中国 WTO/TBT 国家通报咨询中心

China WTO/TBT National Notification & Enquiry Center

No.20,Hepingli East Street, Dongcheng District, Beijing,China,Tel: 86-10-57954638 Fax:86-10-57954689

FAX

TO： EU WTO/TBT Enquiry Point	**Email:** grow-eu-tbt@ec.europa.eu
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Copies:	
Department for WTO Affairs, Ministry of Commerce of P.R. China	Fax: +86 10 65197726;65128304 E-mail: dingtao@mofcom.gov.cn
Permanent Mission of P. R. of China to WTO	Fax: +41-22-9097688 E-mail: ysroger@sohu.com
From:	
China WTO/TBT National Notification & Enquiry Center.	Tel: 86-10-57954638 Fax: 86-10-57954689 E-mail: tbt@customs.gov.cn

Subject:

Comments from P. R. China on Notification

G/TBT/N/EU/1181

Draft Commission Implementing Regulation laying down rules for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council laying as regards format and harmonised specifications for certain labelling requirements

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Draft Commission Implementing Regulation laying down rules for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council laying as regards format and harmonised specifications for certain labelling requirements

Dear Sir or Madam,

We appreciate the opportunity to submit comments on the notified draft proposed by EU.

Enclosed please find comments in English and Chinese.

Please acknowledge receipt of the comments by e-mail to tbt@customs.gov.cn.

Thank you very much in advance for EU taking into account comments from P.R. China. Your formal reply will be appreciated.

Best regards,

Deputy Director General
China WTO/TBT National Notification & Enquiry Center
No.20，Hepingli East Street, Dongcheng District, Beijing
Post Code: 100013
Tel: 86-10-57954605
Fax: 86-10-57954683
E-mail: tbt@customs.gov.cn

Comments from P. R. China on Notification

G/TBT/N/EU/1181

Draft Commission Implementing Regulation laying down rules for the application of Regulation (EU) 2023/1542 of the European Parliament and of the Council laying as regards format and harmonised specifications for certain labelling requirements

The People's Republic of China appreciates EU for fulfilling the transparency obligation under WTO， as well as for the opportunities for other WTO Members to make comments on the notification G/TBT/N/EU/1181. According to Article 2.9.4 of the WTO/TBT Agreement "without discrimination, allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account", China would like to put forward the following comments on the notified regulations and hope EU take these comments into consideration. The detail comments as follows:

1. It is suggested that the EU clarifies the criteria for the phrase "the physical space on the battery is limited" in Article 1, and provides verifiable guidelines, such as specific surface area or dimensional thresholds, to establish clear and consistent boundaries for application. The reasons are as follows:

The current wording lacks objective and verifiable metrics. This prevents economic operators from consistently determining when labelling information or QR codes must be printed on the battery body versus when they may be presented separately. For instance, many widely used portable batteries (especially small cylindrical cells) have small, curved surfaces that are technically unsuitable for high-readability QR codes due to distortion or insufficient contrast. Such ambiguity may lead to divergent enforcement practices among Member State authorities, creating unnecessary trade barriers and market access uncertainty.

2. It is suggested that the scope of exemption be extended to "products that must remain physically closed due to compliance with other mandatory EU regulations". The reasons are as follows:

Article 1 (1) of the draft currently only exempts physical labeling obligations for batteries that are "only by independent professionals" or "remain sterile", and does not cover situations where measuring instruments, explosion-proof equipment, etc. must be permanently sealed under other EU regulations such as Metrology directives 2014/31/EU and 2014/32/EU. If such devices are forced to be unsealed and labeled, it will directly violate the provisions of the higher-level law and expose enterprises to legal conflicts and compliance risks.

3. It is suggested that the wording "accompanying product documents (such as user manuals or other commercial documents)" in Article 1 (6) be removed, and

the core requirement that "such QR codes should be clearly displayed on the surface of the battery" be retained. The reasons are as follows:

The information representation in each battery pack's QR code is independent, so each pack's QR code is unique and independent. The product manual is fixed and universal, and the battery product also has QR codes printed on its surface, which are clear enough for users. Article 13 of Regulation (EU) 2023/1542 concerning battery labels and markings, Point 7: "The labels and the QR code referred to in paragraphs 1 to 6 shall be printed or engraved visibly, legibly and indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, the labels and the QR code shall be affixed to the packaging and to the documents accompanying the battery." It fully explains that if the battery itself can accommodate the QR code, there is no need to print the QR code on the package or the accompanying document.

4. It is suggested that the provisions for label area and size in Article 2 (2) of the draft article be revised to: "The label shall cover at least 5 percent of the maximum printable or engraved surface area on the battery or packaging, with a maximum size of 10cm×10 cm." The reasons are as follows:

For large equipment, industry labels are generally 10cm×10 cm or 10cm×7 cm in size. If the maximum size is not specified, there may be a situation where the overall shape of the label is larger and the font and icon are smaller due to the larger surface area of the battery or packaging. In this case, the overall size of the label will be inconsistent with the size of the font and icon (for example, the size of the fixed battery energy storage system shown below can reach 6m*3m*3m, and according to the original requirement, the label area should be at least 0.9m^2, that is, the overall size of the label should be at least 0.95m ×0.95m) But the small ICONS on the label are restricted to no more than 2.5cm×2.5cm). So the battery label should refer to the description of the size requirements for the Separate collection label: "The symbol of the separate collection label should cover at least 3% of the maximum side area of the battery, with a maximum size of 5cm ×5cm", with a limit on the maximum size.

Note: As defined in battery regulations, 'stationary battery energy storage system' means an industrial battery with internal storage that is specifically designed to store from and deliver electric energy to the grid or store for and deliver electric energy to endusers, regardless of where and by whom the battery is being used.

5. It is recommended to set a scientific and reasonable reporting threshold (such as 0.1% w/w) by referring to the disclosure method of SVHCs in the REACH regulation. The reasons are as follows:

The requirements of Article 4, Point 1 of the draft are fundamentally in conflict with the "threshold management" principle commonly adopted in mature chemical management regulations such as the EU REACH and CLP. International common rules all set scientific and reasonable reporting thresholds, and only require the disclosure of substances exceeding the threshold. However, the draft requires the labeling of the chemical names and concentrations of all trace impurities (except mercury, cadmium, and lead), without any minimum reporting limit.

First, it is technically unfeasible and too costly. Enterprises need to conduct precise detection at the ppm or even ppb level for all raw materials in the supply chain to identify and quantify various trace impurities. The existing detection technology and cost structure cannot support such a large-scale screening of trace substances. Second, it will cause a huge management burden and waste of resources. Due to the concentration fluctuations of trace impurities caused by batch differences in raw materials, the label information will be forced to change frequently, triggering a chain reaction such as label reprinting, inventory scrapping, and supply chain information updates, resulting in unnecessary administrative costs and resource consumption.

If this suggestion cannot be adopted, it is recommended that the EU side clarify based on Article 13, Paragraph 5 of the Battery and Waste Battery Regulation (EU 2023/1542) whether only the chemical symbols of harmful substances can be labeled to maintain consistency with the main regulation.

When adding new substances to the list of restricted substances, EU shall simultaneously disclose the scientific basis for their inclusion, including but not limited to the hazard and risk assessment criteria and testing procedures for such substances. As a key participant in the global battery supply chain, China possesses the requisite scientific research and industrial experience. We are willing to engage in exchanges and cooperation with the EU in areas such as data sharing and technology assessment, jointly promoting the development of green technologies and avoiding trade barriers.

6. It is suggested that Article 6 (1) of the draft article be revised as follows: "The label information required by this regulation shall be written in one or more languages that the end user can easily understand." The reasons are as follows:

The label information obtained through the battery QR code can be in the form of multiple languages designed by EU member states, but the physical label should refer to the language design requirements for the CE certification label identification.

7. It is suggested that Article 6 (3) of the draft be revised to: "Labelling information for consumers shall comply with the accessibility requirements set out in Annex I to Directive 2019/882 of the European Parliament and Council so

that such information can be accessed by persons with disabilities. Products not covered by Article 2 of Directive 2019/882 may be exempted from accessibility requirements for their labels." The reasons are as follows:

Industrial battery products are not within the scope of products subject to regulation under Article 2 of Directive 2019/882. Therefore, it is recommended that the labelling of industrial batteries be exempted from the design requirements of the Accessibility Directive. The "consumer" referred to in the regulation should also specify what type of battery the consumer is and the usage scenario.

8. It is recommended to remove the requirement in Annex I of the draft to print the "extinguishing agent or, if relevant, the fire class of that agent" label on consumer battery labels, or explicitly stipulate that such professional safety information should only be included in technical documents or provided through digital means such as QR codes. The reasons are as follows:

This requirement prints fire extinguishing guidelines on consumer labels based on EN 2:2005-01 standard, which is designed for the classification of "extinguishing agent" and does not verify their correspondence with battery materials in real fire situations, especially thermal runaway of lithium-ion batteries. Printing this unmatched professional symbol directly on retail batteries can easily lead consumers to misunderstand it as an "official fire extinguishing guide", which may result in the misuse of water or ABC dry powder to put out battery fires in scenarios such as garages and kitchens, thereby intensifying the fire, causing a large release of toxic gases or increasing the risk of electric shock. In addition, battery fires are often accompanied by serial thermal runaway, high-pressure jet and reignition, and their emergency response requires a professional hazardous chemicals contingency plan, far more than simply marking the "fire class of that agent". Providing such simplified information on the label may mislead on-site handling and increase safety risks.

9. It is recommended to specify the range of values and the definition of precision for weight requirements in Part A of Annex II. The reasons are as follows:

First, within the same model of battery, due to fluctuations in the production process (such as differences in electrode coating uniformity, electrolyte filling accuracy, etc.), the actual content of active material in the same model of battery may vary, thereby affecting the weight of the battery. This weight difference may go beyond the currently undefined range of values, leading to uncertainty in quality control.

Secondly, the precision of weight requirements is not defined at present in Part A of Annex II. Defining precision standards is crucial for ensuring consistency and reliability of battery products. The lack of precise definitions can lead to ambiguous areas in quality inspection and product certification processes, affecting the market competitiveness and user trust of products.

10. It is recommended to add the disclosure of "Item VI (battery capacity)" to the label information and label design of Part A and Part B in Annex Ⅲ of the draft. The reasons are as follows:

The information item numbers in Part A label information and Part B label design diagrams in Annex Ⅲ of the draft jump directly from V to VII and do not cover item VI (the capacity), while Annexes I and II require the disclosure of item VI (the capacity). ANNEX VI of Battery Regulation (EU) 2023/1542 requires the disclosure of battery capacity under point 6 of the general information label for batteries.

11. It is recommended to clarify whether the small ICONS in Part B of the label design section in annexes I, II and Ⅲ of the draft are illustrative, and if they are illustrative, vector diagrams of the small ICONS should be provided. The reasons are as follows:

If the small ICONS for each item in the label design are not illustrative, the EU should provide vector graphics of the small ICONS to avoid the situation where companies have to draw them themselves and thus the small ICONS are difficult to replicate completely.

12. It is suggested that item I of Part A in ANNEX I, II, Ⅲ of the draft Annex should explicitly state that "website and email address" are not mandatory, or indicate "(if available)". The reasons are as follows:

There is a conflict between item I in the label information of Part A in draft ANNEX I, II, Ⅲ and item I in the schematic diagram of the label design of Part B. The two should be consistent, that is, item I in the label information of Part A should comply with the non-mandatory requirement of "email address" in item I in the schematic diagram of the label design.

13. It is suggested that the technical standard referred to in Annex IV be modified to the "latest valid version", and that the battery label should give priority to identifying the main electrochemical system and set a reasonable mass proportion threshold (e.g. ≥5%) to limit the range of components to be labeled. The reasons are as follows:

First, the version of the technical standard it references (such as IEC 60086-1:2021) is fixed and does not indicate that it can automatically apply the latest version as the industry standard is updated. This would result in new battery chemistry systems emerging in the future being unable to obtain compliance labels, creating a "technology lock-in" that is detrimental to industry innovation. Secondly, it is required to label "all relevant" chemical formulas without specifying the primary and secondary order, especially without setting a scientifically reasonable lower limit of content. This could result in the need to list even trace electrode components that have no substantial impact on battery performance and safety on the label, making the information cumbersome.

14. It is suggested that a transitional provision be added to Annex V to make it clear that the carbon footprint label obligation does not apply until the relevant authorization act comes into effect and all technical parameters are published, or allow companies to reserve label positions in the "parameters to be determined" format. The reasons are as follows:

The core content of the carbon footprint label set out in Annex V (including the classification of performance classes, specific figures, calculation methods and functional units) is entirely dependent on two delegated acts established under articles 7(1) and 7(2) of Regulation (EU) 2023/1542, which have not yet been passed. To avoid the chaos during the legal vacuum, it is necessary to set up clear buffer arrangements to ensure that the relevant delegated act takes effect and the technical rules are clear before enterprises can carry out specific labeling obligations.

15. It is recommended that EU refine the colour scheme for the carbon footprint label printed or engraved on the surface of batteries, asspecified in the final paragraph of Annex V, permitting companies to employ flexible colour scheme for labels providedthey meet high contrast and easy distinguishability equirements;black-and-white formats are not mandatory.

China understands that unified color standards facilitate rapid identification of label content, but believes this proposal fails to adequately account for the diversity, complexity, and costs of actual production, potentially imposing unnecessary burdens. For instance, battery casings come in a variety of colours, yet there is a mandatory requirement to print a pure white background on all base colours. For batteries with dark casings, this necessitates either applying an additional layer of white primer or employing specialised processes. This increases corporate expenditure on inks, manufacturing techniques, and quality control, while also limiting the possibility for companies to adopt alternative colour schemes that could achieve the same identification effect at lower cost or with greater aesthetic harmony with the product.

16. It is recommended that a clarifying note be added to all annexes that provide examples of labels, clearly stating: "This example is only for showing part of the information format required by this regulation and does not affect or replace any other mandatory labeling obligation that batteries must comply with under other EU regulations." The reasons are as follows:

The label design examples provided in the draft annex do not include other mandatory marks in the EU market such as the CE marking and the separate collection symbol. The example is highly likely to be misinterpreted by businesses, especially small and medium-sized ones, as a complete, directly applicable compliance label template. Adding this clarifying note can effectively avoid misguidance and ensure the clarity and uniformity of regulatory enforcement.

17. The draft regulation stipulates that “this Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European

Union” and shall be formally applied 18 months after its entry into force. However, the draft regulation fails to adequately consider the retrospective compliance burden faced by existing products and those covered by trade contracts already concluded following the regulation’s implementation. For instance, requiring batteries manufactured prior to the effective date of this Regulation but not yet placed on the EU market, as well as those produced under contracts concluded between manufacturers and EU importers or distributors before the Regulation’s entry into force, to comply with its labelling requirements could result in substantial quantities of legally produced batteries – including those in transit but not yet arrived at EU ports – being compelled to withdraw from the EU market. This would cause significant economic losses and disrupt market order. **Pursuant to Article 2.1 of the WTO/TBT Agreement, China proposes that EU should grant exemptions for products manufactured prior to the effective date of this regulation and arriving at EU ports after the implementation date, provided that enterprises can furnish evidence verifying the product’s date of manufacture**.

18. Clarification on the relationship between "document" in Article 1(3) and "documents" in Article 1(2).

In Article 1(3) of the draft implementing act, it is stated that "By way of....., that information shall be printed on a separate document accompanying the battery,....." Please clarify whether the "document" referred to here is consistent with the "documents" mentioned in Article 1(2) of the draft implementing act, which states, "....., that information shall be provided on the packaging and the documents accompanying the battery,....."

19. Proposal for the EU to provide downloadable files of all mandatory "icons/symbols".

Articles 13(4) and 13(5) of EU Battery Regulation 2023/1542, as well as Annex VI, explicitly require batteries to bear the separate collection symbol (crossed-out wheeled bin) and heavy metal symbols (Hg, Cd, Pb). Article 3 of the draft implementing act further elaborates on the "non-rechargeable" symbol (Do Not Charge), specifying that it must comply with standards such as IEC 60086-4:2019. It is recommended that the EU provide downloadable files of all mandatory "icons/symbols" (e.g., separate collection symbol, heavy metal symbols, non-rechargeable symbol, carbon footprint label, etc.) to facilitate access for enterprises.

20. Proposal to provide specific labeling examples and launch a free label generator to assist enterprises in better compliance.

21. Proposal to unify data formats or regulatory documentation requirements.

The draft implementing act requires the carbon footprint to be expressed with two decimal places, which is inconsistent with the three decimal places required in the delegated act on the carbon footprint of EV batteries. It is recommended to unify the data format or regulatory documentation requirements.

Comments in Chinese are in below:

中国对 G/TBT/N/EU/1181 通报的评议意见

中国赞赏欧盟履行 WTO 透明度义务，给予其他 WTO 成员评议 G/TBT/N/EU/1181 号通报的机会，根据 WTO/TBT 协定 2.9.4 条“无歧视地给予其他成员合理的时间以提出书面意见，并对这些书面意见和讨论的结果予以考虑”的规定，请欧盟对中方的评议意见予以考虑并作出答复，中方意见及论述如下：

1.建议欧盟澄清法规第一条中“the physical space on the battery is limited”的适用标准，并提供可验证的面积或尺寸示例指引，以确立明确且一致的适用边界。理由如下：

当前条款中“电池上物理空间有限”的表述缺乏客观、可验证的衡量标准。这导致企业无法统一判断何时应将标签信息或二维码印在电池本体，或何时可将标签信息拆分展示。例如，大量广泛使用的便携式电池（尤其是标准小圆柱电池等）体积小，其弧形曲面在技术上并不适合印刷具有高可读性的二维码，易因尺寸不足、形变或对比度差导致消费者扫描失败。该定义的模糊性也可能引发各成员国监管实践中出现执法尺度不一的问题，进而为市场准入带来不必要的合规不确定性与潜在贸易壁垒。

2.建议将豁免范围扩展至“因遵守其他欧盟强制性法规而必须保持物理封闭的产品”。理由如下：

草案第 1 条第 1 款目前仅豁免“仅可由专业人员更换”或“需保持无菌”两类电池的实体标签义务，未涵盖计量仪器、防爆设备等因其他欧盟法规（如计量指令 2014/31/EU 和 2014/32/EU 等）必须永久封闭的情形。若强制拆封此类设备加贴标签，将直接违反上述上位法规定，造成企业面临法律冲突与合规风险。

3.建议删除 Article 1 第（6）条中“及随附产品文件（如使用说明书或其他商业文件）”的表述，保留“此类二维码需清晰显示于电池表面”的核心要求。理由如下：

每个电池 pack 二维码中的信息体现都是独立的，所以每个 pack 的二维码是独立唯一的。产品的使用说明书是固定通用的，且电池产品的表面亦印制二维码，对于使用者而言已足够清晰。电池法规（EU）2023/1542 中 Article 13 关于电池标签和标识的规定中的第 7 点：“第 1 至第 6 段所述的标签和二维码应以清晰、易读且不可擦除的方式印刷或刻印在电池上。如果由于电池的性质或尺寸原因无法做到这一点或无此必要，则应将标签和二维码粘贴在包装上以及随电池附带的文件上。”充分说明了若电池本体可以容纳二维码的情况下，无需在包装、随附文件上打印二维码。

4.建议草案 Article 2 第（2）条中对标签面积及大小的规定修改为：“标签应覆盖电池或包装上最大可印刷或刻印表面积的至少 5%，最大尺寸为 10cm×10 cm”。理由如下：

针对大型设备，行业标签一般是 10cm×10cm 或 10cm×7cm 等规格尺寸，若不规定最大尺寸，可能存在因电池、包装的表面积较大，而造成标签整体形状较大而字体、图标则较小的情况，在此情况下标签整体大小会和字体、图标的大小形成较大差异而不协调（例如下图中的固定式电池储能系统【注】尺寸可达到 6m*3m*3m，按原有要求标签面积至少为 0.9m^2，即标签整体至少为 0.95 米×0.95 米，但标签中的小图标却限制不得超过 2.5 厘米×2.5 厘米）。所以电池标签应该参考如下“单独收集标识”对尺寸要求的描述：“单独收集标识的符号应至少覆盖电池最大一侧面积的 3%，最大尺寸为 5cm×5cm”，对最大尺寸进行限制。

注：电池法规中的定义为：“固定式电池储能系统”是指一种工业电池，该电池具有内部储能功能，专门设计用于向电网存储并输送电能，或为终端用户存储并输送电能，无论该电池在何处或由何人使用。

5.建议参考 REACH 法规中 SVHC 的披露方式设定科学合理的报告阈值（如 0.1% w/w）。理由如下：

草案第 4 条第 1 款的要求与欧盟 REACH、CLP 等成熟化学品管理法规普遍采用的“阈值管理”原则存在根本性冲突。国际通行规则均设定科学合理的报告阈值，仅对超过阈值的物质要求披露，而草案要求对痕量杂质（汞、镉、铅除外）一律标注化学名称及浓度，且不设任何最低报告限值，这违背了风险管控的科学比例原则，也与我国现行化学品法规体系缺乏衔接。

其一，技术上不可行且成本过高。企业需对供应链中所有原材料进行 ppm 乃至 ppb 级的精密检测，以识别和量化各类痕量杂质，现有检测技术和成本结构难以支撑如此大规模的微量物质筛查。其二，造成巨大的管理负担与资源浪费。由于原材料批次差异导致的痕量杂质浓度波动，标签信息将被迫频繁变更，引发标签重印、库存报废、供应链信息更新等连锁反应，产生不必要的行政成本和资源消耗。

若该建议无法采纳，建议请欧盟方依据电池与废电池法规（EU 2023/1542）第 13 条第 5 款进行澄清，是否可仅标注有害物质的化学符号，以保持与主法规的一致性。

此外，建议在将新物质列入限制物质清单时（（EU 2023/1542 附件 **I**），欧方应同步公开新物质被列入的科学依据，包括但不限于物质的危害性与风险评估标准及检测流程等；中方作为全球电池产业链的重要参与方，拥有相应的科研与产业实践经验，愿意与欧方在数据共享、技术评估等方面开展交流与合作，共同促进绿色技术的发展，避免形成缺乏共识的新贸易壁垒。

6.建议草案 Article 6 第（1）条关于物理标签的语言的规定修改为：“本法规要求的标签信息应以最终用户能够轻松理解的一种或多种语言书写。”理由如下：

通过电池二维码获取的标签信息可以按照欧盟成员国设计多种语言的形式，但物理标签应该参照 CE 认证标签标识的语言设计要求。

7.草案 Article 6 第（3）中应修改为：“针对消费者的标签信息应符合欧洲议会和理事会第 2019/882 号指令附件 I 中规定的无障碍要求，以便残疾人能够获取这些信息。不在 2019/882 号指令 Article 2 范围内的产品，其标签可豁免无障碍要求。”理由如下：

工业电池产品不在 2019/882 指令 Article 2 的法规适用产品范围内，因此建议工业电池的标签可以豁免无障碍指令的设计要求。法规提及的“消费者”也应明确是何种类型的电池的消费者以及使用场景。

8./建议删除草案附件一中关于在消费电池标签上印制“可用灭火剂或火灾等级”标识的要求，或明确规定该类专业安全信息应仅包含于技术文件或通过二维码等数字方式提供。理由如下：

该项要求依据 EN 2:2005-01 标准在消费端标签上印制灭火指引，但该标准系针对“灭火器”分类制定，并未验证其与电池材料在真实火情（尤其是锂离子电池热失控）中的对应关系。将此未经适配的专业符号直接印于零售电池上，容易使消费者将其误解为“官方灭火指南”，从而可能在车库、厨房等场景下误用水或 ABC 干粉扑救电池火，反而加剧火势、引发有毒气体大量释放或导致触电风险。此外，电池火灾常伴随串联热失控、高压喷射与复燃现象，其应急处置需专业的危化品预案，远非简单标注“火灾等级”所能覆盖，在标签中提供此类简化信息反而可能误导现场处置，增加安全风险。

9.建议在附件二 Part A 部分对重量要求明确取值范围和精确度定义。理由如下：

首先，同一型号电池在生产过程中，由于生产工艺的波动（如电极涂布均匀性、电解液灌注精度等差异），可能导致同型号电池活性物质的实际含量不同，进而影响电池重量。这种重量差异可能超出当前未明确的取值范围，导致质量控制的不确定性。

其次，目前附件二 Part A 部分未对重量要求的精确度进行定义。明确精确度标准对于确保电池产品的一致性和可靠性至关重要。缺乏精确度定义可能导致在质量检测和产品认证过程中出现模糊地带，影响产品的市场竞争力和用户信任度。

10.建议对草案中附件三中 Part A 标签信息与 Part B 标签设计增加披露“第

VI 项（电池容量）”。理由如下：

草案附件三中 Part A 标签信息与 Part B 标签设计的示意图的信息项编号均是由 V 直接跳到Ⅶ，并没有涉及 VI 项（电池容量），而附件一、二均要求披露 VI 项（电池容量）。且电池法规（EU）2023/1542 的 ANNEX VI 中对电池通用信息标签的第 6 条规定需要披露电池容量。

11.建议明确草案附件一、二、三中 Part B 标签设计部分的小图标是否为示意性，若为示意性则应提供小图标的矢量图。理由如下：

标签设计中各项目的小图标若并非示意性，欧盟应当提供小图标矢量图，从而避免企业需自行绘制而导致的小图标难以完全复刻的情况。

12.建议草案附件一、二、三中 Part A 部分的第 I 项应明确规定“网站和电子邮件地址”是非强制要求的，或注明“（if available）”。理由如下：

草案 ANNEX I、Ⅱ、Ⅲ中 Part A 的标签信息中的 I 项与 Part B 标签设计中示意图的 I 项存在冲突，两者应保持一致，即 Part A 标签信息中的 I 项应遵从标签设计示意图中 I 项中“电子邮件地址”的非强制要求。

13.建议将附件四所引用的技术标准修改为“最新有效版本”，并补充明确电池标签应优先标识主要电化学体系，并设定合理的质量占比阈值（如≥5%）来限定需标注的成分范围。理由如下：

首先，其所引用的技术标准（如 IEC 60086-1:2021）版本被固定，未说明可随行业标准更新而自动适用最新版本。这将导致未来出现的新电池化学体系无法获得合规标识，形成“技术锁定”，不利于行业创新。其次，要求标注“所有相关”化学式，但未规定主次与排序，尤其未设定科学合理的含量下限。这可能导致即使对电池性能与安全无实质影响的痕量电极成分也需在标签中列出，使信息冗余。

14.建议在附件五中增加过渡性条款，明确在相关授权法案正式生效并公布全部技术参数前，碳足迹标签义务暂不适用，或允许企业采用“参数待定”的格式预留标签位置。理由如下：

附件五规定的碳足迹标签，其核心内容（包括性能等级划分、具体阈值、计算方法与功能单位）完全依赖于依据法规（EU） 2023/1542 第 7（1）条和 7（2）条制定的、目前尚未通过的两项授权法案。为避免法律真空期内的混乱，有必要设定明确的缓冲安排，确保相关授权法案生效、技术规则明确后，企业方能执行具体标签义务。

15.建议优化附件Ⅴ最后一句话中对印刻在电池表面碳足迹标签的颜色方案，允许企业在满足高对比度与易区分度要求的前提下，不强制要求黑白格式，例如在浅色外壳上直接使用深色文字和图标，或使用同一色系不同明暗度来区分等级。

中方理解统一颜色范有助于快速识别标签内容，但认为该方案未能充分考虑实际生产的多样性、杂性与成本，可能增加不必要的负担。例如，电池外壳颜色多样，强制要求在所有底色上印刷纯白背景，对于具有深色外壳的电池而言则需要额外增加一层白色底漆或使用特殊工艺，增加了企业的在油墨、工艺

和管控方面的成本，限制了企业采用其他能达到相同识别效果但成本更低或与产品更协调的颜色方案的可能性。

16.建议在所有提供标签示例的附件中，增加一项澄清性说明，明确指出：“本示例仅为展示本条例要求的部分信息格式，不影响且不替代电池必须符合的其他欧盟法规所规定的任何强制性标记义务”。理由如下：

草案附件所提供的标签设计示例，未包含 CE 标志、单独收集符号等欧盟市场其他强制性标识。该示例极易被企业，特别是中小企业，误解为完整、可直接套用的合规标签模板。增加此项澄清性说明，可有效避免误导，确保法规执行的清晰与统一。

17.条例草案规定本条例自其在《欧盟官方公报》发布 20 日后生效，并于生效 18 个月后正式实施。然而，条例草案未充分考虑条例实施后存量产品和已缔结贸易合同产品所面临的追溯性合规负担。例如，对于在本条例生效之日前已生产但还未投放欧盟市场的电池产品，以及在本条例生效之日前制造商与欧盟进口商或分销商已签订合同并生产的电池产品，如果要求前述产品满足本条例的标签要求，可能导致大量依法依规生产的以及在途未到欧盟港口的电池产品被迫退出欧盟市场，造成重大经济损失和市场秩序混乱。根据《WTO/TBT 协》第 2.1 条，**建议对于在本条例生效之日前已生产，实施日期后到欧盟港口的产品，如企业能够提供证明产品生产日期的证据，欧方应给予豁免。**

18. 请澄清第 1（3）条中“document”与第 1（2）条“document”的关系。

实施法案草案第 1（3）条中“By way of.....,that information shall be printed on a separate document accompanying the battery,.....所指的“document”是否与实施法案草案第 1（2）条中“.....,that information shall be provided on the packaging and the documents accompanying the battery,.....”所指的“documents”一致，请予以澄清。

19. 建议欧盟提供所有必需的“图标/符号”供下载的文件。

欧盟电池法 EU 2023/1542 第 13(4)条、第 13(5)条及附件 VI 中，明确要求电池均应标示分类收集符号（交叉带轮垃圾桶） 和重金属符号（Hg, Cd, Pb）。实施法案草案第 3 条进一步细化了“不可充电”符号（Do Not Charge），规定其需符合 IEC 60086-4:2019 等标准。建议欧盟提供所有必需的“图标/符号”（如分类收集符号、重金属符号、不可充电符号、碳足迹标签等）供下载的文件，便于企业获取。

20. 建议提供标签具体示例，并推出免费标签生成器，帮助企业更好地合规。

21. 建议统一数据格式或监管文件要求。

实施法案草案要求碳足迹以两位小数的形式进行表述，与 EV 电池产品碳足迹授权法案的三位小数不一致，建议统一数据格式或监管文件要求。