

EN  
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Answer given by Ms Roswall  
on behalf of the European Commission  
(19.2.2026)

Article 11 of the Batteries Regulation<sup>1</sup> requires that portable batteries incorporated into products be removable and replaceable by end-users at any time throughout the lifecycle of those products. The aim is to maximise the collection of waste portable batteries, as well as to prevent the premature obsolescence of products. This requirement is all the more necessary given the increase in fire incidents in waste treatment plants across the EU due to the improper separate disposal of waste portable batteries.

The Commission does not agree that the requirement for portable batteries to be user-removable undermines the competitiveness of the AI sector, which is crucial for the industrial future. Article 11 also includes derogations from this general rule, whereby portable batteries only need to be made removable and replaceable by independent professionals, as opposed to end-users. Those derogations are related to the safety of the product and of the end-user. Furthermore, Article 11(4) allows the Commission to add further products for which the said derogation is applicable. To that effect, the Commission intends to adopt a first delegated act in Quarter 2/2026, adding several new product categories to the derogation, including wearables.

The Commission is of the opinion that Article 11 strikes a balance between the interests of battery and product manufacturers, consumers and recyclers. The Impact Assessment Report accompanying the Commission's proposal for a Batteries Regulation in December 2020<sup>2</sup> looked at the overall impact of the proposal on the competitiveness of the batteries manufacturing sector and the wider industry, but it did not include a specific assessment on AI-based wearable devices.

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<sup>1</sup> Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC, OJ L 191, 28.7.2023, p. 1–117.

<sup>2</sup> Commission Staff Working Document Executive Summary of the Impact Assessment Report accompanying the document Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) 2019/1020, SWD/2020/334 final.