

EN
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Answer given by Ms Roswall
on behalf of the European Commission
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Pursuant to Article 3(2)(a) of the Batteries Regulation¹, the waste definition laid down in Article 3 of the Waste Framework Directive² governs at which point a used electric vehicle battery reaches the waste status. It is the intention of the battery holder to discard the battery that ultimately determines when a used battery becomes waste.

Therefore, a battery incorporated in a vehicle does not necessarily have to be considered waste when the holder of the vehicle disposes of the vehicle. The used battery could be removed from the vehicle for reuse, remanufacturing or repair before the vehicle is sent for end-of-life treatment.

However, when an end-of-life vehicle reaches an authorised treatment facility with its battery still incorporated, the intention of the holder of the vehicle to discard it has been manifested. In consequence, such battery is to be considered a waste battery and requires waste treatment operations such as preparation for reuse or preparation for remanufacturing, regardless of whether the manufacturer's repair instructions have been observed or not.

Article 73 of the Batteries Regulation governs the conditions to document the preparation for reuse or preparation for repurposing of waste electric vehicle batteries. It is important to recall that both preparation for reuse and for remanufacturing are considered second-life operations, while the direct reuse is not. This has a bearing on determining extended producer responsibility obligations on the economic operators carrying out these second-life operations. In the specific case of remanufacturing, all the conditions set out in Article 3(1)(32) of the Batteries Regulation need to be met in order for an operation on a used battery to be considered as such.

¹ 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.

² Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3–30, as amended by Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May, OJ L 150, 14.6.2018, p. 109–140 and Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025, OJ L, 2025/1892, 26.9.2025.