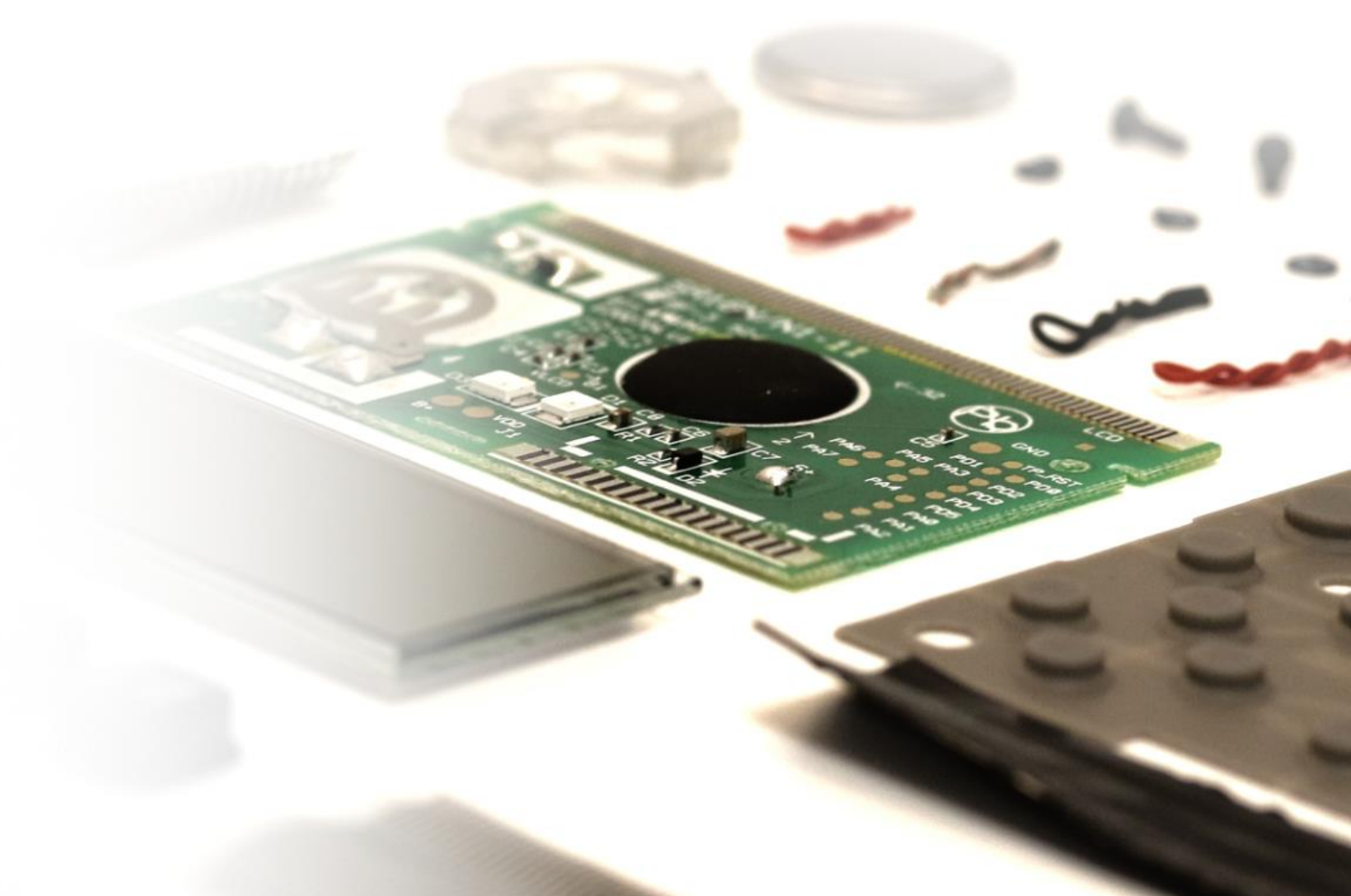


Claigan Webinar

EU Battery Regulation - Basics

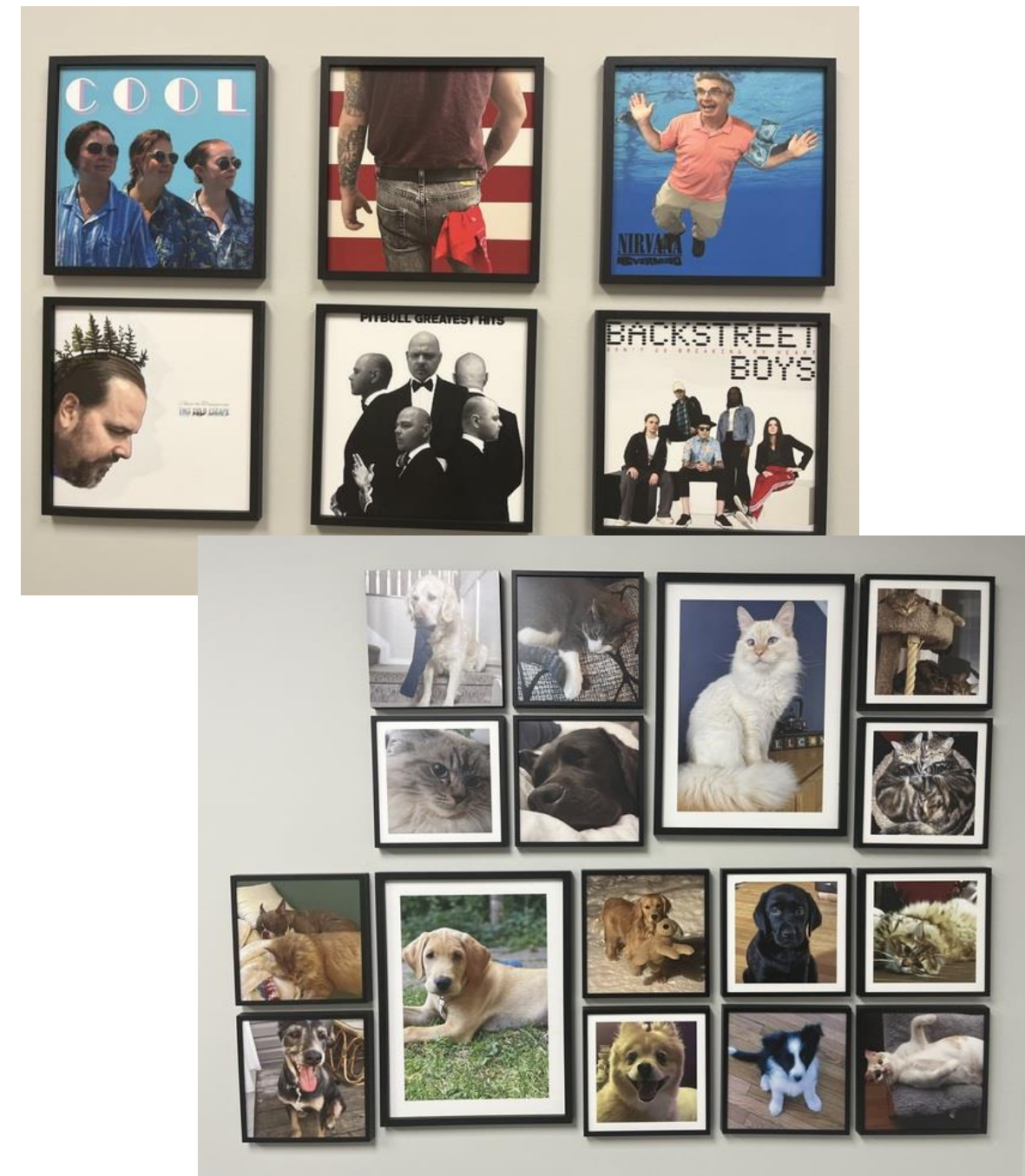
Presented by:
Bruce Calder
VP Consulting

November 6, 2024



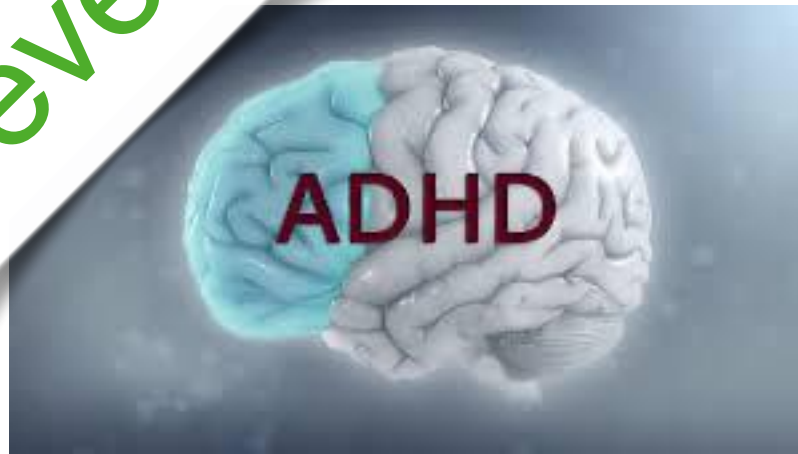
Overview - Agenda

- About us (Claigan)
- Opening notes regarding battery regulation
- Synopsis of requirements
- Materials restrictions and labelling
- CE Marking
- Battery Labelling Requirements - Overview
- Due Diligence
- 2026 Labelling Requirements
- Claigan approach to compliance
- Q&A



What does Claigan Environmental do?

Prevent



Prevent



Trace



TIN



TANTALUM



TUNGSTEN



GOLD

Conflict Minerals

To the warlords
in the Congo

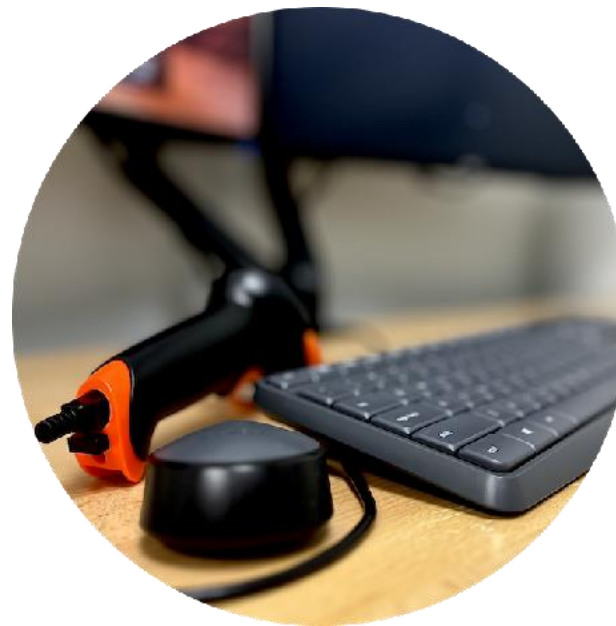
Claigan Environmental



Consulting



Testing



Due Diligence

EU Battery Regulation

- **New EU Battery Regulation**
 - [Published July 2023](#)
 - In effect Feb 18 2024
 - Requirements phased in and focus on larger batteries

EU Battery Regulation

Opening Comment

- **Bad sign for any legislation**

24 pages of pre-amble

L 191/24

EN

Official Journal of the European Union

28.7.2023

A lot of 'chefs' in the kitchen

With 143 comments

Which is more than the REACH Regulation!

- (143) Since the objectives of this Regulation, namely to contribute to the functioning of the internal market and to prevent and reduce the adverse impacts of batteries and waste batteries to ensure a high level of protection of human health, safety of persons, 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 out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives,

EU Battery Regulation

Focus for today

- **The EU Battery Regulation**

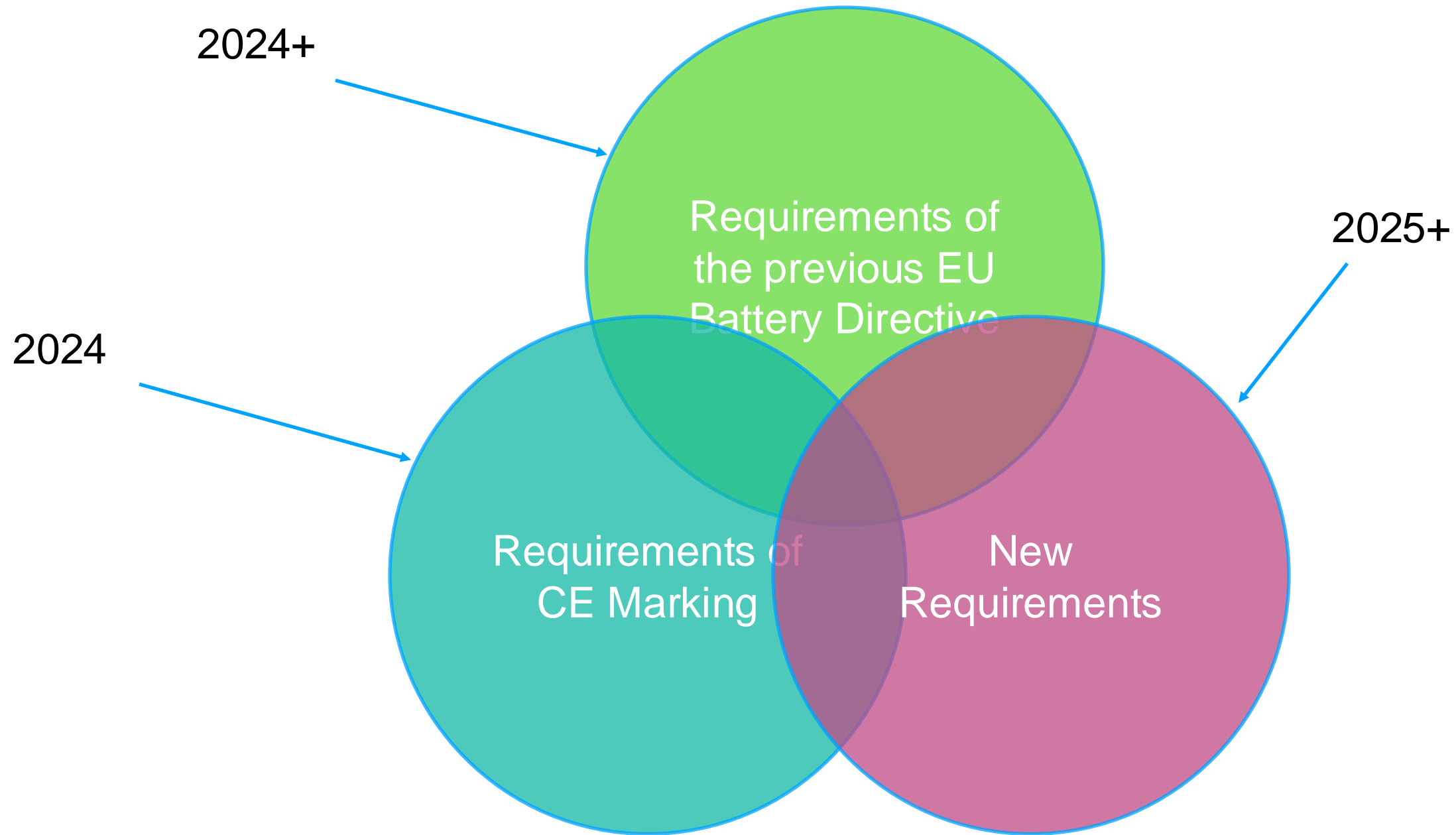
is 117 pages (*even in French*)

- So today
 - Focus in on **2024 to 2027**
 - **Batteries under 2kWh**
- The rest would double the length of the webinar
- And it is unlikely that the EU knows for 100% surety what they are doing on these topics

EU Battery Regulation

- **Which limits the topics today to**
 - All Batteries
 - Ongoing - battery reporting and collection requirement in each EU member state
 - February 2024 - Cd and Pb marking (if applicable)
 - August 2024 - Materials restrictions
 - August 2024 - Model number and manufacturer on label
 - August 2024 - CE mark
 - August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
 - August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
 - August 2025 - WEEE label (wheelie bin)
 - August 2025* - Due Diligence and Due Diligence Reporting
 - August 2026 - General information label (Part A of Annex VI)
 - August 2027 - QR code containing labelling information
 - Portable batteries
 - February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

EU Battery Regulation Synopsis of Requirements



EU Battery Regulation

Legacy Requirements

- **Which limits the topics today to**

- All Batteries

- Ongoing - battery reporting and collection requirement in each EU member state
- February 2024 - Materials restrictions & Cd and Pb marking (if applicable)
- August 2024 - Model number and manufacturer on label
- August 2024 - CE mark
- August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
- August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
- August 2025 - WEEE label (wheelie bin)
- August 2025* - Due Diligence and Due Diligence Reporting
- August 2026 - General information label (Part A of Annex VI)
- August 2027 - QR code containing labelling information

- Portable batteries

- February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

EU Battery Regulation Material Restrictions

ANNEX I
RESTRICTION ON SUBSTANCES

Non-portable batteries can have Cd
But require 'Cd' label

Column 1 Designation of the substance or group of substances	Column 2 Conditions of restriction
1. Mercury CAS No 7439-97-6 EC No 231-106-7 and its compounds	Batteries, whether or not incorporated into appliances, light means of transport or other vehicles, shall not contain more than 0,0005 % of mercury (expressed as mercury metal) by weight.
2. Cadmium CAS No 7440-43-9 EC No 231-152-8 and its compounds	Portable batteries, whether or not incorporated into appliances, light means of transport or other vehicles, shall not contain more than 0,002 % of cadmium (expressed as cadmium metal) by weight.
3. Lead CAS No 7439-92-1 EC No 231-100-4 and its compounds	1. From 18 August 2024, portable batteries, whether or not incorporated into appliances, shall not contain more than 0,01 % of lead (expressed as lead metal) by weight. 2. The restriction set out in point 1 shall not apply to portable zinc-air button cells until 18 August 2028.

Non-portable batteries can have Pb
But require 'Pb' label

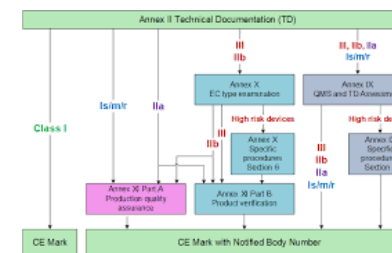
EU Battery Regulation CE Marking

- One of the big changes in the battery regulation

- Addition of CE Marking

- CE marking

- Conformity assessment
- Declaration of Conformity
- Application of CE mark



- Deadline - August 2024

EU Battery Regulation

CE Marking

- **CE marking**
 - CE mark itself *(Company responsible for compliance)*
 - Name or brand of manufacturer
 - **Address** of manufacturer
 - Model or serial number

- **Deadline - August 2024**



EU Battery Regulation Legacy Requirements

- **Which limits the topics today to**

- All Batteries
 - Ongoing - battery reporting and collection requirement in each EU member state
 - ~~February 2024 - Cd and Pb marking (if applicable)~~
 - August 2024 - CE mark
 - August 2024 - Model number and manufacturer on label
 - August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
 - August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
 - August 2025 - WEEE label
 - August 2025* - Due Diligence and Due Diligence Reporting
 - August 2026 - General information label (Part A of Annex VI)
 - August 2027 - QR code containing labelling information
- Portable batteries
 - February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

Compliance to EU Battery Regulation

Review / Test Material Restrictions

Review against 2024 Requirements

Review against 2025 Requirements





Review against 2026 Requirements

Review against 2027 Requirements

Claigan Approach Labelling Example



Requirements	Compliant
CE Mark	No (Size) 
Name of manufacturer	Yes
Address of manufacturer	No 
Model or serial number	Yes
Pb or Cd label	N/A


 Model No. : **CS-MPD701MD**
 Part No. : TB01020701
 Rating : 14.4V == 2000mAh/ 28.8Wh
Nickel Metal Hydride Battery Pack
CAUTION WARRANTY VOID IF LABEL IS REMOVED
 •DO NOT ATTEMPT TO DISASSEMBLE, OPEN OR SERVICE THE BATTERY PACK.
 •REPLACE ONLY WITH THE BATTERY PACK DESIGNATED FOR THIS PRODUCT.
 •DO NOT CRUSH, PUNCTURE, SHORT EXTERNAL CONTACTS
 OR DISPOSE OF IN FIRE OR WATER.
 •DO NOT STORE ABOVE 60°C (140°F).
ATTENTION!
 NEW BATTERY PACK MUST BE FULLY CHARGED BEFORE USE.
TO REDUCE RISK OF FIRE OR BURNS
 READ INSTRUCTIONS IN OPERATING GUIDE BEFORE USING THE BATTERY.
 S/N: 






 Made in China

EU Battery Regulation

Wheelie Bin

- **Which limits the topics today to**
 - All Batteries
 - Ongoing - battery reporting and collection requirement in each EU member state
 - February 2024 - Cd and Pb marking (if applicable)
 - August 2024 - Model number and manufacturer on label
 - August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
 - August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
 - August 2025 - WEEE label (wheelie bin)
 - August 2025* - Due Diligence and Due Diligence Reporting
 - August 2026 - General information label (Part A of Annex VI)
 - August 2027 - QR code containing labelling information
 - Portable batteries
 - February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

New EU Battery Regulation Labelling

- 2025 Labelling
 - August 18 2025 - Annex VI Part B
 - All batteries, unless too small
 - Wheelie bin

Part B



EU Battery Regulation

Due Diligence

- **Which limits the topics today to**

- All Batteries

- Ongoing - battery reporting and collection requirement in each EU member state
- February 2024 - Cd and Pb marking (if applicable)
- August 2024 - CE mark
- August 2024 - Model number and manufacturer on label
- August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
- August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery

- August 2025 - WEEE label

- August 2025* - Due Diligence and Due Diligence Reporting

- August 2026 - General information label (Part A of Annex VI)

- August 2027 - QR code containing labelling information

- Portable batteries

- February 2027 - Removability and replaceability

- Excluding medical imaging devices (and any device exposed to water)

- Excluding devices where continuity of power supply is necessary for safety

Due Diligence

- **Scope**
 - Anyone who places on the market batteries in the EU and has annual sales over 40M Euros per year.
- **Requirement**
 - Has to have due diligence completed and reviewed by a notified body
 - EMRT (Extended Materials Reporting Template)
 - *Conflict minerals related*
- **Guidance on how to do due diligence**
 - To be released February 2025
 - The draft opinion for consultation has yet to be released



Currently Approved Notified Bodies

Bodies

Refine list of bodies using search criteria below and click on body name to view details

Search options

Country


Body type

Notification status


 

Legislation

Search results

NOTIFICATION STATUS Active

LEGISLATION Regulation (EU) 2023/1542 concerning batteries and waste batteries 

Due Diligence

Long Form - Part 1

- **Due Diligence**
 - Adopt, and clearly communicate to suppliers and the public, a company battery due diligence policy,
 - Incorporate in its battery due diligence policy standards that are consistent with the standards set out in the internationally recognised due diligence instruments
 - I.e. OECD Due Diligence
 - structure its internal management system to support its battery due diligence policy

Long Form - Part 1 - Note

- **Due Diligence**
 - All related to current four (4) materials
 - Cobalt
 - Lithium
 - Natural Graphite
 - Nickel
 - The same ones that have 2026 labelling requirements

Due Diligence

Long Form - Part 2

- **Due Diligence**

Key

- establish and operate a **system** of controls and transparency regarding the supply chain, including a chain of custody or traceability system, identifying upstream actors in the supply chain;
- incorporate its battery due diligence policy into contracts and agreements with suppliers
- establish a grievance mechanism

Long Form - Part 3 - System

- **System**
 - a description of the raw material
 - the name and address of the supplier
 - the country of origin of the raw material and the market transactions from the raw material's extraction to the immediate supplier
 - the quantities of the raw material present in the battery
 - third-party verification reports issued by a notified body
 - If notified body reports are not available (which is the case), then **OECD Due Diligence** to be performed

Due Diligence Short Form

- **Due Diligence**
 - Conduct Extended Material Reporting Template (EMRT)
 - In 2025
 - For minerals traceability
 - Complete OECD Due Diligence on refineries / sources of the four (4) critical raw materials
 - In 2025
 - Monitor additional guidance from the EU

Due Diligence Claigan

- **Claigan is the leader in battery due diligence**
 - Claigan has identified and is in the process of conducting due diligence for
 - Nearly **five hundred (500) mines and refiners** of nickel, cobalt, graphite, and lithium for batteries



EU Battery Regulation

2026 Labelling Requirements

- **Which limits the topics today to**
 - All Batteries
 - Ongoing - battery reporting and collection requirement in each EU member state
 - February 2024 - Cd and Pb marking (if applicable)
 - August 2024 - CE mark
 - August 2024 - Model number and manufacturer on label
 - August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
 - August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
 - August 2025 - WEEE label
 - August 2025* - Due Diligence and Due Diligence Reporting
 - August 2026 - General information label (Part A of Annex VI)
 - August 2027 - QR code containing labelling information
 - Portable batteries
 - February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

New EU Battery Regulation Labelling - 2026

ANNEX VI

LABELLING, MARKING AND INFORMATION REQUIREMENTS

Part A: General information on batteries

Information on the label of a battery shall comprise the following information regarding the battery:

1. information identifying the manufacturer in accordance with Article 38(7);
2. the battery category and information identifying the battery in accordance with Article 38(6);
3. the place of manufacture (geographical location of a battery manufacturing plant);
4. the date of manufacture (month and year);
5. the weight;
6. the capacity;
7. the chemistry;
8. the hazardous substances present in the battery, other than mercury, cadmium or lead;
9. usable extinguishing agent;
10. critical raw materials present in the battery in a concentration of more than 0,1 % weight by weight.

Part A

- August 18 2026 - Annex VI - Part A
 - Unless form or function does not allow
 - Then can be on packaging / accompanying documentation
- Plus
 - Non-rechargeable batteries
 - Label as 'non-rechargeable'
 - Minimum hours of average duration

QR code

- **Which limits the topics today to**

- All Batteries

- Ongoing - battery reporting and collection requirement in each EU member state
- February 2024 - Cd and Pb marking (if applicable)
- August 2024 - CE mark
- August 2024 - Model number and manufacturer on label
- August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
- August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
- August 2025 - WEEE label
- August 2025* - Due Diligence and Due Diligence Reporting
- August 2026 - General information label (Part A of Annex VI)
- August 2027 - QR code containing labelling information

- Portable batteries

- February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

Future Removability Requirements

- **Which limits the topics today to**

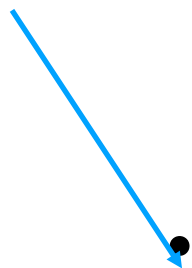
- All Batteries

- Ongoing - battery reporting and collection requirement in each EU member state
- February 2024 - Cd and Pb marking (if applicable)
- August 2024 - CE mark
- August 2024 - Model number and manufacturer on label
- August 2024 - Technical file on compliance (which is just labelling and materials restrictions)
- August 2024 - Addition of Battery Regulation to Declaration of Conformity of product or battery
- August 2025 - WEEE label
- August 2025* - Due Diligence and Due Diligence Reporting
- August 2026 - General information label (Part A of Annex VI)
- August 2027 - QR code containing labelling information

- Portable batteries

- February 2027 - Removability and replaceability
 - Excluding medical imaging devices (and any device exposed to water)
 - Excluding devices where continuity of power supply is necessary for safety

Standard to be developed



Compliance to EU Battery Regulation

Review / Test Material Restrictions

Review against 2024 Requirements

Review against 2025 Requirements



Review against 2026 Requirements

Review against 2027 Requirements

- **Claigan approach to EU Battery Regulation Compliance**

- Testing of battery cells for materials restrictions

- Review of battery labelling to

- 2024 requirements

- 2025 requirements

- 2026 requirements

- 2027 requirements

- Technical file supporting all the above

- **AND**

- EMRT based traceability of origin of critical materials

- Due Diligence on sources of critical materials

