(3)
- From 18 August 2028 (or 24 months after the delegated act if later), document the share of recycled cobalt, lead, lithium and nickel in industrial batteries above 2 kWh, electric vehicle and SLI batteries, and meet minimum shares of 16 % cobalt, 85 % lead, 6 % lithium and 6 % nickel from 18 August 2031, rising to 26 %, 85 %, 12 % and 15 % from 18 August 2036. Art. 8(1)-(3)
- From 18 August 2025 mark every battery with the separate collection symbol (and Cd or Pb where cadmium exceeds 0,002 % or lead 0,004 %); from 18 August 2026, or 18 months after the implementing act if later, add the general information and capacity labels; from 18 February 2027 add a QR code linking to the battery passport or to the conformity and waste information. Art. 13(1)-(6)
- From 18 February 2027 give each LMT battery, industrial battery above 2 kWh and electric vehicle battery placed on the market a battery passport with the Annex XIII information, keep it accurate and up to date, and upload its unique identifier to the digital product passport registry. Art. 77(1), (3)-(4), (10)
- If you place products with portable batteries on the market, from 18 February 2027 make the battery readily removable and replaceable by the end user with commercially available tools, publish removal instructions online, keep the battery available as a spare part for five years after the last unit of the model, and never use software to block replacement; LMT batteries must be replaceable by an independent professional. Art. 11(1), (5), (7)-(8), Art. 96(2)
- If you place products with portable batteries on the market, from 18 February 2027 design them so that the battery is readily removable and replaceable by the end user with commercially available tools, and never use software to block its replacement; LMT batteries must be replaceable by an independent professional. Art. 11(1), Art. 11(5) and Art. 96(2)
- From 18 February 2027, publish online the instructions for removing and replacing the portable batteries in the products you place on the market. Art. 11(1)
- From 18 February 2027, keep the portable battery of a product available as a spare part for five years after the last unit of the product model was placed on the market. Art. 11(7)
- Take corrective action, withdraw or recall any battery you believe is non-compliant, inform the market surveillance authorities where it presents a risk, and hand over conformity information on reasoned request. Art. 38(9)-(10)
- If you consider or have reason to believe that a battery you placed on the market is not in conformity, immediately take the corrective measures to bring it into conformity, withdraw or recall it, and where it presents a risk inform the market surveillance authorities of the Member States where you made it available. Art. 38(9)
- On a reasoned request from a competent national authority, provide all the information and documentation needed to demonstrate the conformity of the battery, in a language that authority can easily understand, and cooperate with it on any action to eliminate the risks posed by batteries you placed on the market. Art. 38(10)

- From 18 August 2027, if your net turnover was EUR 40 million or more (alone or as part of a group), set up a battery due diligence policy for cobalt, natural graphite, lithium and nickel, have it verified and periodically audited by a notified body, publish an annual report and keep the records for 10 years.

Art. 47, Art. 48(1)-(3), Art. 49, Art. 50, Art. 52(3)

- From 18 August 2027, if your net turnover was EUR 40 million or more (alone or as part of a group), set up and implement a battery due diligence policy for cobalt, natural graphite, lithium and nickel, with the management system, risk management and disclosure the regulation requires.

Art. 47, Art. 48(1), Art. 49 and Art. 50

- Have your battery due diligence policy verified by a notified body and periodically audited by that body.

Art. 48(2)

- Review your battery due diligence policy every year and make a report on it publicly available, including on the internet. Art. 52(3)

- Keep the documentation showing that you meet the due diligence obligations, including the verification report, the approval decision and the audit reports, for 10 years after the last battery manufactured under the policy was placed on the market. Art. 48(3)

Importer

- Only place batteries on the market that comply with Art. 6 to 10, 12, 13 and 14, and first verify that the manufacturer has drawn up the EU declaration of conformity and technical documentation, carried out the conformity assessment, affixed the CE marking and labels, supplied the required documents and instructions and put its name and address on the battery. Art. 41(1)-(2)
- Put your own name or trademark, postal address and a single contact point on the battery, its packaging or an accompanying document. Art. 41(3)
- Keep storage and transport conditions from jeopardising compliance, sample-test marketed batteries where the risk warrants it, keep a register of complaints and recalls and keep distributors informed. Art. 41(4)-(5)
- While a battery is under your responsibility, keep its storage and transport conditions from jeopardising its compliance. Art. 41(4)
- Where the risks presented by a battery warrant it, sample-test marketed batteries, investigate complaints and keep a register of complaints, non-conforming batteries and recalls, and keep distributors informed. Art. 41(5)
- Take corrective action, withdraw or recall non-compliant batteries, inform the market surveillance authority where a battery presents a risk, keep a copy of the EU declaration of conformity for 10 years and make the technical documentation available on request. Art. 41(6)-(8)
- Where a battery you placed on the market is not in conformity, take the corrective measures to bring it into conformity, withdraw it or recall it, and immediately inform the market surveillance authorities of the Member States where you made it available where it presents a risk. Art. 41(6)
- Keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for 10 years after the battery was placed on the market, and ensure the technical documentation can be made available to them on request. Art. 41(7)
- Provide a competent national authority, on reasoned request, with all the information and documentation needed to demonstrate the battery's conformity, in a language the authority can easily understand, and cooperate on corrective action. Art. 41(8)
- If you sell under your own name or trademark, or modify a battery or its purpose, you take on the full manufacturer obligations of Art. 38. Art. 44
- As the operator placing the battery on the market, attribute the unique identifier behind the QR code, keep the battery passport accurate for LMT, industrial above 2 kWh and electric vehicle batteries from 18 February 2027, and from 18 August 2027 meet the due diligence obligations if your net turnover reached EUR 40 million. Art. 77(3)-(4), Art. 47, Art. 48(1)
- As the economic operator placing an LMT battery, industrial battery above 2 kWh or electric vehicle battery on the market, from 18 February 2027 attribute the unique identifier behind its QR code and keep its battery passport accurate, complete and up to date. Art. 77(3)-(4)
- From 18 August 2027, if your net turnover reached EUR 40 million (alone or as part of a group), meet the battery due diligence obligations as the operator placing the batteries on the market. Art. 47, Art. 48(1)
- If you are established in a Member State and supply batteries from a third country for the first time in that Member State on a professional basis, you are their producer there (and if you sell by distance contract directly to end users in a Member State where you are not established, you are the producer in that Member State): register in the national register of producers and carry extended producer responsibility. Art. 3(1)(47)(c)-(d), Art. 55(2), Art. 56(1)

- If you are established in a Member State and supply batteries from a third country for the first time in that Member State on a professional basis, or sell by distance contract directly to end users in a Member State where you are not established, you are the producer of those batteries there. Art. 3(1)(47)(c)-(d)
- As producer, register in the register of producers of that Member State before you first make the batteries available there. Art. 55(2)
- As producer, carry extended producer responsibility for the batteries you make available in that Member State. Art. 56(1)
- Be able to identify, for 10 years, every economic operator that supplied you with a battery and every operator you supplied, with quantities and models. Art. 46

Distributor

- Before making a battery available, verify that the producer is registered in the register of producers, that the battery bears the CE marking and the Art. 13 labels, that the required documents and instructions accompany it and that the manufacturer and importer have put their identification on it. Art. 42(1)-(2)
- Do not sell a battery you believe is non-compliant until it has been brought into conformity, inform the manufacturer or importer and the authorities where it presents a risk, keep storage and transport conditions safe and make sure corrective action, withdrawal or recall is taken. Art. 42(3)-(6)
- Do not make available a battery you consider or have reason to believe is not in conformity until it has been brought into conformity, and where it presents a risk inform the manufacturer or importer and the market surveillance authorities. Art. 42(3)
- While a battery is under your responsibility, keep its storage and transport conditions from jeopardising its compliance. Art. 42(4)
- If a battery you made available is not in conformity, make sure the corrective measures to bring it into conformity, withdraw or recall it are taken, and where it presents a risk immediately inform the market surveillance authorities of the Member States where you made it available. Art. 42(5)
- Take back waste batteries of the categories you sell from end users free of charge and without any purchase obligation, at or near the retail outlet, and hand them over to the responsible producer, producer responsibility organisation or selected waste management operator. Art. 62(1)-(3)
- If you sell by distance contract, provide enough collection points across the Member State; if you deliver, offer to take back waste batteries free of charge at the point of delivery or a local collection point and tell the end user so when they buy. Art. 62(4)-(5)
- Display the producers' end-user information on prevention, separate collection, safety and label meanings permanently in the shop and online, and show the extended producer responsibility costs separately at the point of sale. Art. 74(4)-(5)
- Be able to identify, for 10 years, every economic operator that supplied you with a battery and every operator you supplied, with quantities and models. Art. 46

Fulfilment service provider

- Make sure that warehousing, packaging, addressing and dispatching do not jeopardise the batteries' compliance with Art. 6 to 10, 12, 13 and 14. Art. 43
- Cooperate with national authorities on any action to eliminate risks from the batteries you handle and inform the market surveillance authorities immediately where a battery presents a risk.
Art. 43, Art. 40(3)(c), Art. 40(4)
- Be able to identify, for 10 years, every economic operator that supplied you with a battery and every operator you supplied. Art. 46

Online platform

- Before a producer may offer batteries to consumers on your platform, obtain its register-of-producers details and registration number and a self-certification that it only offers batteries meeting the extended producer responsibility requirements of Art. 56 to 58; where a national register of producers is not public, the Member State must grant you free access to it for this check. Art. 62(6), Art. 55(13)

Producer (extended producer responsibility)

- Register in the register of producers of every Member State where you first make batteries available, including batteries built into appliances or vehicles, before selling there; the authority issues a registration number within 12 weeks of a complete application. Art. 55(2)-(3), (9)
- Carry extended producer responsibility from 18 August 2025 and finance separate collection, transport and treatment, the compositional survey, end-user information and data reporting for the batteries you make available. Art. 56(1), (4), Art. 96(2)
- If you sell by distance contract into a Member State from another country, appoint an authorised representative for extended producer responsibility there by written mandate. Art. 56(3)
- Obtain an authorisation from the competent authority, either individually or through an authorised producer responsibility organisation, and provide a guarantee covering the waste management costs. Art. 57(1), Art. 58(1)-(2), (7)
- For portable batteries, run a nationwide take-back and collection system and reach collection rates of 45 % by 31 December 2023, 63 % by 31 December 2027 and 73 % by 31 December 2030; for LMT batteries, 51 % by 31 December 2028 and 61 % by 31 December 2031. Art. 59(1)-(3), Art. 60(1)-(3)
- For SLI, industrial and electric vehicle batteries, take back all waste batteries free of charge from distributors, remanufacturers, treatment facilities and public collection points and deliver them to permitted facilities for treatment. Art. 61(1), (3)
- Inform end users and distributors about waste prevention, separate collection, take-back points, safety and label meanings, give waste operators free dismantling and safety information, and run awareness campaigns. Art. 74(1)-(3), (6)
- Report to the competent authority each calendar year, within six months of year end, the amounts placed on the market, collected, treated, exported and prepared for re-use, and the collection rate reached. Art. 75(1)-(2), (7)

Re-use, repurposing or remanufacturing operator

- An operator that places a prepared-for-re-use, repurposed or remanufactured battery on the market is treated as its manufacturer and must carry out an additional Module A conformity assessment, apply new labels showing the change of status, and follow quality control and safety instructions for examination, testing, packing and shipment. Art. 38(11), Art. 17(3), Art. 13(9), Art. 45
- An economic operator that places on the market a battery prepared for re-use, repurposed or remanufactured is treated as its manufacturer and carries the manufacturer obligations. Art. 38(11)
- Carry out an additional Module A conformity assessment for the prepared-for-re-use, repurposed or remanufactured battery before placing it on the market. Art. 17(3)
- Apply new labels to the battery that show its change of status. Art. 13(9)
- Carry out the examination, performance testing, packing and shipment of the battery and of its components following adequate quality control and safety instructions. Art. 45(1)
- The same operator becomes the producer of that battery for extended producer responsibility and takes over responsibility for the battery passport; the carbon footprint and recycled content requirements do not apply to a battery that had already been placed on the market or put into service before the operation, and the performance and durability requirements do not apply where the operator demonstrates that the battery was placed on the market or put into service before the dates on which those requirements became applicable. Art. 56(2), Art. 77(7), Art. 7(5), Art. 8(4), Art. 10(4)

Penalties

Member States had to lay down effective, proportionate and dissuasive penalties for infringements by 18 August 2025 and notify them to the Commission; the amounts are set nationally. Alongside penalties, market surveillance authorities must require corrective action for any non-compliant battery, may prohibit or restrict it on their market and must ensure withdrawal or recall, formal failures such as a missing CE marking, declaration of conformity or technical documentation must be corrected or the battery restricted, and persistent breaches of the due diligence duties can lead to the operator's batteries being restricted or prohibited. Art. 93, Art. 79, Art. 83, Art. 84

Checklist

1. Classify every battery you handle as portable, LMT, SLI, industrial or electric vehicle, applying the strictest category where more than one fits (Art. 1(3), Art. 3).
2. Map your role for each battery: manufacturer, importer, distributor, fulfilment provider, online platform or producer, remembering that own-brand sales make you the manufacturer (Art. 44).
3. Register as a producer in every Member State where you first make batteries available, and appoint a producer responsibility organisation or authorised representative where needed (Art. 55 to 58).
4. Check that technical documentation, the EU declaration of conformity, CE marking, model and batch identification and manufacturer or importer contact details are in place for every model (Art. 38, 41).
5. Plan the label roll-out: separate collection symbol from 18 August 2025, general and capacity labels from 18 August 2026 or 18 months after the implementing act if later, QR code from 18 February 2027 (Art. 13).
6. Prepare the battery passport data and unique identifier for LMT, industrial above 2 kWh and electric vehicle batteries before 18 February 2027 (Art. 77).
7. Redesign products with portable batteries so the battery is removable and replaceable by the end user, and secure five years of spare parts, before 18 February 2027 (Art. 11).
8. Schedule the carbon footprint declaration and recycled content documentation for electric vehicle, industrial and LMT batteries against the staged dates in Art. 7 and 8.
9. If your net turnover reaches EUR 40 million, build and have a notified body verify a battery due diligence policy before 18 August 2027 (Art. 47 to 52).
10. Set up free take-back for waste batteries at your outlets or delivery points, and put the end-user information and separate cost line at the point of sale (Art. 62, 74).

Sources

1. Regulation (EU) 2023/1542 concerning batteries and waste batteries, consolidated text of 31 July 2025 (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02023R1542-20250731>
2. Regulation (EU) 2023/1542, original text as published in OJ L 191 of 28 July 2023 (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32023R1542>
3. Regulation (EU) 2024/1781 on ecodesign for sustainable products, amending Art. 77 (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32024R1781>
4. Commission Delegated Regulation (EU) 2025/606 on recycling efficiency and material recovery rates (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32025R0606>
5. Regulation (EU) 2025/1561 postponing the battery due diligence obligations (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32025R1561>
6. Regulation (EU) 2026/1738 on end-of-life vehicles, amending Annex I (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32026R1738>
7. Batteries: the European Commission's page on the Batteries Regulation — https://environment.ec.europa.eu/topics/waste-and-recycling/batteries_en