



**Computer & Communications  
Industry Association**  
Open Markets. Open Systems. Open Networks.



## **Joint Statement - Batteries Omnibus and Article 11 Batteries Regulation**

The European Commission recently proposed, as part of its simplification agenda, a smoother phase-in and delay of the due diligence obligations in the EU Batteries Regulation. This will help industry be ready for compliance, for 3rd party verification bodies to be set up, and for the Commission itself to prepare and publish guidance for implementation.

We strongly welcome and commend the Commission's proposal, and hope that the co-legislators agree and adopt the measure.

At the same time, we highlight that there are other parts of the EU Batteries Regulation that are causing legal uncertainty and business disruption. In particular, the battery removability and replaceability requirements of Article 11 were developed without proper impact assessment. Consequently, they are now posing a challenge for many companies. These relate to overhauling complex machinery and manufacturing processes, (re)designing products to comply while not sacrificing features and functionality, potential adverse effects to innovation, consumer convenience, reliability and electronic waste, and all the while ensuring product safety.

Recognizing these challenges, the Commission launched a call for evidence of concerned sectors to apply for a partial derogation to this requirement, so that battery replaceability can be done safely and correctly by a professional rather than the end-user. Many manufacturers submitted applications, containing factual evidence as to why a partial derogation for their products would be necessary and warranted for such reasons as safety, product design, consumer experience and alignment with international rules and standards. This includes companies in a wide variety of sectors.

The call for applications as well as Guidance on Article 11 of the EU Batteries Regulation were published much later than anticipated, with concrete outcomes only expected in early 2026 – leaving hardly a year until the requirements become applicable in February 2027.

These delays and legal uncertainty have held up production and investment decisions on manufacturing lines. Waiting until early 2026 to know how a product should be designed to be allowed on the market less than a year later is an unenviable position to be in. Such major investments and operational decisions need to be taken today. Manufacturers of innovative new products rely on appropriate and future-proof rules, including knowing that they can count on clear derogations, where needed and justified.

The signatories of this letter call for the European Commission to expediently and favourably review these applications. Industries that have submitted applications uphold that their products can both deliver better protection of the environment and ensure consumer safety with products if they are repairable by professionals, rather than end-users. We believe it is not justifiable to require the application of Art. 11(1) to these products and call upon the Commission—in light of its commitment to reducing burden on business and to simplification—to evaluate and grant the applications with priority.

For industry to prepare following the outcomes of the process, we additionally call on the EU institutions to consider a delay to the requirements of Article 11 of the EU Batteries Regulation. Such a delay could be integrated in the aforementioned [stop-the-clock proposal on the Due Diligence requirements \(1\)](#), or, alternatively, as individual legislative text or as part of an Omnibus proposal in the context of the EU's Simplification Agenda.

We, the signatories, stand ready to closely collaborate with the European Commission services in the interest of providing any support required in reviewing the applications for derogations. Our industries rely on the positive outcomes of the derogation procedure to continue delivering safe, innovative and environmentally friendly products to European consumers.

## **DIGITALEUROPE**

Giorgia Murgia, [Giorgia.Murgia@digitaleurope.org](mailto:Giorgia.Murgia@digitaleurope.org)

<https://www.digitaleurope.org/>

## **CCIA - Computer & Communications Industries Association**

Leonardo Veneziani, [lveneziani@ccianet.org](mailto:lveneziani@ccianet.org)

<https://ccianet.org/>

## **Toy Industries of Europe**

Lars Vogt, [lars.vogt@toyindustries.eu](mailto:lars.vogt@toyindustries.eu)

<https://www.toyindustries.eu/>