



Energy Storage Europe Reply to the Draft Delegated Regulation on Minimum Values for the Electrochemical Performance and Durability of Rechargeable Industrial Batteries

October 2026

INTRODUCTION

The European Commission has opened a feedback period on a draft Commission Delegated Regulation that supplements and amends Regulation (EU) 2023/1542 on batteries and waste batteries (Ref. Ares(2026)9188325). The draft sets minimum values for the electrochemical performance and durability of rechargeable industrial batteries with a capacity greater than 2 kWh, except those with exclusively external storage. It also amends certain provisions and Annexes of Regulation (EU) 2023/1542 in the light of technical and scientific progress.

Energy Storage Europe Position

Energy Storage Europe supports harmonised minimum values for the performance and durability of industrial batteries. Minimum values protect buyers and give all manufacturers the same rules on the EU market.

Energy Storage Europe welcomes the changes that the Commission made since the working document discussed with the expert group on waste in October 2025. Several of these changes respond to points that stakeholders raised at that stage.

Energy Storage Europe asks the Commission to make further changes in the following areas:

- the definition of residential battery energy storage system;
- the evidence base for the new C-rate stress factors;
- the rules for second-life batteries, so that new batteries cannot be presented as second-life batteries to avoid the minimum values;
- the availability of testing standards before the minimum values apply.

Consultation feedback:

A. Changes that Energy Storage Europe welcomes

Compared with the earlier working document, the draft makes the following improvements:

- The definition of residential battery energy storage system now states how to classify products designed for both domestic and other environments. Recital 7 confirms that systems that must be installed in rooms or enclosures with dedicated safety infrastructure are not residential.
- Section 4(b) of Annex I requires information on how far the declared round trip efficiency of residential systems with integrated inverters may deviate from the efficiency of the battery and inverter together. End users get information that reflects the system they install.
- The stress factor tables in section 3.2 of Annex I cover a wider temperature range and more C-rate bands. They better reflect the conditions in which batteries operate.
- Section 3.2 of Annex I requires that, for accelerated ageing tests, the reference conditions reflect the conditions for which the battery is designed. This rule prevents the use of favourable test conditions to increase the stress factors.
- Sections 3.1.2 and 3.1.3 of Annex I state more clearly how to treat energy capacity held in reserve.

B. Residential battery energy storage systems

Energy Storage Europe welcomes the clarification of the definition in section 1, point (1), of Annex I.

The definition depends on the term "dedicated safety infrastructure". The draft does not define this term. The classification has direct consequences for manufacturers. Residential systems must meet stricter

thresholds for capacity fade and expected lifetime in cycles. They must also meet a minimum round-trip efficiency of 93%. If market surveillance authorities interpret the term differently, the same product can receive a different classification in different Member States.

Energy Storage Europe asks the Commission to define "dedicated safety infrastructure" in section 1 of Annex I, or to explain the term in recital 7.

C. Round trip efficiency of integrated systems

Energy Storage Europe welcomes the information requirement in section 4(b) of Annex I. The declared round trip efficiency continues to exclude inverters and other power conversion systems. For residential systems that cannot operate without an integrated inverter, the new requirement shows end users how the declared value relates to the efficiency of the complete system.

D. Stress factors and C-rate

Energy Storage Europe welcomes the adaptation of the stress factors in Table 1 and Table 2 of Annex I.

Table 2 now divides the former C-rate band from 1 to 3 into two bands. For a C-rate from 1 to 2, the stress factor decreases from 1.5 to 1.3. For a C-rate from 2 to 3, the stress factor increases from 1.5 to 1.6. The requirements therefore become stricter for batteries that operate at a time-averaged C-rate from 1 to 2. This can include short-duration systems that charge and discharge at high power.

Section 3.2 of Annex I sets the temperature stress factor to 1 where the battery temperature is deliberately regulated within a specific range by means of cooling or heating measures. The draft does not define this regulation. It does not state the temperature range, whether measures such as cooling only qualify, or whether the system must hold the range under the expected ambient conditions. Manufacturers therefore cannot know with certainty which stress factor applies. Energy Storage Europe asks the Commission to define the conditions under which a battery counts as temperature-regulated.

E. Second-life batteries

Energy Storage Europe supports the re-use, repurposing and remanufacturing of batteries. Section 5 of Annex I lets second-life batteries show compliance through prior compliance, operational data or adapted minimum values. These routes must not become a way for new batteries of low quality to avoid the minimum values.

A battery that is in fact new could be placed on the market as a second-life battery, with a declared history that did not take place. Such a battery would compete with compliant products. It would also not deliver the performance that buyers expect. The proposals below use obligations that already exist in Regulation (EU) 2023/1542. They do not require new data from manufacturers of new batteries.

Evidence of a first life

Section 4(e) of Annex I requires the reference conditions and stress factors from operational data for batteries under sections 5.2 and 5.3. It does not require evidence that the battery had a first life.

Energy Storage Europe asks the Commission to require documentary evidence of the original placing on the market or putting into service for all routes in section 5. For batteries first placed on the market from 18 February 2027, this evidence should be the link to the battery passport of the original battery. Article 77(7) of Regulation (EU) 2023/1542 already requires this link for batteries that have been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing.

Euro 7 and UN GTR No 22

Section 5.1(c) of Annex I deems a battery compliant if it met the battery durability requirements of Regulation (EU) 2024/1257 or of UN Global Technical Regulation No 22. Both instruments set requirements at vehicle level. The draft does not state how an economic operator proves that a battery comes from a vehicle that met these requirements. Energy Storage Europe asks the Commission to require traceable

evidence for this route, for example the reference of the vehicle type approval under which the battery was used.

Consistency with Article 73

Article 73(1)(a) of Regulation (EU) 2023/1542 requires the holder of a waste battery prepared for re-use or repurposing to show a state of health evaluation or test carried out in a Member State. Energy Storage Europe asks the Commission to make sure that, where a battery under section 5 was previously waste, the operational data and stress factors are consistent with this record. Energy Storage Europe also asks the Commission to state when it will adopt the implementing act under Article 73(4).

F. Testing standards

CEN and CENELEC are developing the test methods for performance and durability parameters under standardisation request M/579. To the knowledge of Energy Storage Europe, the standards for rechargeable industrial batteries are not yet available.

Article 10(2) of Regulation (EU) 2023/1542 gives manufacturers at least 18 months after entry into force to meet the minimum values. Manufacturers can use this period only if the test methods are available at its start. Energy Storage Europe asks the Commission to:

- publish a timeline for the adoption of the standards;
- state how manufacturers should demonstrate compliance if the standards are not available when the minimum values apply.

G. Drafting corrections

Energy Storage Europe notes the following points that may cause problems of interpretation:

- Sections 5.2 and 5.3 of Annex I refer to sub-points such as "Section 2, point 1(a)(i)". Section 2, point 1, numbers these sub-points (1), (2) and (3). The references should be aligned.
- Section 4(a) of Annex I uses the term "residential energy battery storage system". The defined term in section 1 is "residential battery energy storage system".

About Energy Storage Europe

Energy Storage Europe (previously EASE) is the voice of the energy storage community, actively promoting the use of energy storage in Europe and worldwide. It supports the deployment of energy storage as an indispensable instrument within the framework of the European energy and climate policy to deliver services to, and improve the flexibility of, the European energy system. Energy Storage Europe seeks to build a European platform for sharing and disseminating energy storage-related information and supports the transition towards a sustainable, flexible and stable energy system in Europe.

For more information, please visit www.energystorageeurope.eu

Disclaimer

This response was elaborated by Energy Storage Europe and reflects a consolidated view of its members from an energy storage point of view. Individual Energy Storage Europe members may adopt different positions on certain topics from their corporate standpoint.

Contact: Secretariat | info@energystorageeurope.eu