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MEETING DOCUMENT

From: To:	General Secretariat of the Council Antici Group (Simplification)
N° Cion doc.:	ST 16778 2025 INIT
Subject:	Environment Omnibus (Simplification Regulation): WP meeting on 30 March 2026: Presidency explanatory note

With a view to the above mentioned meeting, delegations will find attached an explanatory note prepared by the Presidency.

Antici Group on Simplification (AGS)
30 March 2026

Omnibus VIII: Regulation amending Regulations (EU) 2023/1542 and (EU) 2024/1244 as regards simplification of some requirements and reduction of administrative burden

1st Presidency compromise text

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The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments proposed by the Presidency in the first compromise text (ST 7624/26).

The explanatory note is divided into two sections:

1. Amendments to the Batteries Regulation (Regulation (EU) 2023/1542)
2. Amendments to the Industrial Emissions Portal Regulation (Regulation (EU) 2024/1244)

Each table follows the order of the relevant provisions. This document is for reference only.

Overview of amendments proposed by the Presidency

The general recitals 1-5 include linguistic changes. The new recital 11a is introduced in line with the proposed amending Directive (2025/0394 (COD)).

1. Amendments to the Batteries Regulation (Regulation (EU) 2023/1542)

Recital/ Article	Amended provision	Explanation
Recital 6-7		Linguistic changes
Recital 8		The addition aims to respond to the comments from one delegation regarding ensuring the possibility for LMT batteries to be dismantled into individual cells at the end of their lifetime. The recital clarifies that the amendment of Article 11 does not preclude operators from placing on the market batteries where individual cells are replaceable.
Recital 9		Linguistic changes
Article 1(1)(a)	Article 3(1) point (47)(d)	Some delegations suggested maintaining an explicit reference to distance sales in this paragraph. However, such a reference is already included in the introductory paragraph of point (47) and would be a duplication.
Article 1(1)(b)	Article 3(1) point (69)	Linguistic changes. Some delegations suggested expanding the scope of the definition to substances of concern as defined in Article 2, point 27 of Regulation (EU) 2024/1781. However, the Presidency considers that the substances not covered in the definition as

		proposed by the Commission are either not relevant for batteries (those listed in point 27(b)(viii)-(xiii) and (c)) or not sufficiently clear to be used for labelling obligations (those listed in point 27(d)). Moreover, according to the information provided by the ECHA agency, the number of substances in the scope of the proposed definition, which could potentially be present in batteries, amounts to 723.
Article 1(2)	Article 11(5)	One delegation suggested adding a provision according to which individual cells in LMT batteries should be removable at the end of their lifetime. The Presidency considers that such a provision would be outside the scope of Article 11, which concerns the repairability of products that contain batteries. Including a provision on the end-of-life treatment of LMT batteries would introduce new design-for-recycling criteria within the Batteries Regulation, which is not in line with the spirit of simplification of this Omnibus Regulation.
Article 1(2a)	Article 13(6)	Point (b) of the existing Article 13(6) of the Batteries Regulation provides that from 18 February 2027, certain batteries are to be marked with a QR code providing access, among others, to the information on the label to be affixed on the battery in accordance with paragraphs 1-3 of Article 13. According to paragraph 10 of the same article, the Commission is to adopt implementing acts to establish harmonised specifications for those labelling requirements by 18 August 2025. However, the Commission has not yet adopted those implementing acts and is unlikely to do so in time for economic operators to implement the requirements before the entry into application of point (b) of paragraph 6. The Presidency therefore suggests delaying the entry into application of that point until 18 months after the adoption of the implementing act referred to in paragraph 10. This would align the requirement to provide the information on the QR code with the entry into application of the requirement to provide the information on the label as set out in paragraphs 1-3.
Article 1(3)	Article 76(4)	The review of reported data on batteries is ensured through a two step verification by ESTAT, an automated check of data plausibility and completeness, followed by an in-depth review. The first reporting year under Chapter VIII is 2026, the first submission of reports is in mid 2028. It is considered to not provide much benefit to publish a report 6 months after the first submission and every four years after, particularly as pursuant to Article 94(1) the Commission shall review and draw up a report on the application of the Regulation by 30 June 2031, including an evaluation of the measures regarding management of waste batteries laid down in Chapter VIII as per Article 94(2)(e), where reported data will feed in and be also assessed. In order to assess e.g. reliability and consistency of data submitted, several reporting years need to be assessed. It is therefore considered that the obligation to review data should be maintained for

		clarity, while the publication of a report of one reporting period does not provide further benefit.
Article 1(4)	Annex VI, Part A, point 8	Linguistic changes to align the wording with that of other provisions.
Article 1(5)	Annex XIII, point 1(b)	Alignment with the labelling obligations for substances of very high concern.

2. Amendments to the Industrial Emissions Portal Regulation (Regulation (EU) 2024/1244)

Recital/ Article	Amended provision	Explanation
Recital 10		Linguistic changes. The Presidency proposes additional language emphasising that the proposed exemption of operators of livestock production and aquaculture installations from certain reporting obligations is not mandatory, especially if considered as burdensome by public authorities.
Article 2	Article 6(9)	Linguistic changes

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