



FEM position paper on Omnibus Regulation proposal “Aligning product legislation with the digital age”

COM (2025) 504

Brussels, 3 September 2025

Executive summary

FEM, the European Materials Handling Federation, welcomes the European Commission’s proposal for an Omnibus Regulation Aligning product legislation with the digital age. The initiative is a significant step forward the modernisation of EU product legislation and simplification of compliance procedures. However, we would like to express our concerns regarding the proposed amendments to the Regulation (EU) 2023/1542 concerning batteries and waste batteries – henceforth the Batteries Regulation – as regards the digitalisation of the instruction and safety information for stationary battery energy storage systems, and the Regulation (EU) 2023/1230 on machinery – henceforth the Machinery Regulation – as regards end-user request of instructions or safety information in paper format. To FEM’s analysis, the current text give rise to regulatory inconsistency within the proposal itself and other relevant EU legislation on industrial policy.

FEM Recommendations on Article 6(4)

The proposed new Article 6(4) updates Article 38 of the Batteries Regulation as regards the obligations of manufacturers. Paragraph (a) introduces the option to provide instructions and safety information in electronic form for stationary battery energy storage system. At the same time, the proposed rule reads that for systems intended for consumers, or foreseeably used by them, the safety information must still be provided in paper format.

The current proposal is only applicable to stationary battery energy storage systems, leaving industrial trucks out of scope. The Batteries Regulation, in Article 3(1), provides separate definitions for “industrial battery” (Article 3(15)) and “stationary battery energy storage system” (Article 3(15)). The new requirements as set out in Article 6(4) would result in the exclusion of the instruction manuals accompanying industrial trucks, which are one of the most critical products for the whole material handling industry.

Additionally, FEM identified conflicting provisions between the Batteries Regulation and the Machinery Regulation regarding the format of instructions for use. While Article 10(7) of the Machinery Regulation explicitly allows manufacturers to provide instructions in a digital format, neither the Batteries Regulation nor the proposal COM (2025) 504 provide an equivalent flexibility on the digital instructions for industrial batteries.





This condition evidently leads to a practical contradiction: an industrial truck manufacturer can provide the product's main instructions in a digital format, but would still be required to include a separate, paper-based manual for the industrial battery.

Moreover, Article 6(4) paragraph (b), states that "The end-user may, at time of the purchase of the stationary battery energy storage systems, *or up to six months after that purchase*, request the instructions or safety information in paper format. Where the end-user requests those instructions or safety information, the manufacturer shall provide them to the end-user, free of charge, within one month of receiving the request.

Under the Machinery Regulation, the manufacturer's obligation is limited to requests that are made by the purchaser and only at the time of purchase. Extending this provision to end-users and for a period of up to six months after the time of purchase introduces uncertainty and potential administrative burden, particularly for manufacturers of equipment that frequently changes hands (e.g., rental or resale). FEM recommends aligning this provision with the Machinery Regulation to avoid confusion and disproportionate obligations to manufacturers.

In light of the above-explained issues, FEM recommends that Article 6(4), paragraph (a) of COM (2025) 504 is deleted and paragraph (b) is aligned with the provisions of Article 10(7) of the Machinery Regulation.

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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