OCABATTERIES

Accredited Coordinating Body for Batteries

Bringing together accredited producer responsibility organisations:

Batribox – ecosystem – Recycler Mon Véhicule

Incentives and penalties applicable to batteries from 1st of January 2027

Technical note

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Purpose of this document

This technical note sets out the criteria and rules for calculating the premiums and penalties applicable to financial contributions paid by battery placeholders (portable batteries, light means of transport batteries, starter, lighting and ignition batteries, industrial batteries and electric vehicle batteries) from 1st of January 2027.

The adjustment criteria set out below have been submitted to the Ministry responsible for the Environment for approval.

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1. Introduction

Article 2.1 of the Order of 27 March 2025 laying down the terms of reference for producer responsibility organisations within the Extended Producer Responsibility (EPR) scheme for batteries provides that accredited producer responsibility organisations are required to propose a system for adjusting (through bonuses and penalties) the financial contributions paid by market placers, in accordance with the provisions of Article L.541-10-15(4) of the Environment Code and Article R.541-99 of the same Code.

This scheme aims to encourage the eco-design of batteries and devices containing them by applying a bonus (a reduction in the eco-contribution) or a penalty (an increase in the eco-contribution) based on criteria that promote the environmental performance of batteries, in particular through extended service life, second-life use and recycling.

The proposal set out in this note was drawn up jointly by the sector's producer responsibility organisations (Batribox, ecosystem and Recycler Mon Véhicule) under the auspices of OCABATTERIES – the Approved Coordinating Body for Batteries. It was presented to the Stakeholder Committees (CPP) of the three producer responsibility organisations on 29 April 2026 and received a favourable opinion from the committees, with a view to it coming into force on 1 January 2027.

The purpose of this technical note is to inform market operators of the practical arrangements, the supporting documents to be provided and the verification process relating to the adjustment of the eco-levy.

The modulation scheme applies to all categories of batteries covered by the specifications of the Battery EPR scheme [1] :

- **Portable batteries:** Sealed, hand-held batteries intended for consumer or professional use (power tools, portable electronic devices, everyday products).
- **Batteries for light means of transport (LMT):** Batteries used in light personal mobility devices (electric-assist bicycles, scooters, Segways, electric mopeds, etc.).
- **Starter, lighting and ignition (SLI) batteries:** Lead-acid batteries or equivalent technologies, used for starting, lighting and ignition in internal combustion engine vehicles.
- **Industrial batteries:** Batteries intended for industrial or professional use, including stationary storage batteries, batteries for material-handling equipment and emergency batteries.
- **Electric and hybrid vehicles batteries (EVH):** Traction batteries fitted to electric and hybrid vehicles (passenger cars, commercial vehicles and heavy goods vehicles).

[1] Further details regarding the classification of batteries

2. Calculation of eco-modulation amounts

The amounts are expressed as a percentage of the relevant producer responsibility organisations' fee scale, rather than as fixed amounts in euros, as the fee scale is expressed in €/kg.

All adjustments, whether bonuses or penalties, are set uniformly at 20 per cent of the applicable scale, with the exception of criterion 4, 'Second-life equipment returned to the market', for which the bonus is set at 100 per cent of the scale, as specified in Article 2.1 of Annex 1 to the Order setting out the specifications.

Premiums and penalties are cumulative: two penalties result in a 40% increase in the eco-contribution. However, if a penalty is applied to a product, no bonus may be granted for the same battery, except in the case of criterion 4, which applies in addition to bonuses and penalties. Criterion 4 is regarded as an exemption from the eco-contribution based on the weight of reused material; it applies multiplicatively with the other criteria. Thus, for a second-life operator benefiting from a 90 per cent reduction in the eco-contribution due to criterion 4, the 20 per cent bonus applies to the remaining 10 per cent, resulting in a total reduction of 92 per cent.

The table below shows how the seven modulation criteria are applied by battery category. Negative values (in green) correspond to bonuses awarded, whilst positive values (in red) correspond to penalties.

Criterion	Portable	LMT	SLI	Industrial	EVH
1 – Ability to extract cells	**-20%**	**-20%**		**<5kg -20%**	
2 – Ability to remove modules without causing damage				**>50 kg +20%**	**>50 kg +20%**
3 – Removability of the casing		**+20%**			**-20%**
4 – Second-life equipment put back on the market	**Up to 100% off**	**Up to 100% off**	**Up to 100% off**	**Up to 100% off**	**Up to 100% off**
5 – Cell balancing	**+20%**	**+20%**		**-20%**	
6 – Functional locking of the BMS (second life)	**+20%**	**+20%**		**+20%**	**+20%**
7 – Premature battery ageing			**+20%**		

Key: *A value of -20 per cent means a bonus equivalent to 20 per cent of the applicable eco-contribution; a value of +20 per cent means a penalty equivalent to 20 per cent of the applicable eco-contribution, based solely on this criterion.*

3. Detailed description of the criteria

3.1. Criterion 1 – Ability to extract cells.

Objective / challenge: This criterion addresses the issue of cells being sealed together (particularly using resin, silicone, etc.), a practice which constitutes an operational barrier for those involved in second-life applications seeking to carry out work at the cell level and thus avoid the unnecessary replacement of entire modules.

Details of the criterion and trigger threshold: Cells are considered to be removable if they are not sealed together by resin, silicone or potting compound, and are not permanently bonded to one another. It must be possible to dismantle the battery to allow access replace the cells without damaging them or compromising the battery's potential for reuse.

Battery categories concerned:
Bonus for removable cells: portable batteries (excluding single-cell batteries), LMT, and industrial batteries weighing less than 5 kg.

Supporting evidence to be provided with the declaration: A standard sworn statement certifying the absence of resins or sealing silicones. A single declaration may cover several product references, provided that the references concerned, and the relevant criterion are explicitly stated.

Evidence to be provided in the event of an audit: Technical drawing of the battery.

3.2. Criterion 2 – Ability to remove modules without causing damage.

Objective / challenge: Facilitate the feasibility of operations involving preparation for reuse, preparation for remanufacture, remanufacture or refurbishment, whilst avoiding the unnecessary replacement of fully functional components when only a single sub-assembly is faulty.

Details of the criterion and trigger threshold: Applies to single-module batteries weighing more than 50 kg and to modular batteries whose modules cannot be separated from one another. Modules are not considered separable if they are contained within a non-removable casing (see criterion 3).

Battery categories concerned:
Penalty for non-separable modules: industrial batteries, electric and hybrid vehicle batteries.

Supporting evidence to be provided with the declaration: A standard sworn statement confirming a separable modular design.

Evidence to be provided in the event of an audit: Technical drawing of the battery or procedure for removing the module.

3.3. Criterion 3 – Removability of the battery casing.

Objective / challenge: This criterion aims to ensure that the processes for opening casings – which are necessary for second-life operations (preparation for reuse, repurposing or remanufacturing), and to a lesser extent for recycling – can be carried out effectively. Indeed, a battery that cannot be opened due to the way its casing is assembled loses all its potential for a second life and, under certain conditions, may see its recycling rate reduced.

Details of the criterion and trigger threshold: Any rigid casing that can be assembled in a reversible manner is considered to be removable [2], requiring no cutting, no breaking of the seal and no use of solvents to open it.

Battery categories concerned:
Bonus for removable casing: EVH
Penalty for non-removable casing: LMT

Supporting evidence to be provided with the declaration: A standard sworn statement certifying that no irreversible assembly has taken place.

Evidence required in the event of an audit: Photograph and/or detailed description of the process for dismantling the casing.

3.4. Criteron 4 – Second-life equipment returned to the market.

Objective / challenge: To recover value from batteries following a preparation process with a view to reuse, repurposing, remanufacturing or reconditioning [3], in order to develop second-life economic sectors; and to avoid these batteries being subject to a double levy when they are placed on the domestic market for a second time.

Details of the criterion and trigger threshold: A rebate on the eco-contribution is granted in proportion to the mass of material derived from battery waste or end-of-life batteries collected within France and reused in the manufacture of a battery. 'Second-life material returned to the market' is defined as the mass proportion of reused material calculated in accordance with the reporting methodology for producer responsibility organisations developed by ADEME[4] extended to End-of-life batteries not yet classified as waste.

Battery categories concerned:
Bonuses for portable, LMT, SLI and industrial batteries, as well as EVH batteries.

Supporting evidence to be provided with the declaration: A standard sworn statement, specifying the address of the site carrying out the operations and the origin of the deposits.

Evidence in the event of an audit: Annual declarations of the volume of re-use submitted to French producer responsibility producer responsibility organisations covering battery waste and end-of-life batteries.

[2] An operation is considered reversible if it allows parts to be separated without causing damage that would prevent the product from being reassembled and used subsequently.
[3] Further information on the scope can be found in the table in Appendix 2.
[4] Link to the ADEME method: (not currently available)

Example

A second-life operator that declares that 90 per cent of its second-life materials come from waste or used batteries in the mass balance of its inputs will be granted a 90 per cent reduction in the eco-contribution.

3.5. Criterion 5 – Cell balancing

Objective / challenge: To ensure uniform charge and discharge cycles across all cells and to prevent voltage imbalances that could lead to premature battery degradation.

Battery categories concerned:
Bonus when active balancing is in operation[5] : Industrial batteries
Penalty for lack of passive balancing [6] : portable batteries (excluding single-cell batteries) and LMT

Lead-acid batteries are not covered by this criterion.

Supporting evidence to be provided with the declaration: A standard sworn statement certifying the type of balancing applied (asset-side, liability-side or no balancing).

Evidence required in the event of an audit: The BMS's commercial reference number and associated technical data sheet, or the publicly available technical manual for the standard version of the firmware used as a basis when the BMS is custom developed.

3.6. Criterion 6 – Functional lockout of the BMS during repair and refurbishment operations.

Objective / challenge: To facilitate repair, reuse and reconditioning by minimising the permanent functional restrictions imposed by the BMS following work carried out on the battery.

Details of the criterion and trigger threshold: The presence of a functional lock in the BMS preventing the battery from being charged or discharged following the replacement of a sub-assembly, unless the supplier provides qualified operators with the means to bypass this lock (possibly under a confidentiality agreement). The qualification standards selected are: QualiRépar for portable devices; CQP Cycle Mechanic, accompanied

[5] Active cell balancing: An electronic mechanism controlled by the battery management system (BMS), based on the dynamic and reversible transfer of electrical energy between cells or groups of cells connected in series within a battery pack. The purpose of this process is to equalise the state of charge (SOC) of individual cells by redistributing energy from the cells with the highest voltage to those with the lowest voltage.
A system in which cells are connected solely in parallel is considered to be passively balanced; if two cells or sets of cells are connected in series, a different balancing mechanism is required.

[6] Passive cell balancing: An electronic mechanism controlled by the battery management system (BMS), designed to equalise the state of charge of cells connected in series by dissipating excess energy as heat. This process allows cells that have reached the maximum voltage threshold to be deliberately discharged, thereby enabling cells with lower voltages to continue their charge cycle until an overall balance is achieved. A parallel connection of cells is considered to be a form of passive balancing.

by B2VL/BCL accreditation, for MTLs; Qualifelec and/or TST-BAT for industrial batteries; and SERMI for EV batteries.

Battery categories concerned:
Penalty in the event of permanent functional blockage: Portable batteries (excluding single-cell batteries), LMT, industrial batteries, EVH batteries.

Supporting evidence to be provided with the declaration: A standard sworn statement certifying either that there is no permanent, irreversible security lock, or a commitment to make a means of unlocking available to qualified personnel.

Evidence in the event of an audit: Contractual documents and procedures governing the provision of the unlocking mechanism to qualified operators.

3.7. Criterion 7 – Premature battery ageing.

Objective / challenge: To address the maintenance and durability challenges of SLI batteries. A low W-class rating indicates a higher rate of water loss in the standardised test. It is an indirect indicator of greater susceptibility to electrolyte drying, corrosion and capacity loss under conditions of overloading and high temperature. As such, it may contribute to a risk of reduced service life.

Details of the criterion and trigger threshold: Battery classified as W1 in accordance with standard EN 50342-1.

Battery categories concerned:
Penalty for SLI batteries classified as W1.

Evidence to be provided at the time of declaration: A full test report drawn up in accordance with standard EN 50342-1 and/or the product's official technical data sheet explicitly stating the class.

Evidence to be provided in the event of an audit: A dated test report linked to the declared product reference number.

Clarification

Planned changes: an extension of the penalty to other criteria in the EN 50342-1 standard is being considered from 2029 onwards, depending on feedback and the maturity of the sector.

4. Labelling and consumer information

In accordance with Article 13 of Law No. 2020-105 of 10 February 2020 on combating waste and the circular economy (the AGEC Law), market operators are required to state, on the product information sheets known as 'quality and environmental characteristics', that a product has been subject to a bonus or a penalty, specifying the relevant criteria. The exact amount of the adjustment need not be displayed.

A sample letter is provided below:

Display example – Product details page

"As part of the adjustment of eco-levies for the Extended Producer Responsibility scheme for batteries, this product was subject to: a bonus based on [criterion(s)]; a penalty based on [criterion(s)]."

5. Reporting procedure

The producer undertakes, via the reporting tool provided by its producer responsibility organisation, to report all modulation criteria – including where several criteria apply to a single battery – and to provide a list of catalogue references that meet the modulation criteria, by battery category.

At the request of the recycling organisation, the producer shall provide the relevant supporting documents, at the producer's expense.

6. Control and audit processes

6.1. General process

The modulated scale is applied when products are declared as having been placed on the market. This requires the declarant to be familiar with the modulation criteria and the conditions for eligibility, and to be able to provide evidence of compliance if they wish to benefit from the scheme. The declarant then uses the eco-modulated code by ticking the box specifying the criterion met. When submitting their declaration, the producer undertakes, via the producer responsibility organisations' declaration tool, to provide catalogue references that comply with the modulation criteria, by category as defined in article L.541-10-15 of the environment code and by type of product concerned, as set out in this technical note. At the producer responsibility organisations' request, for products subject to the modulation criteria, the producer must provide, at their own expense, evidence of the product's classification in accordance with the eco-modulation criteria.

In addition to this process, a request for supporting documents may be made at any time either by the producer responsibility organisations or by a third party authorised by the producer responsibility organisations as part of compliance audits. To this end, the producer must ensure that the documents required to justify the use of this adjusted scale are available to the producer responsibility organisation at all times.

If it is not possible to provide the supporting evidence, the declaration must be redrawn up and corrected on the basis of the standard scale.

6.2. Possible sanctions

Where equipment is declared as ineligible for a grant, the environmental organisation draws up a detailed report. The producer then has two months to provide the missing evidence. Failing this, the declaration is amended and the contribution is applied at the full rate (unadjusted scale).

Similarly, if a penalty is not declared, the penalty charge will be applied for the period in question.

In the event of clear bad faith or a proven repeat offence, the producer may be reported to the DGPR and ADEME, with a view to the possible suspension of their Unique Identifier (IDU).

6.3. Purpose of the compliance audit

- The audit is carried out by a third-party firm accredited by COFRAC.
- The general audit covers all declarations for the two preceding years, focusing in particular on the quantities declared, the declarant's methodology and the existence of a written declaration procedure.
- The framework is set out in the specifications for producer responsibility organisations and covers a selection of members representing at least 20 per cent of the quantities placed on the market.
- Supporting documents may be submitted in French or English; failing that, certified true copies must be provided.
- The audit may also involve a specific review of the application of the modulation criteria, with a view to verifying the existence of supporting evidence, the compliance and authenticity of the documents submitted, their consistency with the eligibility criteria, and their chronological accuracy in relation to the date of the declaration.
- The selection of organisations to be audited is carried out at random, objectively or selectively by the auditor, and approved by the environmental producer responsibility organisations.

REMINDER

All supporting documents must be available for production at any time upon request by the environmental organisation or an authorised third party. Failure to produce such evidence will result in the application of the standard rate, without adjustment, for the period in question, subject to a maximum of three years.

Appendix 1: Forecast trends

Critère	1st of January 2027	2028	2029	2030 and beyond
General methodology		Study on the introduction of amounts in euros (rather than as a percentage)		
Ability to extract cells	Entry into force of the criteria for the LMT category: portable and industrial devices weighing less than 5 kg	OCABATTERIES survey of manufacturers on current and future practices regarding solder-free assembly techniques for connecting cells to terminal plates.	-	-
Removability of the battery casing	Entry into force of the criteria for the relevant categories.	-	Working group on the possibility of refining the criterion using concepts relating to standardised fasteners and tools.	-
		-	One year after the introduction of the Digital Battery Passport across the various battery categories, a working group was set up to review the requirements regarding disassembly, based on the information available in the digital passports.	
Premature battery ageing	Entry into force of the criterion for the categories concerned.	- Market analysis to assess the relevance of the criterion and the extension of the EN 50342-1 standard to other categories.		-
Incorporation of recycled material – potential criterion			Depending on the progress of European work, a modulation criterion encouraging the incorporation of recycled material will be implemented six months after the publication of the calculation methodologies.	
Carbon footprint / LCA – potential criterion		Depending on the progress of European legislation, a criterion will be introduced that awards or deducts points based on footprint categories determined by the Commission. This criterion will be extended to all battery categories six months after the publication of the delegated acts.		
Rechargeability – potential criterion		Study into the appropriateness of a penalty charge for non-rechargeable AA batteries (alkaline, saline, primary lithium)		

Critère	1st of January 2027	2028	2029	2030 and beyond
Availability of spare parts – potential criterion		A working group bringing together manufacturers and stakeholders in the second life of batteries will be set up from 2028. Its aim will be to examine, for each category of batteries, various topics such as: • Identifying the types of parts that are useful to those involved in the 'second life' sector. • Availability period, lead time. • Prices of spare parts. • Taking into account the accessibility of these parts (e.g. the time and depth required for dismantling).		

**The evolution is based on the statutory and standard warranty periods for the various battery categories (LMT: 2 years; SLI: 2 years; EVH: 8 years; Industrial: 10 years)*

Appendix 2 : Scope covered by criterion 4: second-life equipment returned to the market

	Definition – taken from the battery regulations	Classification as waste	New placing on the market	Reuse as defined by the ADEME methodology
Preparation for reuse	*Any inspection, cleaning or repair operation carried out with a view to recovery, whereby products or product components that have become waste are prepared so that they can be reused without any further pre-treatment.*	YES	YES	YES
Reuse	*Any operation whereby products or components that are not waste are reused for the same purpose for which they were originally designed.*	NO	NO	NO
Preparations for reallocation	*Any operation by which waste batteries, or parts thereof, are prepared for use for purposes or applications other than those for which they were originally designed.*	YES	YES	YES
Reallocation	*Any operation which results in a battery – which is not waste – or parts thereof being used for purposes or applications other than those for which the battery was originally designed.*	NO	YES	NO
Remanufacturing	*Any technical operation carried out on a used battery which involves the dismantling and assessment of all its cells and battery modules, and the use of a number of cells and battery modules – whether new, used or derived from waste recovery – or other battery components, with a view to restoring the battery's capacity to at least 90 per cent of its initial rated capacity, and in which the state of health of all individual battery cells does not differ by more than 3 per cent between cells, and which results in the battery being used for the same function or application as that for which it was originally designed.*	YES and NO *(Recital 17 of the Battery Regulation: remanufacturing may be carried out on batteries or waste batteries)*	YES	YES

— End of document —