Compliance & Risks

Future-Proofing Product Compliance: Navigating the EU Digital Product Passport

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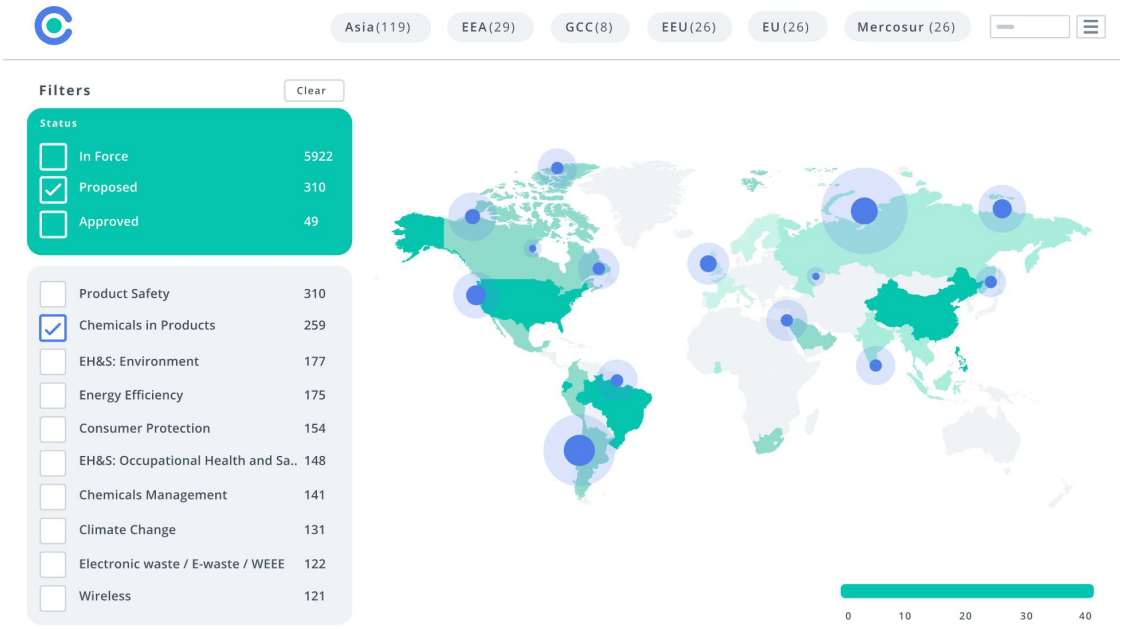

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01. Introduction

In today's increasingly sustainability-conscious and data-driven marketplace, the European Union is pioneering regulations that will transform how products are designed, manufactured, traded, and recycled.

Central to this shift is the Digital Product Passport (DPP) - a groundbreaking regulatory instrument designed to enable transparency, traceability, and circularity across supply chains.

This guide, developed from the Compliance & Risks webinar titled "**Navigating the Digital Product Passport: What are Your Compliance Obligations?**", aims to equip manufacturers, importers, distributors, and regulatory professionals with clear, practical insights into what the DPP is, how it will affect product compliance obligations, and what steps companies must take now to stay ahead.

Watch the **full webinar** for more details.

Combining the expertise of regulatory compliance specialists and legal advisors, this guide provides a deep dive into the key elements of the DPP as it relates to batteries, toys, textiles, electronics, and beyond.

It serves not only as a follow-up resource for **webinar attendees** but also as an essential asset for any organization looking to build resilient, future-proof supply chains in line with EU and global expectations.

By understanding the timelines, compliance responsibilities, and technical foundations of the DPP, businesses can better prepare for a regulatory future built on transparency, circularity, and digital verification.

This is your roadmap to mastering one of the most important changes in product compliance history.

02.The Foundations of the Digital Product Passport

The Digital Product Passport (DPP) is a central component of the EU's sustainable product policy, offering a standardized and digital means to store and share essential compliance, safety, environmental, and lifecycle data.

Unlike documentation, the DPP is a dynamic, electronic record uniquely tied to each product. For batteries, this means that industrial batteries with >2kWh, Electric Vehicle (EV) batteries, and Light Means of Transport (LMT) batteries placed on the EU market after February 18, 2027, must include a permanent QR code that links directly to its DPP.

The DPP was first introduced through the EU Batteries Regulation 2023/1542 and is now also being adopted through other legislation such as the EU Ecodesign for Sustainable Products Regulation (ESPR) 2024/1781.

This electronic record will host a wide range of data points, including:

- Carbon and Environmental footprint
- Material composition
- Information about sourcing and recycled content
- Performance indicators
- Compliance certifications

The goal is to empower stakeholders across the product lifecycle - from consumers and recyclers to repairers and regulatory bodies - to access relevant information tailored to their role. In this way, the DPP is not just a regulatory requirement; it's a digital enabler of sustainability, transparency, and trust.

03. Regulatory Drivers and Strategic Intent

The introduction of the DPP was necessitated by the limitations of previous EU regulations, particularly the 2006 Battery Directive.

Under the old battery regime, collection and recycling rates were inconsistent, supply chain transparency was virtually non-existent, and there were no mechanisms for monitoring the environmental impact of battery production and reuse.

In contrast, the EU Batteries Regulation 2023/1542 offers a holistic, lifecycle-oriented approach. It aligns with the European Green Deal and the Circular Economy Action Plan by:

- Enforcing due diligence in sourcing critical raw materials like cobalt and lithium
- Establishing uniform rules across member states (via regulation rather than directive)
- Elevating product traceability and sustainability through standardized metrics

The "Brussels Effect" a phenomenon first observed with data protection regulations like GDPR, is poised to replicate its influence with the new EU Battery Regulation. This essentially means that the comprehensive and stringent standards set by the European Union for batteries and related products will likely become the de facto global benchmark. Because companies want to access the large EU market, they often find it more efficient and cost-effective to simply adopt the EU's high regulatory standards worldwide, rather than developing separate, lower-tier products for other markets. This effectively positions the EU as the global standard-setter for battery regulation.

This "Brussels Effect" positions the EU as the global standard-setter for battery and product regulation.

Even non-EU companies will need to comply if they want access to the EU market.

Importantly, the DPP represents the EU's vision for a twin transition - both green and digital - marking a major shift in compliance strategy from analog paperwork to real-time, machine-readable data.

04. Scope and Application: Who and What Is Affected?

The DPP requirement applies to a wide range of actors and product types, and understanding its applicability is essential for compliance planning.

According to the EU Batteries Regulation:

- The DPP is mandatory for Electric Vehicle (EV) batteries, Light Means of Transport (LMT) batteries, and industrial batteries >2 kWh from 18 February 2027.
- Other battery types, such as portable or SLI (Starting, Lighting, and Ignition) batteries, must include a QR code that links to a more limited set of product information focused on recycling and safe disposal.

"Economic operators" responsible for ensuring compliance include:

- Manufacturers (within and outside the EU)
- Importers and authorized representatives
- Distributors and fulfillment service providers

Responsibility for DPP compliance depends on who first places the product on the EU market. Slide 15 in our **webinar presentation** clarifies these distinctions and also addresses scenarios for online marketplaces. Whether sold in physical stores or online, any qualifying battery product must have its DPP accessible to relevant stakeholders, tailored to their access rights.

05. Architecture of the Digital Battery Passport

The DPP is structured with tiered access to safeguard sensitive business data while maximizing transparency.

There are three primary access levels:

1. **Public Layer** - Accessible via QR code to anyone, including consumers. Includes general product info, carbon class, sourcing summaries, and recycled content declarations.
2. **Restricted Layer** - Intended for professional stakeholders such as repairers remanufactuers and owners.. Includes detailed technical data, disassembly instructions, and health metrics.
3. **Confidential Layer** - Restricted to market surveillance authorities and the EU Commission. Includes full compliance documentation, carbon footprint calculations, and due diligence audit records.

The DPP is more than just a record - it is an active compliance system. Businesses will need infrastructure to gather, update, and securely manage this data in line with EU standards.

This may involve partnering with third-party DPP service providers and updating labeling, packaging, and internal systems to meet 2026/2027 deadlines.

06. Transfer of Responsibility in Batteries

The regulation acknowledges that products often change hands - and functions - over time. As such, the responsibility for DPP management can and must transfer.

There are two cases where the Regulation shifts the battery passport responsibility from one economic operator to another:

Per Article 77(7), if a battery undergoes preparation for re-use, repurposing, or remanufacturing, the obligation to maintain accurate, complete, and up-to-date information in the battery passport shifts to the economic operator responsible for placing or using that battery. In such instances, a new battery passport will be generated, but it will remain linked to the original battery.

Per Article 77(7) second paragraph, if a battery transitions from active use to a waste battery, the responsibility for ensuring the accuracy, completeness, and currency of information is transferred to either the producer, the producer responsibility organization, or the waste management operator. In such instances, a new battery passport will not be required.

07. EcoDesign for Sustainable Products Regulation (ESPR)

The ESPR expands DPP use beyond to many product groups. The ESPR entered into force in July 2024, and mandates sustainability and circularity requirements across a vast array of products through future "delegated acts."

Performance requirements under ESPR include:

- Repairability and durability scores
- Minimum recycled content thresholds
- Carbon and environmental footprint labeling
- Material and energy efficiency

Products will include:

- Textiles and apparel (2027)
- Tyres (2027)
- Furniture (2028)
- Mattresses (2029)

Additionally, ESPR introduces two horizontal measures:

- A repairability scoring system for consumer electronics and small kitchen appliances (2027)
- Recyclability requirements for electronic equipment (2029)

By 19 July 2026, the EU Commission must create a digital registry to store the unique product identifiers for the DPP. Businesses must begin preparing their IT infrastructure and product design practices accordingly.
Watch our **webinar on-demand** for a detailed roadmap.

08. Application to Toy Safety: A Case Study in Consumer Goods

Toys offer a practical example of how DPPs will reshape compliance in high-volume, consumer-facing markets.

The new proposed Toy Safety Regulation mandates:

- Bans on chemicals like PFAS, endocrine disruptors, and allergenic fragrances
- Stricter limits on heavy metals, nitrosamines, and hazardous substances
- Comprehensive chemical and mechanical safety evaluations

Every toy must carry a DPP (typically via QR code) with:

- Unique identifier and compliance documentation
- Manufacturer/importer details
- Safety warnings and an image of the toy

Online marketplaces must ensure toys on their platforms comply with EU safety requirements. The proposed regulation also addresses smart toys, requiring manufacturers to assess and mitigate risks to children's mental health and digital privacy.

DPPs will help regulators scan incoming shipments, stop unsafe products at borders, and maintain a level playing field for EU-based manufacturers.

The proposed regulation includes a 54-month transition period for the toy sector from the regulations entry into force, culminating in full compliance expected by spring 2030.

09.Global and Cross-Sector Developments

The EU's DPP model is already influencing international policy.

- **Construction:** A new DPP under the Construction Products Regulation will include the declaration of performance and conformity
- **Vehicles:** The proposed Digital Circularity Vehicle Passport will include information on the safe removal and replacement of vehicle parts and components
- **China:** Developing a digital battery ID card and a Standard on general requirements for DPP

These developments confirm the DPP's role as a global paradigm shift.

Companies should view DPP compliance not just as a burden but as an opportunity to lead on sustainability, innovation, and market differentiation.

08. Webinar Q&A

During the live webinar, numerous questions were sent in by our live audience. Our webinar presenters, **Dila Şen**, **Michelle Walsh** & **Andrew O'Neill** provided expert answers to the most popular queries below.

Q1. Given that economic operators are responsible for developing and maintaining their own Digital Product Passports (DPPs) internally, how is the transfer of DPP responsibility envisioned when a product changes hands between different economic operators within the decentralized ecosystem? Is there a mechanism for this, or does each new operator simply create and maintain their own DPP entry?

As explained in the EU consultation, "DPP service providers will store and process DPP data on behalf of responsible economic operators that decide not to provide these services themselves. For responsible economic operators that decide to host the DPP themselves, the DPP service providers will store the DPP's mandatory backup copy."

The consultation is available on the EU Commission's website **here**. Please see Part A of the consultation which refers to this.

Q2. Does this include medical products, such as surgical gowns?

The exact scope of the textiles/ apparel that will be covered in the ESPR ecodesign measure to be adopted by 2027 is not yet defined.

The JRC conducted a study in November 2024 containing recommendations for the priority product groups. For textiles they recommended the definition would include textile apparel, including for medical use which would include surgical gowns. Whether the EU Commission will adopt this approach will depend on the definition in the Delegate Act.

Specifically, the study defined textiles as "Any raw, semi-worked, worked, semi-manufactured, manufactured, semi-made-up or made-up product which is exclusively composed of textile fibres, regardless of the mixing or assembly process employed, as well as a product containing at least 80% textile fibres by weight, in line with the Textile Labelling Regulation (Regulation (EU) No 1007/2011).

This includes apparel textiles, home/interior textiles and technical textiles usually or also meant for consumers (such as truck covers, cleaning products) or specifically meant for industry (automotive, construction, medical, agriculture, etc)."

This study is available **here**

Q3. How will these new regulations on tyres interact/overlap with the new EUDR?

The ESRP working plan refers to tyres as being regulated under the EU tyre labelling regulation. However due to their potential to improve recyclability and recycled content and to mitigate risks related to waste management of end-of-life tyres, these products will also be subject to an ecodesign ESPR measure to be adopted by 2027.

At the same time there are other initiatives looking at tyres so it will be imperative that any Delegated Act measures under the ESPR and Tyre labelling work together.

This initiative is worth keeping an eye on also - Tyre labelling for retreaded tyres **here** (expected second quarter 2026)

Q4. The Battery Supply chain due diligence is due to be delayed - do you have any information on this?

Yes, I can confirm that there has been a recent development. On 19 June 2025, the Council of the EU agreed on a draft regulation that would temporarily suspend the application of the supply chain due diligence requirements under the Batteries Regulation (Regulation (EU) 2023/1542). This is essentially a "stop-the-clock" proposal in response to industry and Member State concerns about the current lack of clarity and preparedness to implement the due diligence obligations effectively.

The Council's position is that the delay will allow time to revise the rules and develop the necessary implementation tools (such as detailed guidance, templates, and the digital battery passport infrastructure). However, please note that this is not yet final. The European Parliament must now consider and agree on the proposal before it can be formally adopted.

For now, the original timeline (obligations applying 12 months after the implementing act is adopted) is technically still in force, but this Council initiative strongly indicates that a deferral is very likely.

I recommend **monitoring the legislative process closely** over the coming weeks. You can learn more about how Compliance & Risks can help here.

Q5. Is the 2023/1542 battery regulation linked to ESPR? is the Digital Passport a requirement from ESPR or is it depending on individual delegated acts and regulations from the EU?

The EU Batteries 2023/1542 is the first regulation to introduce the DPP. The EU ESPR is the framework for empowering the EU Commission to set out the requirements including DPP for the specific product groups in future Delegated Acts to be adopted.

However, although these are separate regulations, the Commission has said that the battery passport shall be fully interoperable with the DPP required by the ESPR, in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer.

Q6. Does the PEFcr v3.1 (as approved by the EC to measure products' environmental performance) give both an environmental and carbon product level footprint or is the PCF different necessitating a different calculation methodology to PEFcr v3.1?

The Product Environmental Footprint (PEF) (v3.1) methodology measures the environmental footprint of products following similar rules across 16 environmental indicators. One of the indicators is climate change which would relate to the Product Carbon Footprint (PCF).

However, I think it will be important to see how the requirements are defined in the Delegated Act for the specific product.

For example there is currently a draft regulation on the Methodology for the Calculation and Verification of the Carbon Footprint of Electric Vehicle Batteries, Draft Commission Delegated Regulation, April 2024.

Although this draft regulation states that "the essential elements for the carbon footprint methodology specify in particular to follow the Product Environmental Footprint (PEF) method set out in Commission Recommendation (EU) 2021/2279," the draft regulation sets out the requirements for calculation of the PCF.

So the PEF will be used as a general base methodology but further requirements may be included in the Delegated Acts.

If you would like to read this draft regulation please see here.

Q7. Regarding the consultation on rules for service providers who will store and process Digital Product Passport (DPP) data: My understanding was that economic operators are mandated to use such third-party services and are not permitted to store and directly transmit this data to the European Central Access Point themselves. Is this understanding correct, suggesting that the regulation of these service providers is necessary because their use is obligatory? Or, has there been a change, and economic operators now have the option to self-manage their DPP data storage and processing?

As explained in the EU consultation, "DPP service providers will store and process DPP data on behalf of responsible economic operators that decide not to provide these services themselves. For responsible economic operators that decide to host the DPP themselves, the DPP service providers will store the DPP's mandatory backup copy."

The consultation is available on the EU Commission's **website**. Please see Part A of the consultation which refers to this.

Q8. If the DPP is required on OR in the product, its packaging, OR on documentation accompanying the product, does that mean it will not be required to have the DPP on the label attached to the product itself? It can simply be in a booklet that comes with the product instead? Am I understanding that correctly?

In theory yes. According to Article 10(1)(b) of the EU ESPR Regulation, the "data carrier shall be physically present on the product, its packaging or on documentation accompanying the product". I would take this to mean, if it is impossible to include the data carrier on the product and its' packaging due to its size of the product for example, then it would be sufficient to include it in the accompanying booklet instead based on Article 10(1)(b).

Also Recital 37 of the ESPR Regulation also states that the passport should be easily accessible by scanning a data carrier, such as a watermark or a quick response (QR) code. Where possible, the data carrier should be on the product itself to ensure the data remain accessible throughout its life cycle.

However, derogations should be possible depending on the nature, size or use of the products concerned.

So the location will very much depend on the specific product and the requirements that will be set out in the Delegated Acts to be adopted considering the particularities of the specific product group.

Q9. What's the impact on industrial/commercial printers?

Industrial/commercial printers are not specifically mentioned in the ESPR working plan however there will be a horizontal measure on recycled content and recyclability of electrical and electronic equipment to be adopted in 2029. The scope of this measure is not yet defined so it will be worth watching how it develops.

Also, according to the ESPR working plan, the EU Standby regulation 2023 will be revised by the end of 2030. This currently covers printing equipment although the power consumption limits do not currently apply to "large format printing equipment" for networked standby.

It is **worth watching** this revision also to see how printers will be covered in the future revision. You can learn more about how Compliance & Risks can help **here**.

Q10. Can you please explain the last option of WHO is Responsible to comply with the requirements?

Sure! If the online seller is not established in the EU and the battery is marketed to non-EU customers, the battery passport requirement does not apply.

Therefore, no one will be responsible because this regulation only applies to the batteries on the EU market or put into service.

Q11. What about where it is technically not feasible to put DPP on small products and their packaging?

According to Article 10(1)(b) of the EU ESPR Regulation, the "data carrier shall be physically present on the product, its packaging or on documentation accompanying the product". I would take this to mean, if it is impossible to include the data carrier on the product and its' packaging due to its size of the product for example, then it would be sufficient to include it in the accompanying booklet instead based on Article 10(1)(b).

The requirements for the specific product and the DPP will be set out in the Delegated Acts to be adopted considering the particularities of the specific product group. Whether an online document would be sufficient would need to be stated in the Delegated Act.

Q12. What about the the proposal of the EU COM to postpone the Batteries due diligence obligations by 2 years?

Yes—on 21 May 2025, the European Commission formally proposed delaying the EU Battery Regulation's industry due diligence obligations by two years.

The key changes include:

- **Extension of implementation date:** The deadline to comply with battery supply chain due diligence is now proposed to move from 18 August 2025 to 18 August 2027.
- **Later publication of guidance:** The Commission plans to release the non-binding implementation guidelines by 26 July 2026—a one-year pushback from the original February 2025 timeline.
- **Scope refined:** The proposal also includes introducing a new category of "small mid-cap" firms (turnover below €150 million), exempting them from the due diligence rules. Furthermore, public reporting would shift from annual to every three years.
- **Reasoning behind the delay:** The Commission cites persistent delays in accrediting Notified Bodies for third-party conformity assessment and the need for additional time to develop recognized due diligence schemes and aligned guidelines with the Corporate Sustainability Due Diligence Directive (CSDDD).

Please note this remains a legislative proposal, which means the European Parliament and Council must approve it for the changes to take effect.

Q13. How should electronic producers for the goods not explicitly listed in the first Working plan read the ESPR & DPP requirements - ex. headsets, keyboards or medical devices like hearing aid? Should we understand that we are not in scope of the DPP requirements?

Article 5(6) of the EU ESPR Regulation allows the Commission at any stage, to set ecodesign requirements on product groups that are not included in the working plan.

In the ESPR working plan or example, it gives an example of electrical switchgears as a product group that although not specifically listed as a priority product in the plan, that the Commission will monitor closely the developments under F - GAS Regulation (EU) 2024/573 before considering setting ecodesign requirements.

The scope of products covered by horizontal measures (such as repairability, recycled content and recyclability) are also not yet fully defined.

So even if your products are not specifically called out in the working plan it is important to still watch how these measures develop to assess whether you could be indirectly or directly affected.

Finally, the EPSR plan refers to the EU Standby Regulation as being reviewed with a new eco-design measure to be adopted by the end of 2030.

This regulation covers many different products so it **worth watching** also. You can learn more about how Compliance & Risks can help **here.**

Q14. Is the Battery Due Diligence getting postponed?

Yes, the due diligence obligations under the EU Batteries Regulation are indeed in the process of being postponed.

The European Commission proposed a 2-year delay, moving the start date for mandatory supply chain due diligence from August 2025 to August 2027. This proposal aims to give companies and authorities more time to prepare, develop supporting tools (like the Digital Battery Passport), and align with related legislation such as the Corporate Sustainability Due Diligence Directive (CSDDD).

In parallel, the Council of the EU has also adopted a "stop-the-clock" approach, which would temporarily suspend the countdown toward implementing these rules until key secondary legislation and guidance are finalized.

At this stage, the postponement is not yet official, as it still needs to go through the European Parliament and Council legislative process.
But both the Commission and Council are aligned on the need for a delay, so adoption is likely.

Here is the latest information.

Q15. Given that the Delegated Act specifically addressing carbon footprint methodologies for the Digital Product Passport (DPP) has not yet been published, my understanding is that even upon its eventual adoption, the earliest mandatory compliance date for carbon footprint reporting within the DPP would be January 2027, allowing for the stipulated 18-month implementation period following the Delegated Act's publication?

You're right about the carbon footprint declaration deadlines. The key is that the application date is tied to the later of two dates: a fixed date in the regulation, or 12/18 months after the relevant delegated/implementing act enters into force.

Since the delegated act for carbon footprint methodology (Article 7(1), fourth subparagraph, point (a)) has not yet been adopted:

- **Electric Vehicle Batteries:** If the delegated act entered into force today (July 14, 2025), the application date would be July 14, 2026 (12 months later), as this is later than the fixed date of February 18, 2025.
- **Rechargeable Industrial Batteries (except external storage):** If the delegated act entered into force today (July 14, 2025), the application date would be January 2027 (18 months later), as this is later than the fixed date of February 18, 2026.
- **LMT Batteries:** The application date will remain August 18, 2028, as 18 months from today (January 2027) is earlier than this fixed date.
- **Rechargeable Industrial Batteries (with external storage):** The application date will remain August 18, 2030, as 18 months from today (January 2027) is earlier than this fixed date.

Q16. EU EPSR - UPS , is there any date projected?

There is no specific date projected for UPS under the ESPR as yet. The ESPR working plan does not list these products specifically. However, there is a Code of Conduct for Energy Efficiency at EU level for UPS which you may be interested in.

Please see the following -
"EU Code of Conduct on Energy Efficiency of AC Uninterruptible"

Q17. Will there be Delegated act for Battery Passport for Industrial Batteries?

Yes, for industrial batteries (>2 kWh), a Battery Passport is mandated from February 18, 2027.

There will be delegated and implementing acts to define the exact data requirements, technical specifications, and access rules for this digital passport.

Q18. If we use a lithium coin battery in our server, what kind of labeling or QR code will be required?

Your lithium coin battery is classified as a portable battery.

- **Currently (July 2025):** It must bear the CE Mark (likely on packaging) and the separate collection symbol (crossed-out wheeled bin, also likely on packaging due to size). Chemical symbols (Cd, Pb) are required if specific thresholds are exceeded. General information like manufacturer, type, and date should also be present.
- **By August 18, 2027:** A QR code will be mandatory, linking to information like the Declaration of Conformity and separate collection details. Further performance/durability info via QR code will come once relevant delegated acts are in force.

Given the small size of coin batteries, expect much of this information to be conveyed via the battery's packaging rather than on the coin cell itself, with the QR code acting as a gateway to more detailed electronic information.

Q19. What is the harmonized standard for the battery passport?
Is it the harmonized standard (ISO 25534-1) that is currently being developed under the DPP?

ISO 25534-1 is a foundational, global effort for DPPs in general, and its principles are highly relevant to the Battery Passport.

Specific harmonized standards for the EU Battery Passport that directly support the Battery Regulation's requirements are still under development by European standardization bodies, in conjunction with the upcoming delegated and implementing acts from the European Commission.

The aim is strong alignment, ensuring that the Battery Passport leverages existing and emerging global standards to promote interoperability and reduce the burden on industry.

Stay tuned for the delegated acts, as they will directly clarify the technical standards to be followed. You can learn more about how Compliance & Risks can help **here**.

Q20. From when will compliance with the DPP(BP) be required for portable batteries? Will it be 18 February 2027?

Portable batteries are currently excluded from the Battery Passport requirement under this regulation. Based on the regulation, compliance with the Battery Passport (BP) will be required for LMT batteries, industrial batteries with a capacity greater than 2 kWh, and electric vehicle batteries from 18 February 2027.

However, the regulation does not currently require a Battery Passport for portable batteries.

Article 77, "Battery passport," states:
"From 18 February 2027 each LMT battery, each industrial battery with a capacity greater than 2 kWh and each electric vehicle battery placed on the market or put into service shall have an electronic record ('battery passport')."

Portable batteries are a separate category defined in Article 3, point (9) as: "'portable battery' means a battery that is sealed, weighs 5 kg or less, is not designed specifically for industrial use and is neither an electric vehicle battery, an LMT battery, nor an SLI battery".

While the regulation introduces various requirements for portable batteries (e.g., labelling, collection targets, and performance standards), the Battery Passport (Chapter IX) is specifically mandated for LMT, industrial (over 2kWh), and electric vehicle batteries, but not for portable batteries.

Q21. What is meant by "intermediate product groups" is this not finished products, spare parts, or other?

Article 2(3) of the ESPR defines 'intermediate product' as meaning a product that requires further manufacturing or transformation such as mixing, coating or assembling to make it suitable for end-users.

In the recitals of the ESPR regulation, we also see that when prioritising intermediate products, the Commission must also take into account the consequences for final products that are made from such intermediate products.

This would mean that requirements on final products would ensure consistency with requirements on intermediate products (if defined already) and vice versa.

The ESPR working plan has selected two intermediate products groups for adoption of future eco design measures. These are iron and steel which shall be adopted by 2026, and aluminum which will be adopted by 2027.

Q22. When is it known about the granularity level of traceability required and the data carrier?

The DPP IT architecture will rely on harmonised standards being developed by the European Standardisation Organisations CEN/CENELEC.

These standards must be delivered by the end of 2025.

The standards will cover the technical aspects of the DPP including: data carriers and links between physical product and digital representation;

- data authentication, reliability, integrity;
- access rights management, information, system security, and business confidentiality; etc.

For further information please see **here**.

Q23. I understand there's a proposal to pushback the enforcement date for the batteries regulation by 2 years. So is there no need to comply with the due diligence requirements for now?

Yes, the due diligence obligations under the EU Batteries Regulation are indeed in the process of being postponed.

The European Commission proposed a 2-year delay, moving the start date for mandatory supply chain due diligence from August 2025 to August 2027.

This proposal aims to give companies and authorities more time to prepare, develop supporting tools (like the Digital Battery Passport), and align with related legislation such as the Corporate Sustainability Due Diligence Directive (CSDDD).

In parallel, the Council of the EU has also adopted a "stop-the-clock" approach, which would temporarily suspend the countdown toward implementing these rules until key secondary legislation and guidance are finalized.

At this stage, the postponement is not yet official, as it still needs to go through the European Parliament and Council legislative process. But both the Commission and Council are aligned on the need for a delay, so adoption is likely.

Here is the latest info.

Q24. Do I understand it correctly the passport is not for a group of batteries but for each individual battery?

You are correct in your understanding: the Battery Passport (BP) is indeed primarily intended for each individual battery, though it will also contain information related to the battery model.

Article 77, "Battery passport," states:"From 18 February 2027 each LMT battery, each industrial battery with a capacity greater than 2 kWh and each electric vehicle battery placed on the market or put into service shall have an electronic record ('battery passport')."

Furthermore, Article 77(2) specifies that the battery passport shall contain:

- "information relating to the battery model" and;
- "information specific to the individual battery, including resulting from the use of that battery".

Q25. We are a UK supplier - if a wholesales customer purchases a product and places it on an online marketplace who is responsible for creating the customer facing DPP/QR code?

The responsibility will be set out in the Delegated Acts but in general it is the party that places the product on the market that will be responsible for complying with requirements under EU law.

The concept of 'placing on the market' is defined under Article 2(40) of the ESPR regulation as meaning the first making available of a product on the Union market. This means that a product is placed on the market when it is made available for the first time on the European Union market.

According to EU harmonisation legislation, each individual product can only be placed once on the EU market. Any subsequent operation, for instance from one distributor to another, is defined as making available.

Products made available on the market must comply with the EU harmonisation legislation applicable at the moment of placing on the market.

Before they reach the customer in the EU, products from countries outside the EU are presented to customs and declared for the release for free circulation procedure.

The placing on the market is the moment in which the product is supplied for distribution, consumption or use for the purposes of compliance with EU harmonisation legislation.
When products are presented to customs and declared for the release for free circulation procedure, it can generally be considered that the goods are being placed on the EU market.

However, the release for free circulation and the placing on the market do not necessarily take place at the same time, e.g. in the case of online sales by economic operators located outside the EU, placing on the market takes place before the product arrives at the customs in the EU.

Q26. Will substances of VERY high concern be included in the DPP or just Substances of Concern (only for circularity purposes?

The definition of Substances of Concern in the ESPR is very broad and includes not just chemicals that meet criteria under the EU REACH Regulation, CLP Regulation and PoPs Regulation but also chemicals that "negatively affects the reuse and recycling of materials in the product in which it is present".

So this means it will include SVHC under the REACH Regulation, together with substances with harmonised classification under the CLP regulation, and substances regulated under the PoPs regulation and also substance for circularity purposes.

As the definition is so broad the EU Commission is tasked with launching a study by the end of 2025 to define more precisely the potential chemicals in scope as well.

Q27. Does the information linked to the DPP need to be translated into local languages?

Article 7(8) of the EU ESPR Regulation requires that information requirements shall be provided in a language which can be easily understood by customers, as determined by the Member State on whose market the product is to be made available or in which it is to be put into service.

Although this will be further elaborated in the Delegated Act, I would take this to mean that the DPP would need to be available in the language of the Member State where the product is placed on the market or put into service (as applicable).

Q28. For EU ESPR, do the "4 new final products" include textiles when incorporated into a medical device (e.g. a cover on a wheelchair cushion) or medical mattresses/mattress overlays?

The definitions for textiles and mattresses are not defined in the ESPR working plan.

However, the JRC conducted a study in November 2024 containing recommendations for the priority product groups.

For textiles they recommended the definition would include textile apparel, including for medical use . Whether the EU Commission will adopt this approach will depend on the definition in the Delegated Act.

Specifically, the study defined textiles as “Any raw, semi-worked, worked, semi-manufactured, manufactured, semi-made-up or made-up product which is exclusively composed of textile fibres, regardless of the mixing or assembly process employed, as well as a product containing at least 80% textile fibres by weight, in line with the Textile Labelling Regulation (Regulation (EU) No 1007/2011).

This includes apparel textiles, home/interior textiles and technical textiles usually or also meant for consumers (such as truck covers, cleaning products) or specifically meant for industry (automotive, construction, medical, agriculture, etc).”

For mattresses they suggested the following definition for mattresses as “Products consisting of a cloth cover that is filled with materials and that can be placed on an existing supporting bed structure or designed for free standing in order to provide a surface to sleep or rest upon for indoor use. “

The JRC study can be found **here**, which you may find interesting.

Q29. When in the production and usage chain of e.g. an electric vehicle does the putting into service usually take place?

Based on the EU Batteries Regulation, "putting into service" is defined as "the first use, for its intended purpose, in the Union, of a battery, without having been previously placed on the market".

Here's how this typically applies to an electric vehicle (EV) battery in its production and usage chain:

Battery Manufacturing & Assembly: The individual battery cells and modules are manufactured and then assembled into a complete EV battery pack. At this stage, the battery is being "manufactured".

Vehicle Manufacturing: The EV battery pack is then integrated into the electric vehicle itself during the vehicle assembly process.

Placing on the Market (Vehicle): The electric vehicle, now containing the battery, is "placed on the market" when it is first made available on the Union market by the manufacturer or importer for distribution, consumption, or use in a commercial activity.

Putting into Service (Vehicle and Battery): The "putting into service" of the EV battery, and by extension the electric vehicle it powers, generally occurs when the end-user (the consumer or fleet operator) first uses the electric vehicle for its intended purpose within the EU.

This typically happens after the vehicle has been sold or leased and is driven for the first time by the end-user. The regulation clarifies that this applies to batteries that are "incorporated into or added to products" and specifies that putting into service means "the first use, for its intended purpose, in the Union, of a battery, without having been previously placed on the market".

It's important to differentiate "placing on the market" from "putting into service" for the battery itself. If a battery is sold as a standalone unit for end use without further incorporation into a larger product, then its "placing on the market" would coincide with its initial availability for sale to the end-user.

However, for EV batteries, they are typically integrated into a vehicle before being made available to the end-user. Therefore, for an EV battery that is part of a newly manufactured vehicle, the "putting into service" happens when the vehicle is first used by the end-user.

This distinction is crucial because various obligations under the Batteries Regulation, such as those related to sustainability, safety, labelling, and information requirements, apply when a battery is "placed on the market or put into service".

I hope this clarifies your understanding.

Q30. Does initially placing on the market and DPP refer to each individual battery or to all batteries of the same type from the same production location?

The regulation defines "placing on the market" as "the first making available of a battery on the Union market". This refers to the individual battery unit that is being supplied for distribution, consumption, or use in a commercial activity for the very first time in the EU. It's about when a specific battery (whether on its own or incorporated into a product) enters the EU market.

The Battery Passport requirements in Article 77 apply to "each LMT battery, each industrial battery with a capacity greater than 2 kWh and each electric vehicle battery placed on the market or put into service". This clearly indicates that the Battery Passport is for each individual battery falling into these categories.

While the Battery Passport will contain information relating to the battery model (e.g., material composition, carbon footprint information for the model, and general performance parameters) , it also explicitly includes "information specific to the individual battery, including resulting from the use of that battery".

This individual-specific information includes details on performance and durability parameters when the battery is placed on the market and when its status changes, its state of health and expected lifetime, and data from its use (e.g., charge/discharge cycles, harmful events).

Therefore, both "initially placing on the market" and the Battery Passport refer to the individual battery unit.

Q31. Does Case 2 also apply when placing equipment containing the battery on the E?

There are two cases where the Regulation shifts the battery passport responsibility from one economic operator to another:
Per Article 77(7), if a battery undergoes preparation for re-use, repurposing, or remanufacturing, the obligation to maintain accurate, complete, and up-to-date information in the battery passport shifts to the economic operator responsible for placing or using that battery.

In such instances, a new battery passport will be generated, but it will remain linked to the original battery.

Per Article 77(7) second paragraph, if a battery transitions from active use to a waste battery, the responsibility for ensuring the accuracy, completeness, and currency of information is transferred to either the producer, the producer responsibility organization, or the waste management operator. In such instances, a new battery passport will not be required.

This applies to equipment containing a battery because this regulation covers all battery types as products and batteries in products.

Q32. Are there Harmonised Standards for QR code for batteries?

There are no harmonized standards specifically for QR codes for batteries yet.

However, Article 13(6) of the EU Batteries Regulation states that from February 18, 2027, all batteries shall be marked with a QR code as described in Part C of Annex VI.

Article 77(3) further specifies that "The QR code and the unique identifier shall comply with the ISO/IEC standards 15459-1:2014, 15459-2:2015, 15459-3:2014, 15459-4:2014, 15459-5:2014 and 15459-6:2014 or their equivalent".

The Commission is empowered to adopt delegated acts to amend this list of standards in light of technical and scientific progress by replacing or adding other European or international standards with which the QR code and unique identifier shall comply.

So, while the regulation points to specific ISO/IEC standards that the QR code and unique identifier must comply with, these are not yet "harmonized standards" in the sense of being published under Regulation (EU) No 1025/2012 for the purpose of presuming conformity with the Batteries Regulation's requirements. The regulation states that compliance with harmonized standards would lead to a presumption of conformity for other requirements.

In summary, the regulation specifies the ISO/IEC standards for the QR code and unique identifier, but it doesn't mention that harmonized standards have been developed for them yet.

Q33. In relation with ESPR - the horizontal measures as repairability which applies from 2027 - is it applicable for all product categories or only for the new categories?

The scope of the Horizontal measure on repairability will be refined during the preparatory study.

However the EPSR Working plan does state that this measures could include products such as **consumer electronics and small household appliances** which is a good indicator of the types of products we can expect to see.

Q34. Do you think there could be the implications from the upcoming ESPR requirements around EV chargers (and the Iron, steel and aluminium often used) in relation to DPP demand for EV Chargers?

For EV chargers under the ESPR, there is a preparatory study already underway that I think you may be interested in. This study examines the feasibility of sustainability requirements for electric vehicle chargers.

According to the ESPR Working plan, an ecodesign measure and energy labelling will be specified for EV chargers to be adopted by the end of 2028. This preparatory study will be used as a basis for these future measures.

For iron, steel and aluminum, from the ESPR working plan we can also see that measures under the ESPR will complement the green steel label announced in the Clean Industrial Deal as well as existing environmental and climate measures on steel products and production such as the ETS and CBAM.

For further information, please see the study website **here**.

Q35. May QR codes be used for information over several regulations? Such as information on ESPR, but as well as recycling information from PPWR and risks from GPSR? Herewith be compliant for obligations to consumers?

Article 8(4)(b) of the ESPR Regulation states a DPP may not be required when other EU law includes a system for the digital provision of information related to a product group and the Commission considers that it achieves the objectives for the ESPR.

While there is a clear trend towards digitalization of information in the EU, this Article suggests that the EU Commission will avoid unnecessary duplication and administrative burden for businesses when other EU legislation already provides for a similar digital information system.

So it is important that any requirements for DPP or digital labelling will need to fit together with other regulations to avoid confusion and duplication.

Q36. Is there a list of exempted products, please?

The EU ESPR Regulation is extremely broad in its application. Article 1(2) states that it applies to "any physical goods placed on the market or put into service, including components and intermediate products." This means that potentially it can cover all products on the European market including components, and intermediate products.

There is no distinction made between household, commercial or professional products other than the requirements relating to the destruction and disclosure of unsold consumer goods.

This means the ecodesign requirements can apply to any type of product including both business-to-consumer (B2C) and business-to-business products (B2B).

The list of products excluded from scope is limited to food, feed, medicinal products, veterinary medicinal products, living plants, animals and micro-organisms; products of human origin; products of plants and animals relating directly to their future reproduction; vehicles and products whose sole purpose is to serve defense or national security.

However, it is the products in the first ESPR Working plan that the EU Commission will focus on first.

You can find more information **here**.

Q37. Regarding mattresses - are children's mattresses / infant mattresses included in this?

The scope of mattresses will be defined in the Delegated Act which is not yet adopted.
The Joint Research Commission (JRC) published a study in November 2024 suggested the following definition for mattresses as "Products consisting of a cloth cover that is filled with materials and that can be placed on an existing supporting bed structure or designed for free standing in order to provide a surface to sleep or rest upon for indoor use."

If the EU Commission uses this definition in the Delegated Act it would include children's mattresses.

The JRC study can be found **here** which you may find interesting.

Q38. Regarding the battery DPP: what are the responsibilities of economic operators who place products containing batteries in the EU market?

Here's a breakdown of the responsibilities for economic operators placing products containing batteries on the EU market, provided those batteries are subject to the DPP (LMT batteries, industrial batteries with a capacity greater than 2 kWh, and electric vehicle batteries):

Manufacturer (of the product containing the battery, if they are also the battery manufacturer or are deemed so):

Ensure DPP Creation and Accuracy: If the manufacturer of the product is also the manufacturer of the battery (as defined in Article 3(33) of the Regulation), or if they are considered a manufacturer because they place the battery on the market under their own name/trademark, or modify it, they are responsible for creating the DPP. They must ensure the information in the battery passport is "accurate, complete and up to date".

Attribute Unique Identifier and QR Code: They must attribute a unique identifier to the battery and mark it with a QR code that links to the battery passport. This marking is required from 18 February 2027.

Provide Access to Information: They must ensure that the required information in the DPP is accessible to the general public, notified bodies, market surveillance authorities, the Commission, and persons with a legitimate interest, based on their respective access rights.

Maintain Data: They are responsible for storing the data included in the battery passport. This responsibility remains even if they cease to exist or operate in the Union.

Transfer of Responsibility: Their responsibility for the DPP may transfer if the battery undergoes preparation for re-use, repurposing, or remanufacturing, or if it becomes a waste battery.

Importers (of products containing batteries):

Verify Compliance: Before placing a product containing a battery (which requires a DPP) on the market, importers must verify that the manufacturer has complied with the DPP requirements. This includes checking that the battery bears the CE marking, is marked and labelled in accordance with Article 13 (including the QR code for DPP access), and is accompanied by the necessary documentation.

Ensure Data Availability: They must ensure that the technical documentation (which supports DPP information) and the EU declaration of conformity are available to national authorities upon request.

Cooperate with Authorities: They must cooperate with national authorities on any actions taken to address non-compliant or risky batteries.

Distributors (of products containing batteries):

Verify Compliance: Before making a product containing a battery (which requires a DPP) available on the market, distributors must verify that the battery bears the CE marking, is marked and labelled according to Article 13 (including the QR code for DPP access), and is accompanied by required documentation. They also need to check that the manufacturer and importer have complied with their respective marking and contact detail requirements.

Inform Authorities of Non-Compliance: If they believe a battery is not compliant or presents a risk, they must inform the manufacturer/importer and market surveillance authorities.

Cooperate with Authorities: They must cooperate with national authorities regarding non-compliant or risky batteries.

Online Platforms: Providers of online platforms that allow consumers to conclude distance contracts with producers offering batteries (including in appliances or vehicles) must obtain information on the producer's registration in the producer register and a self-certification of compliance with extended producer responsibility requirements.

Q39. Does the ESPR regulation apply to products that are solely for commercial/industrial uses?

The EU ESPR Regulation is extremely broad in its application. Article 1(2) states that it applies to "any physical goods placed on the market or put into service, including components and intermediate products."

This means that potentially it can cover all products on the European market including components, and intermediate products.

There is no distinction made between household, commercial or professional products other than the requirements relating to the destruction and disclosure of unsold consumer goods.

This means the ecodesign requirements can apply to any type of product including both business-to-consumer (B2C) and business-to-business products (B2B).

The list of products excluded from scope is limited to food, feed, medicinal products, veterinary medicinal products, living plants, animals and micro-organisms; products of human origin; products of plants and animals relating directly to their future reproduction; vehicles and products whose sole purpose is to serve defense or national security.

However, it is the products in the first ESPR Working plan that the EU Commission will focus on first.

You can find more information **here**.

Q40. For toys, what about classic toys that would be resold second hand?

Under the proposed new EU Toy Safety Regulation (2023/0290), CE marking and the forthcoming digital product passport obligations are primarily intended for new toys placed on the EU market for the first time.

Once a toy has been lawfully placed on the EU market, it can continue to circulate freely, including through second-hand sales, without needing to be re-certified or re-marked, as long as it has not been modified in a way that could affect its compliance.

So, a vintage or second-hand toy that was originally compliant when first sold does not need a new CE marking or product passport just because it is being resold.

Q41. Shall the QR code only be on the battery itself or on BOTH the battery AND the product it is in AND the packaging of that product? Does the product then have a separate DPP if it is a commodity due in scope ie an article of apparel with a battery incorporated?

Under Regulation (EU) 2023/1542, the QR code requirement applies primarily to the battery itself. Article 13(7) specifies that the QR code (along with other required labels) must be printed or engraved visibly, legibly, and indelibly on the battery. Only where this is "not possible or not warranted on account of the nature and size of the battery" may the QR code instead be affixed to the packaging and the accompanying documentation. There is no general requirement to place the battery QR code directly on the product into which the battery is incorporated.

As for products containing batteries such as an article of apparel with an integrated battery there is no separate obligation under the Batteries Regulation for the product itself to display the battery QR code. The obligation rests with the battery as a component. However, if the apparel itself falls under EU Ecodesign for Sustainable Products Regulation (ESPR) or other product-specific legislation that requires a Digital Product Passport (DPP), then the apparel would have its own DPP distinct from the battery passport.

Q42. Global distributors can source batteries en masse from an EU manufacturer, remove them from the EU and stock them outside of the EU, and then later resell the batteries, in smaller quantities, to an EU customer. In this scenario, is the global distributor placing the batteries on the market when they re-import the batteries into the EU, or does the placing the batteries on the market only happen once, i.e. when the EU manufacturer made the batteries available on the EU market?

Under Article 3(59) of Regulation (EU) 2023/1542 (aligned with the EU New Legislative Framework terminology), "placing on the market" is defined as the first making available of a battery on the Union market. Once a product (in this case, a battery) has been lawfully placed on the EU market, it is generally considered placed on the market only once. Subsequent operations, such as reselling, stocking, or moving it within or outside the EU, are regarded as making available rather than new placements.

Therefore, if the EU manufacturer originally supplied the batteries for distribution, consumption, or use within the EU, they were already placed on the EU market at that point. In this case, removing them from the EU and re-importing them later does not constitute "placing on the market" again; it is simply a reintroduction of a product already lawfully placed.

However, there are important caveats where the batteries could be treated as being placed on the market again:

If they were never actually made available to any EU customer before export:
If the EU manufacturer sold the batteries to the distributor with the explicit purpose of export only, and the distributor was not considered an EU "end-user or EU economic operator," those batteries might not have been "placed on the market" yet. In that case, when the distributor later re-imports them to sell to EU customers, that would be their first placing on the market.

If the batteries undergo any modification, repurposing, or remanufacturing outside the EU:
Article 16(1) of the Regulation treats re-use, repurposing, or remanufacturing as placing on the market anew. So if the distributor changes or refurbishes the batteries before reimportation, they are considered new placements.

If the batteries are re-imported under the distributor's own name or brand:
Under Article 74 and general EU product law, an importer or distributor who places the product on the market under their own name or trademark, or modifies it in a way that may affect compliance, is considered the "manufacturer." This would constitute a new placing on the market.

Q43. How will toy safety be enforced for online sales, esp. from outside the EU?

The new EU Toy Safety Regulation is designed to strengthen enforcement for online sales, particularly for toys coming from outside the EU. Unlike the previous directive, which relied heavily on national transposition and was found to be ineffective in online contexts, the regulation applies directly across all Member States and explicitly covers all forms of toy supply, including distance and online sales. This is grounded in Regulation (EU) 2019/1020 on market surveillance, meaning that online sellers whether established in the EU or abroad must have an EU-based economic operator (manufacturer, importer, or authorised representative) responsible for ensuring compliance.

Customs authorities will also play a greater role, as toys entering the EU must have a digital product passport linked to a central registry. This passport, accessible via a data carrier such as a QR code, will allow customs and market surveillance authorities to automatically verify compliance at the border using the EU Customs Single Window system. If a toy from outside the EU does not have a valid product passport or a designated EU economic operator, it will not be released for free circulation.

Online marketplaces will also bear obligations: they will be required to cooperate with authorities, remove non-compliant toys promptly when notified, and ensure that only toys with the required CE marking, product passport, and safety information are listed. Market surveillance authorities can act against non-compliant listings and issue recalls or bans, even if the seller is based outside the EU.

Q44. Is there a draft of the limited DPP for the smaller batteries already available?

As of mid-2025, no publicly available "limited" Digital Product Passport (DPP) template exists specifically for smaller batteries under the EU Batteries Regulation. However The Battery Pass consortium has published technical and content guidance (April 2023) that models the full battery passport optimized for larger batteries in scope and draws from Annex XIII's data requirements.

However, **this guidance** is not a draft DPP for smaller batteries and isn't legally binding it's a reference implementation.

Q45. Are there concrete solutions for passing battery DPP responsibility from supplier/distributor to the remanufacturer, guaranteeing authenticity and privacy?

Yes, there are concrete provisions in Regulation (EU) 2023/1542 for passing Digital Product Passport (DPP) responsibility to a remanufacturer, while ensuring authenticity and privacy.

Transfer of Responsibility: Under Article 77(7), if a battery undergoes preparation for re-use, repurposing, or remanufacturing, the responsibility for maintaining the battery passport shifts from the original economic operator to the operator placing the remanufactured battery on the market or putting it into service.

This new operator must issue a new battery passport that is digitally linked to the original battery's passport(s), ensuring traceability and continuity of data.

Guaranteeing Authenticity and Privacy: Article 78 sets essential requirements for security and privacy. It requires:

- Data authentication, integrity, and reliability to be ensured.
- Strict access controls, with updates and modifications restricted according to defined access rights in Annex XIII.
- Sensitive commercial information (e.g., dismantling instructions, detailed composition) accessible only to persons with a "legitimate interest" (e.g., remanufacturers, second-life operators) and only to the minimum extent necessary.
- Operators authorized to store or process DPP data cannot sell or re-use data beyond what is necessary for providing storage or processing services.

The Commission is also tasked with adopting implementing acts (by 18 August 2026) to define which actors qualify as "legitimate interest" holders and to what extent they may download, share, or re-use passport data, balancing operational needs with commercial confidentiality.

In practice, a remanufacturer would need to:

- Obtain legitimate access to the original passport data.
- Issue a new DPP linked to the original, ensuring compliance with the same interoperability and security requirements.
- Assume full legal responsibility for updating and maintaining the new passport.

Q46. How does the portal battery DPP is different from the other, can you please give more in detail information?

The Digital Product Passport (DPP) requirements for portable batteries differ significantly from those for LMT (light means of transport), industrial, and EV batteries, both in scope and depth.

Obligation to Have a DPP: Portable batteries are not required to have a full battery passport under Article 77. Instead, they will only need a QR code linking to essential product information (e.g., labeling, conformity, waste management) from 18 February 2027.

By contrast, LMT, industrial (>2kWh), and EV batteries must have a full DPP containing detailed information about the battery model, individual battery history, composition, carbon footprint, recycled content, and state of health.

Data Granularity:
Portable batteries: Only basic regulatory and safety data will be accessible via the QR code, including performance labels, recycling guidance, and declarations of conformity. There is no requirement to provide detailed electrochemical performance history or real-time updates on state of health.

LMT/EV/Industrial batteries: Must provide dynamic data such as state of health, remaining lifetime, dismantling instructions, detailed composition, and recycled content percentages.

Privacy and Access Rights:
For portable batteries, information is publicly accessible to consumers, with no tiered access rights.
For DPP-covered batteries, access is strictly tiered per Annex XIII some data is public, some is limited to "legitimate interest" holders (e.g., remanufacturers, recyclers), and sensitive commercial information is restricted.

Lifecycle Traceability: Portable batteries are not tracked individually across their lifecycle. The QR code is static, whereas the DPP for LMT/EV/Industrial batteries is dynamic, updated throughout the battery's life, including after repurposing or remanufacturing.

Upcoming Regulatory Changes: There is a possibility that certain portable batteries might later receive extended eco-design or lifecycle requirements (e.g., performance & durability via Annex III), but a full passport is not foreseen for now.

Q47. Filled with Battery Modules where the Modules are greater than 2000 WH and have their own BMS – these are regulated at the Battery Module level and the cabinets would not be required to have their own Digital Passport. - is it correct?

Your understanding is correct: cabinets filled with battery modules (each module >2 kWh and equipped with its own BMS) are regulated at the module level, not at the cabinet level, and therefore the cabinet itself would not require its own Digital Product Passport (DPP).

Under Article 77 of Regulation (EU) 2023/1542, the obligation to have a battery passport applies to each industrial battery with a capacity greater than 2 kWh, as well as LMT and EV batteries. The DPP follows the battery as a product placed on the market, and the economic operator placing that battery (module or pack) on the market is responsible for its passport. There is no indication in the Regulation that enclosures, cabinets, or racks when merely serving as housing for these regulated batteries require their own DPP.

The only case where a cabinet or energy storage system might need its own passport is if it is placed on the market as an integrated "battery system" marketed as a single industrial battery rather than as separate modules. If the cabinet is marketed only as a mechanical or electrical enclosure holding pre-certified modules, the DPP obligations remain at the module level.

Q48. Filled with lithium batteries or lead acid batteries without BMS with the total battery wattage greater than 2000 WH – these may be regulated as Industrial Battery Energy Storage systems under example F in Eurobat guideline?

Yes, lithium or lead-acid batteries without a Battery Management System (BMS) and with a total capacity greater than 2000 Wh can fall under the category of "industrial batteries" and, if designed for storing and delivering energy to the grid or end-users, they may be classified as stationary battery energy storage systems under Regulation (EU) 2023/1542.

According to Article 3 definitions, an industrial battery includes any battery specifically designed for industrial uses or weighing more than 5 kg and not classified as an electric vehicle (EV), light means of transport (LMT), or starting-lighting-ignition (SLI) battery.

Furthermore, a stationary battery energy storage system is defined as an industrial battery specifically designed to store and deliver electric energy to the grid or end-users. Additionally, Annex IV explicitly applies performance and durability requirements to industrial batteries with a capacity greater than 2 kWh (2000 Wh).

The Eurobat guidelines (example F) you mention are not part of Regulation (EU) 2023/1542 itself but are widely used in industry as interpretative guidance. In those guidelines, example F typically refers to energy storage systems for residential, commercial, or industrial applications, which aligns with the EU definition of "stationary battery energy storage systems."

Thus, your interpretation is consistent: batteries >2000 Wh, even without a BMS, would generally be treated as industrial/stationary systems if used for energy storage purposes.

Q49. The example with the UPSs may fall into the same issue as the battery cabinet – a UPS containing lithium batteries or lead acid batteries without BMS with the total wattage greater than 2000 WH – these may be also regulated as Industrial Battery Energy Storage systems under example F. of Eurobat. Can you clarify if this is correct?

Yes, your interpretation is essentially correct. According to Regulation (EU) 2023/1542, any battery that weighs more than 5 kg and does not fall into other specific categories (EV, LMT, or SLI) is considered an industrial battery. Additionally, a stationary battery energy storage system (SBESS) is defined as an industrial battery specifically designed to store and deliver electric energy to the grid or end-users.

In practice, Eurobat's example F treats large cabinets or systems with batteries exceeding 2 kWh (2000 Wh) as Industrial Battery Energy Storage Systems (IBESS) when they are used for stationary applications. This classification applies even if the system was not originally designed as a dedicated SBESS, as long as it performs a similar storage function.

For UPS systems:
If a UPS contains lithium or lead-acid batteries without a Battery Management System (BMS) and the total energy exceeds 2 kWh, it can fall under the same classification as the battery cabinet in example F.

This is because the Regulation focuses on capacity, weight, and intended use (stationary storage), rather than the presence or absence of a BMS. However, the lack of a BMS may complicate compliance with performance and safety requirements (Annex V and Article 12), which assume state-of-the-art monitoring and control.

Thus, UPS units exceeding 2 kWh are likely to be treated as Industrial Batteries / IBESS under Eurobat's interpretation, unless they can be clearly argued to be backup-only systems not intended for regular energy storage and grid/end-user delivery. The Regulation does provide some flexibility for "backup batteries" in its carbon footprint methodology and functional unit definitions , but not in classification.

Q50. Will DPP replace any labeling on product or packaging itself (e.g. warnings, battery info, age info, use instructions, etc.)?

No, the Digital Product Passport (DPP) under Regulation (EU) 2023/1542 does not replace mandatory physical labeling, warnings, or instructions on products or packaging. The Regulation explicitly maintains that labels and the QR code (which links to the DPP) must be printed or engraved visibly, legibly, and indelibly on the battery itself. If this is not possible due to the battery's size or nature, the information must be affixed to the packaging and accompanying documents.

The DPP functions as a supplementary digital information system, providing expanded data such as detailed composition, state of health, expected lifetime, and recycling information. However, basic product information, safety warnings, separate collection symbols, chemical markings (e.g., Pb, Cd), and user instructions remain mandatory on the physical product or its packaging as per Articles 13 and 14.

The Regulation does allow for the future adoption of "alternative types of smart labels" via delegated acts, but these are described as "in addition to or instead of the QR code," not as replacements for core safety or compliance labeling

Q51. I recognize that full compliance with the DPP (BP) in The EU Battery Regulation is not required for portable batteries.
Where is the content of the DPP(BP) limited requires for portable batteries in the EU Battery Regulation?

You are correct that portable batteries do not require a full Digital Product Passport (DPP/BP) under the EU Battery Regulation (Regulation (EU) 2023/1542). The mandatory battery passport (as described in Chapter IX, Article 77 and Annex XIII) applies only to:

Light Means of Transport (LMT) batteries, Industrial batteries with a capacity greater than 2 kWh, and Electric vehicle (EV) batteries.

For portable batteries, including general-purpose and incorporated batteries, there is instead a QR code requirement (Article 13(6)) which links only to limited information not a full passport. The QR code for portable batteries provides:

Basic labeling information (capacity, chemical content, recyclability, etc.),

The EU Declaration of Conformity (Article 18),

Due diligence report reference (Article 52(3)), and

Waste prevention and management information (Article 74(1), points a–f).

The content limitations are therefore explicitly in Article 13(6)(b), which clarifies that for "other batteries" (including portable batteries), the QR code is only a gateway to these basic documents and does not require the extensive data sets found in Annex XIII.

Q52. When we have a pack of batteries >2kWh, is this pack concerned by the QR code? Each battery is less than 2kWh.

Yes, the pack as a whole is concerned by the QR code requirement if it is placed on the market as a single industrial battery with a capacity greater than 2 kWh, regardless of whether the individual cells or modules are below 2 kWh.

According to Article 13(6)(a) of Regulation (EU) 2023/1542, "all batteries shall be marked with a QR code… [and] for LMT batteries, industrial batteries with a capacity greater than 2 kWh and electric vehicle batteries, the QR code shall provide access to the battery passport". Additionally, Article 77(1) clarifies that from 18 February 2027, "each industrial battery with a capacity greater than 2 kWh" must have a digital battery passport.

The key criterion is the total capacity of the battery placed on the market. If you are selling the pack as one unit (i.e., it is a battery pack or system exceeding 2 kWh), it falls under the definition of an industrial battery >2 kWh and thus needs both a QR code and a battery passport. The fact that its individual batteries are each <2 kWh is irrelevant if the marketed product is a single integrated pack.

If, however, the pack is marketed strictly as individual <2 kWh batteries (and not as a single integrated battery), then each individual battery would only require the standard QR code information applicable to "other batteries" under Article 13(6)(b), not the full passport.

Q53. Does the Batteries regulation directly affect fleet manager of company fleets?

The EU Batteries Regulation (Regulation (EU) 2023/1542) primarily imposes obligations on economic operators such as manufacturers, importers, distributors, and producers placing batteries on the market or putting them into service. A fleet manager of company fleets would generally not be considered an "economic operator" under the regulation, unless the company fleet operator also imports, places on the market, or remanufactures batteries.

However, fleet managers may be indirectly affected in several ways:

End-User Role: The regulation seeks to improve the environmental performance of batteries and explicitly mentions obligations for end-users, particularly regarding waste battery collection, recycling, and proper disposal. Fleet managers, as large end-users, may need to comply with collection or return schemes.

Electric Vehicle (EV) Battery Data & DPP: If the fleet consists of electric vehicles, fleet managers will interact with Digital Battery Passports (DPPs) for EV batteries, which provide information on battery health, carbon footprint, and recycling. While not directly regulated, fleet managers may need to ensure proper record-keeping and follow the DPP for maintenance and resale.

Waste Battery Obligations: If the fleet operator repurposes, refurbishes, or exports used EV batteries, it may fall under the scope of remanufacturing or preparation for re-use, triggering obligations similar to economic operators.

Procurement Policies Green: Public procurement obligations under the regulation may indirectly influence fleet managers if they are procuring EVs or battery-powered equipment for public or government-related contracts.

In short, fleet managers as mere users are not directly targeted by the regulation, but if they engage in battery procurement, repurposing, or resale, or if they operate in a public procurement context, they may be indirectly required to comply.

Q54. Is a battery passport required for every single battery sold (ie serial number), or will it be grouped by part number?

The EU Battery Regulation (2023/1542) requires a unique battery passport for each individual battery, not just at the part number or model level. Article 77(1) explicitly states that from 18 February 2027, each LMT battery, industrial battery >2 kWh, and EV battery placed on the market must have an electronic record (“battery passport”).

The structure of the passport, as detailed in Annex XIII, confirms this:

Model-level information (e.g., chemistry, rated capacity, carbon footprint) is grouped and identical for all batteries of the same model.

Individual battery information (e.g., state of health, number of charge cycles, negative events, status such as "original" or "repurposed") is required for each unique battery unit.

Additionally, Article 77(3) mandates that the passport be accessible through a QR code linked to a unique identifier attributed to each battery. This unique identifier ensures traceability at the serial-number level rather than at the part-number or model level.

Conclusion
While many data fields will be identical for all batteries of the same part number, each battery must still have its own individual passport, tied to its unique serial number. Grouping by part number is not sufficient for compliance after 18 February 2027.

10. Conclusion

The message from EU regulators is clear: the future of product compliance is digital, circular, and immediate.

The DPP is not a distant requirement; it is an urgent, multi-layered compliance initiative that demands cross-functional coordination today.

Companies that act early can turn DPP compliance into competitive advantage. By embedding transparency, ethical sourcing, and verifiable sustainability into product records, businesses can meet regulatory demands while enhancing brand trust and operational resilience.

This guide has equipped you with a structured understanding of the DPP's scope, technical foundations, and strategic importance. Whether you're a sustainability leader, compliance officer, or digital transformation executive, the DPP is your chance to future-proof your product portfolio for the next decade of global trade.

Stay informed. Stay compliant. Stay competitive.

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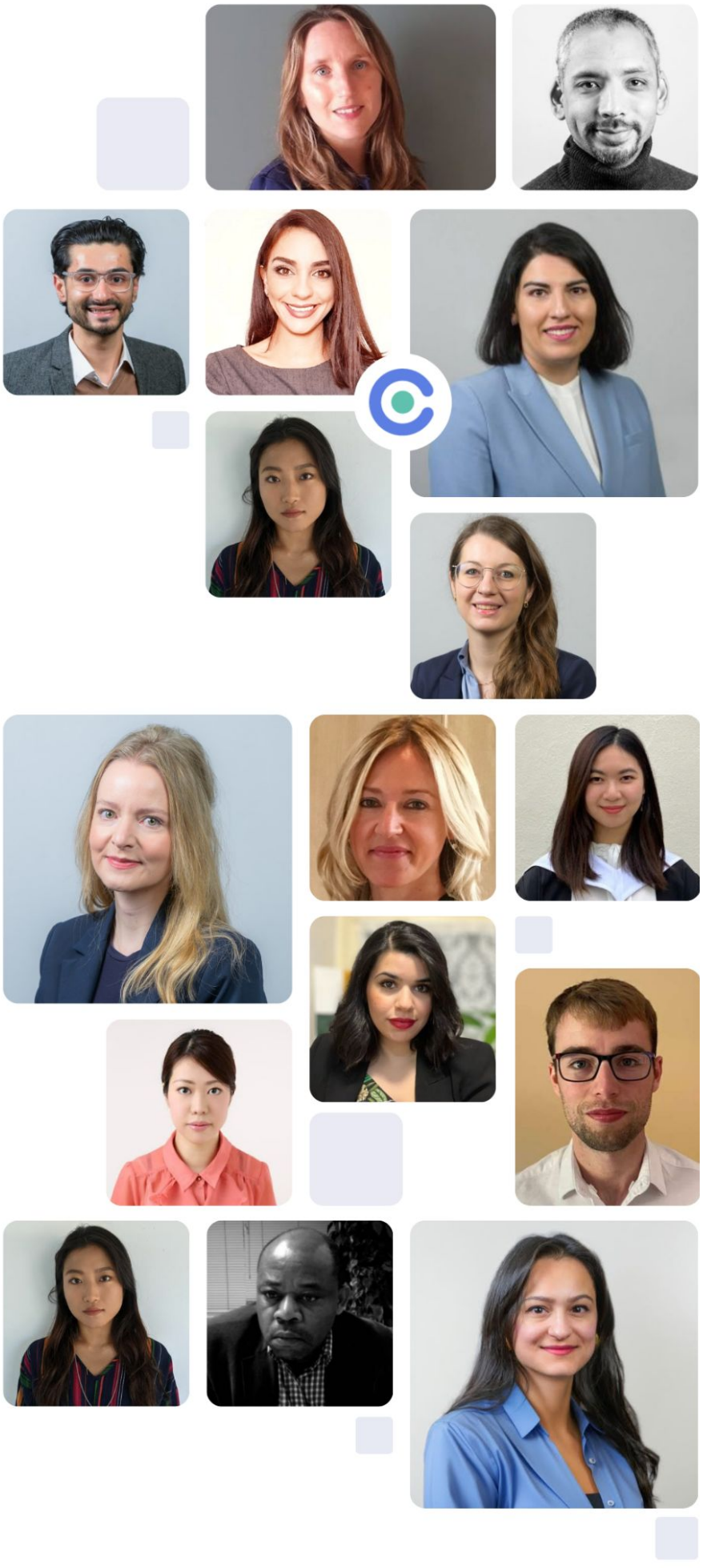

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