



Japan Machinery Center  
for Trade and Investment

January 23rd, 2026

**Our Comments on Draft Implementing Regulation for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council as regards format and harmonised specifications for certain labelling requirements**

Dear Sirs,

The Japan Machinery Center for Trade and Investment (“JMC”) is a non-profit organization with the character of a public-interest corporation. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 230.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to send our comment on Draft Implementing Regulation for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council as regards format and harmonised specifications for certain labelling requirements.

If you have any questions, please feel free to contact our secretariat (Ms. Akari Shiga, E-mail: [shiga@jmcti.or.jp](mailto:shiga@jmcti.or.jp)).

Sincerely yours,

KANNO Yasuhiko

Chairman

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## **JMC comments on the Draft Implementing Regulation for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council as regards format and harmonised specifications for certain labelling requirements**

We would like to express our gratitude for the opportunity to participate in the public consultation on the Draft Implementing Regulation concerning the format and harmonised specifications of certain labelling requirements under Regulation (EU) 2023/1542.

[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14456-Batteries-labelling-new-rules-\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14456-Batteries-labelling-new-rules-_en)

We are very concerned that, despite the European Commission's efforts to simplify regulation through Omnibus packages, the current draft includes requirements that would result in duplicative indication and additional labelling items not specified in Regulation (EU) 2023/1542. This is contrary to the objective of regulatory simplification.

We request that the final regulation be revised along the proposals outlined below, so that the requirements remain reasonable and simple while in line with Regulation (EU) 2023/1542.

### **1. ANNEX I: We propose that EUBR Part A “Labelling information” set minimum necessary requirements and that the label format in Part B “Label design” be optional.**

Details:

The label specifications set out in Article 13 of Regulation (EU) 2023/1542 would require labels to be disproportionately large compared to the size of portable batteries and their packaging, making it impossible not only to display them on the battery itself, but also on the battery packaging. Furthermore, some of the information required by Article 13 of Regulation (EU) 2023/1542 is already displayed on the battery itself as follows, making it unreasonable to require duplicate indication on small portable batteries, their packaging, and accompanying documentation.

- i The manufacturer’s name, trademark, address, website, and e-mail address are required under Article 38(7) of Regulation (EU) 2023/1542.
- ii The capacity of lithium-ion rechargeable batteries is required under IEC 62133.
- iii The capacity of rechargeable batteries was required under Directive 2006/66/EC, which preceded Regulation (EU) 2023/1542.

Requiring icons or line spacing that are not mentioned in Article 13 of Regulation (EU) 2023/1542

would result in labels that are disproportionately large compared to the size of portable batteries and their packaging, making it impossible not only to display them on the battery itself but also on the battery packaging. Even if the label is displayed on the accompanied document, it may be larger than the warning displayed according to the safety standard. Such requirements would place an excessive burden on manufacturers and may not necessarily benefit end-users. Also, they run counter to the aim of regulatory simplification through the Omnibus packages. We would like to draw attention to the recently published REGULATION (EU) 2025/2439, which has postponed the application of the stricter labelling requirements under the CLP Regulation (Regulation (EC) No 1272/2008) as set out in Regulation (EU) 2024/2865.

Based on the above, we propose that the Implementing Regulation specify only minimum necessary labelling items, and that the label format be an optional requirement.

**2. Article 1(2): We propose that labelling be required on at least one of the following: the battery itself, the battery packaging, or the accompanying documentation**

Reason: Article 13, Paragraph 7 of the regulation (EU) 2023/1542 stipulates that “Where this is not possible or not warranted on account of the nature and size of the battery, the labels and the QR code shall be affixed to the packaging and to the documents accompanying the battery”.

Displaying identical information on both the packaging and accompanying documentation offers no benefit to the user.

Within the supply chain, different operators may handle the battery packaging and the documents accompanying the battery. Requiring labelling on both complicates the management of labelling information, imposing a significant burden on manufacturers importing batteries into the EU market and increasing compliance costs.

Furthermore, in the case of products that include batteries, the batteries themselves often lack packaging, making display on the packaging impossible.

**3. Article 5: We propose that “separate collection symbol” and “heavy metal logo” take precedence over “QR codes”**

Reason: We propose the above as global companies use batteries with a common design worldwide. Since countries, including not only the UK and Switzerland but also India and the

United States, mandate the display of the symbol for separate collection of batteries and the heavy metal logo, we propose to change the order of (1), (2) and (3) in article 5 accordingly.

**4. We propose to explicitly state that batteries exempted under Article 11(3) of Regulation (EU) 2023/1542 do not require labelling.**

Reason: Batteries exempted under Article 11(3) are not placed on the market as standalone batteries, and therefore labelling is not necessary. Therefore, we propose explicitly stating that batteries exempted under Article 11(3) of Regulation (EU) 2023/1542 do not require labelling.

**5. Article 4(2): We propose that hazardous substances subject to labelling be limited to those substances that may cause acute injury.**

Reason: According to the content of the 8th Omnibus package (2025/0397 (COD)) [https://environment.ec.europa.eu/document/download/ad737347-bf74-476e-9159-a05214844cb6\\_en?filename=COM\\_2025\\_981\\_1\\_EN\\_ACT\\_part1\\_v4.pdf](https://environment.ec.europa.eu/document/download/ad737347-bf74-476e-9159-a05214844cb6_en?filename=COM_2025_981_1_EN_ACT_part1_v4.pdf)

the substances subject to labelling under Article 4(2) would include SVHC candidate substances under the REACH Regulation (Regulation (EC) No 1907/2006) and substances which have a harmonised classification in accordance with the CLP Regulation (Regulation (EC) No 1272/2008). However, these lists are updated approximately twice a year, which means that manufacturers are constantly exposed to the risk of having to revise labels.

As of ATP23 (See <https://echa.europa.eu/information-on-chemicals/annex-vi-to-clp>), which will come into effect on February 1, 2027, the number of substances listed in Annex VI of the CLP Regulation exceeds 4,000, of which over 1,000 fall under the criteria of Article 57 of the REACH Regulation. Battery manufacturers face a significant burden in checking for updates and continually updating their labels.

On the other hand, safety standard IEC 62133 includes appropriate marking of batteries within its certification requirements, and altering battery labelling may necessitate time for reapplication. This situation places manufacturers under constant compliance risk.

In normal use, batteries do not involve prolonged human contact, and it is not necessary to label all SVHC candidate substances or substances which have a harmonised classification under the CLP Regulation. Therefore, we propose that only those substances that are commonly used in batteries

and may cause injury to humans in the event of internal liquid leakage, or during treatment or recycling, should be designated as substances subject to labelling. The substances we propose to be subject to labelling are as follows:

Sulphuric acid (H<sub>2</sub>SO<sub>4</sub>)

Potassium hydroxide (KOH)

It should also be noted that batteries function by redox reactions and must contain highly reactive substances to work. Therefore, it is not possible to design batteries solely from substances that are mild to human health and/or the environment and do not meet the criteria of Article 57 of Regulation (EC) No 1907/2006.

**6. Article 2(5): We request to take account of not only marking enforced under Member State's national laws, but also marking enforced in countries outside the EU.**

Global companies use batteries with a common design worldwide. Therefore, products bearing marking required in other countries outside the EU will also be placed on the EU market with those markings displayed. Therefore, we propose to modify Article 2(5) as follows:

- (5) The position of the label on the surface of the battery shall also take account of other marking requirements following national or Union law, or law in other countries, in particular requirements related to safety

**7. Article 1(8): We propose removing the requirement for battery manufacturing dates and batch numbers / serial numbers / product numbers (Ref: Article 38)**

At the product manufacturing site, linking and transcribing the battery's manufacturing date and batch number / serial number / product number to the product documentation for inclusion with the product requires significantly difficult management at the manufacturing site, making this requirement impractical.

**8. Article 1(7), Article 2(5), Article 5: We request that the priority order for physical markings on batteries, including the CE mark and markings required by safety standards, be clearly indicated.**

Article 2(5) of this Draft Implementing Regulation specifies the requirement to take account of other marking requirements following national or Union law, in particular requirements related to safety. Article 5 specifies the priority order within Article 13 of Regulation (EU) 2023/1542. Also, Article 1(7) specifies the requirement to indicate the chemical composition wherever possible. Furthermore, batteries are also subject to marking requirements under the requirement for CE marking. As a result, there are conflicting “highest priorities” for markings, and for small batteries, portable batteries in particular, it becomes unclear which marking should take precedence. Therefore, we request that a comprehensive priority order be established, covering safety standard markings and the CE marking.

**9. Article 6: We propose that the language of battery labelling could be one of the official languages of the Member State, and that, where multiple languages are required, they may be provided via a QR code.**

Reason: If different languages are required for each Member State in accordance with Article 38 1.(a) of Regulation (EU) 2023/1542, this creates a significant manufacturing burden to ensure consistency between batteries and the equipment to be installed, especially for batteries incorporated in products.

Furthermore, batteries also serve as spare parts. Free movement across borders within the EU is essential for the prompt supply of spare batteries.

**10. Part A X of ANNEX I, Part A X of ANNEX II and part A X of ANNEX III: We propose that the concentration threshold for the labelling requirement of critical raw materials be set at 5% or more.**

Reason: Even if critical raw materials are present only in trace amounts, it is unlikely that they can be effectively utilised for recycling. In practice, effective recycling is only feasible when the content of cobalt or nickel is 5% by weight or more, as for which a fee discount is provided in the U.S. Call2Recycle programme.

Therefore, to avoid imposing an excessive burden on manufacturers in indicating information not effectively used, we propose setting the threshold at 5wt%.

**11. Article 4 (1): Regarding the labelling of hazardous substances, it is incorrectly stated that**

**batteries containing substances in concentrations “lower” than the restricted limit. This should be deleted. Alternatively, at least the condition should be “intentionally added and lower than the restricted limit”.**

Reason: Any analytical method cannot detect a substance containing below the detection limit and it is technically impossible to prove zero containment. Current text effectively may require that all restricted substances be indicated (as the manufacturer cannot prove zero content of them).

Alternatively, the text could be amended as follows:

All batteries containing substances other than mercury, lead or cadmium for which a restriction is listed in Annex I to Regulation (EU) 2023/1542, which are intentionally added, in a concentration, weight on weight, lower than the restricted limit therein, shall be marked with their chemical name in accordance with Article 18 of Regulation (EC) 1272/2008 and with the specifications set out in Annexes I, II and III to this Regulation.

End