



Joint industry position on Amending Regulation (EU) 2023/1542 as regards obligations of economic operators concerning battery due diligence policies

Executive summary

FEM, the European Materials Handling Federation, and EGMF, the European Garden Machinery Federation, support the European Commission's proposal 2025/0129 amending Regulation 2023/1542 as regards obligations of economic operators concerning battery due diligence policies.

This amendment addresses the uncertainty that companies are experiencing and creates the enabling conditions for fulfilling the due diligence and conformity assessment requirements. However, it does not tackle one of the key root causes, that is, the lack of an alignment between the establishment of harmonised standards for accreditation and the newly introduced enforcement deadline.

Insights

The postponement of the legal deadline for demonstrating compliance with the due diligence obligations by two years is welcomed and supported. The extension for the date of the publication of the European Commission's implementation guidelines is a necessity given the absence of progress in this regard.

Having considered the missing guidance and there being yet no notified bodies being accredited, FEM and EGMF further propose a two-stage approach being implemented for the due diligence requirements. During the first stage, economic operators would be able to conduct their due diligence processes on the basis of self-declaration, followed one year later by the obligation to obtain third-party verification.

The Commission's proposal acknowledges that the delay can be ascribed to the lack of determination of a standard for the notified bodies for battery due diligence by the European cooperation for accreditation association (EA). The proposed additional period would allow for a practical implementation not only by the economic operators but also for EA to develop and publish the relevant standard, as well as for the notified bodies to apply for accreditation

from their national bodies, and undertake the necessary evaluation and awarding by their accreditation service.

Recommendations

FEM and EGMF, therefore, suggest the following amendments to Article 1:

Reference	Original text	Proposed amendment
Article 1	Article 48 of Regulation (EU) 2023/1542 is amended as follows: in paragraph 1, '18 August 2025' is replaced by '18 August 2027';	Article 48 of Regulation (EU) 2023/1542 is amended as follows: in paragraph 1, '18 August 2025' is replaced by '18 August 2027, or 12 months after the publication of the guidelines referred to in paragraph 5, or 12 months after the publication of a standard for the accreditation of notified bodies for battery due diligence, whichever is the latest. '

About FEM

The European Materials Handling Federation has represented European manufacturers of materials handling, lifting and storage equipment since it was founded in 1953.

FEM currently consists of 15 members, 13 from the EU, as well as UK and Türkiye. They are the driving forces in promoting a common vision for FEM industries and in maintaining the European materials handling, lifting and storage industry's position of leader on the world market. In total, FEM represents more than 1,000 companies with about 160,000 employees, covering around 80% of all eligible European companies. It thus accounts for more than half of the world's total production.

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About EGMF

The European Garden Machinery Industry Federation has been representing the outdoor power equipment industry in Europe since 1977. EGMF represents manufacturers of garden, landscaping, forestry, and turf maintenance equipment. Through its 35 member bodies, EGMF represents about 20,5 million cordless and corded units placed on the European market every year, accounting for around 80% of garden machinery, over 120,000 people employed in the EU by EGMF members.

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