



FEM recommendations on the Omnibus IV Simplification package as regards digitalisation amending the Regulation on batteries and waste batteries

Inter-institutional negotiations

Brussels, 4 June 2026

Executive summary

FEM, the European Materials Handling Federation, welcomes the proposal for a Regulation “Aligning product legislation with the digital age” and the provisional trilogue conclusions reflected in the 4-column document dated 26 May 2026. 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 2023/1542 concerning batteries and waste batteries — henceforth the Batteries Regulation — as regards the proposed amendments on the safety information and instructions for stationary battery energy storage systems and the lack of a framework governing their interconnection with the Battery Passport.

Overview of context

The original Commission’s text amends Article 38 of the Batteries Regulation by setting out new specifications concerning the proposed obligation for manufacturers to provide paper-based safety instructions for stationary battery energy storage systems. This is translated into the amending provision of Article 6, first paragraph, point (4)(a), numbered paragraph (1), second, third, and fourth subparagraphs.

FEM takes note that certain provisions are reportedly still under consideration by negotiators — among these, the extension of the timeframe to file a request to obtain paper-format instructions or safety information from six to twenty-four months. While we appreciate this amendment, it does not address the direct contradiction introduced from the initial proposal presented by the European Commission. **The latest document resulting from trilogue negotiations seems to continue to require on-demand paper-based instructions only for stationary battery energy storage systems**, thus discriminating between different categories of industrial batteries. As a result, manufacturers may legally provide instructions in electronic form for a machine and be still required to supply separate paper documentation for the battery integrated into that same machine. Such a mismatch risks becoming problematic also





in view of the upcoming obligations related to the Battery Passport. **Practically, by 18 February 2027, manufacturers of industrial batteries would need to make certain product information digitally accessible and, in parallel, operate instructions provided in paper form.** According to FEM, this sends conflicting signals on the EU's digitalisation agenda and undermines the very objective of the Omnibus IV package, namely the alignment of product legislation with the digital age.

Requiring that stationary battery energy storage systems are accompanied by instructions and safety information *"in a language or languages which can be easily understood by end-users, as determined by the Member State in which the battery is to be placed on the market or put into service"* makes compliance increasingly complicated, as **manufacturers are not always aware of the first country of placing on the market or put into service and would be compelled to translate these documents at least into all EU official languages.** As the current trilogue compromise text allows instructions or safety information to be accessible via the Battery Passport, a viable option could be to provide translations therein in electronic form. **The fact that the instructions or safety information would be accessible via the Battery Passport further confirms that a mandatory paper version of these documents is an unnecessary extra.**

Additional uncertainties remain regarding the access limitations to the content of the instructions or the safety information when made available in the Battery Passport. Article 12 of the Batteries Regulation lays down general requirements for the safety of stationary battery energy storage systems. This legal reference is not reflected in latest compromise from trilogues. Regarding the abovementioned proposed integration with the Battery Passport, Recital 124 of the Batteries Regulation reads that it is this digital tool that should contain the sensitive information concerning dismantling, safety, and the details on the composition of the battery. **However, only a generic mention of "safety measures" is included in Annex XIII, Part 2, point (d), which by contrast sets out the information in the Battery Passport only accessible to persons with legitimate interest and the European Commission.** The identity of the actors considered as persons with legitimate interest will be defined via *ad hoc* implementing acts legally set for adoption by 18 August 2026. **The final compromise should detail an explicitly legal definition and reference of what constitutes safety information applicable to stationary battery energy storage systems, as well as specify the actors entitled to access it.**

Lastly, the amending provisions presented in the 4-column document **lack consistency in the identification of the user categories.** In the second subparagraph, the text mentions that manufacturers must provide paper-based instructions for stationary battery energy storage systems that can be used by consumers, whether intended to them or not. This specification is not maintained in the fourth subparagraph, which instead generically refers to "end-user".





Despite FEM advocates for the complete removal of the Article 6, new point (a), this ambiguity warrants attention.

Recommendations

FEM calls on co-legislators to **address the inconsistencies** represented by:

- 1) The introduction of a mandatory on-demand documentation in paper format in contrast with the stated digital-by-default approach,
- 2) The lack of a clear legal and technical framework for the critical safety information and instructions accessible via the Battery Passport.

In light of the above, FEM recommends:

- **Repealing the amending provisions of Article 6, first paragraph, point (4)(a).**
- Defining the **nature and specifications of the safety measures** applicable to stationary battery energy storage systems to be contained via the Batteries Passport, and **clarifying whether these coincide with the rules under Article 12** of the Batteries Regulation;
- **Clarifying the access rights** to the information related to the safety instructions of stationary battery energy storage systems in line with the classification of information under Annex XIII of the Batteries 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.

