

ESPP input to public consultation on Battery Labelling Rules

26th January 2026

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14456-Batteries-labelling-new-rules_en

ESPP welcomes that the proposed update on Battery Labelling maintains and clarifies the obligation to declare Critical Raw Materials present at > 0.1% w/w (this obligation is already included in the Annexes of 2023/1254).

We note that the CRM Act 2024/1252 Annex II (list of CRMs) includes both “Phosphate Rock” and “Phosphorus”. We assume that for application of this battery labelling requirement, this can be taken to mean declaration of total content of the element phosphorus (as P) irrespective whether it is in the form of organic or inorganic compounds (e.g. organophosphorus flame retardants, inorganic phosphate flame retardants, lithium iron phosphate or other cathode compounds, LiPF₆ in electrolytes ...) and so irrespective of whether or not it is derived from the CRM “Phosphorus” (P₄ – white phosphorus).

We continue to regret that the Batteries and Waste Batteries Regulation 2023/1254 specifies, in Annex XII part C, material recovery targets for five elements (cobalt, copper, lithium, nickel and lead), but not for phosphorus.

We suggest to modify the proposed Annex IV “Electrochemical composition nomenclature”. At present, this proposes the following specification wording for labelling: “Lithium ion LFP: “Li-ion LFP”” and similarly for NMC, LMO, LCO, NCA. For clarity, we propose to write “Lithium ion Lithium Iron Phosphate: “Li-ion LFP”” and similarly. We note that the acronyms in question are not included in the “Definitions” section of 2023/1542, and that it is therefore appropriate to spell them out in full.

The European Sustainable Phosphorus Platform (ESPP) promotes implementation of sustainable nutrient management in Europe, in particular phosphorus recycling. ESPP is a non-profit organisation funded by its members and brings together some 50 companies and research organisations active in water and waste, mineral and organic fertilisers, chemicals, anaerobic digestion, nutrient recycling technologies.