

BACKGROUND NOTE

CALL FOR EVIDENCE ON SUBSTANCES IN BATTERIES

Introduction and scope

The Batteries Regulation (Regulation (EU) 2023/1542, BR) entered into force on 17 August 2023 and repeals the Batteries Directive (Directive 2006/66/EC). It aims to strengthen the internal market by ensuring a level playing field through a common set of rules, to promote a circular economy and to reduce environmental and social impacts throughout the entire battery life cycle.

Under the BR, the European Commission, assisted by the European Chemicals Agency, must prepare a report on the presence of substances of concern (SoC) in batteries by 31 December 2026. Substances of concern are defined in Article 6(5) of the Regulation as 'substances having an adverse effect on human health or the environment or hampering recycling for safe and high quality secondary raw materials, present in batteries or used in their manufacture'. The report will determine the extent to which these substances impact chemical safety and negatively affect the re-use and recycling of materials and will include considerations on appropriate follow-up measures, including possible needs for new restrictions proposal on substances used in the manufacturing of batteries or present in batteries when they are placed on the market (Article 86).

ECHA has already conducted preliminary research on substances used in batteries and has identified a number of substances that are present in batteries and used in their manufacture. The purpose of this call for evidence is to gather additional information from relevant stakeholders to help ECHA in identifying substances of concern in batteries. In addition to supplementary information on substances used in batteries, ECHA is seeking also information on technologies in place for recycling of battery materials and on substances that hamper recycling.

Based on the conclusion of this call for evidence, ECHA may consider to employ additional stakeholder engagement initiatives to gather further information on SoCs which may be relevant to inform the need for possible regulatory actions.

Who should participate to the call for evidence?

This call for evidence is intended for interested parties such as companies (or trade associations) operating across the whole batteries supply chain, including manufacturers, importers, formulators, converters, distributors and downstream users of batteries, as well as waste management practitioners and recyclers. Other stakeholders (e.g. scientific organisations, NGOs, Member State Authorities and international organisations) are invited to participate by uploading any written submissions or documents with relevant information. Information can be submitted confidentially and will be treated as such by all contracted parties.

This call for evidence is primarily targeted at EU/EEA stakeholders as the study concerns (substances in) batteries available within the European single market and related practice. However, non-EU stakeholders are also encouraged to participate where they hold relevant information or reports that are deemed relevant for the scope of the study. Information can be submitted confidentially and will be treated as such by ECHA. The study is being conducted by WSP E/IS GmbH upon mandate from ECHA, under a confidentiality agreement to ensure your data is protected. If you have any questions related to the survey, please contact: Karina Reynolds-Young at karina.reynolds@wsp.com.

How to submit a comment in the call for evidence

This survey consists of several sections. Stakeholders are asked to indicate their role in the supply chain and to provide information on battery technologies, materials and substances used in batteries, on emissions, recycling technologies and substances used during recycling processes, as well as any specific issues with substances that may hamper recycling. In some cases (e.g. for substances in batteries), stakeholders are invited to download the provided Excel file(s) containing information previously collected by ECHA. They are asked to review this information, give feedback where necessary and/or to add any missing data. The updated file should then be saved and uploaded back to the system.

Depending on which stakeholder type is indicated at the beginning of the survey, users will be directed to different sections, so only relevant parts of the survey will need to be completed.

Participants are also invited to submit additional attachments of supplementary information or resources as part of the submission. Please indicate in the survey responses if relevant information to specific question(s) is provided in external attachments (e.g. including page/section numbers).

Once you have finished your submission press the "Submit" button and your comments will be submitted. You will receive a submission number via e-mail and you should refer to this in any additional communication.

If you would like to save a copy of your submission for future reference, you can generate a pdf of your responses and have it sent to your email address.