EUROBAT
ASSOCIATION OF EUROPEAN AUTOMOTIVE AND INDUSTRIAL BATTERY MANUFACTURERS

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Mr Stéphane Séjourné
Executive Vice-President for Prosperity and Industrial Strategy
European Commission
Rue de la Loi 200,
1049 Brussels

Subject: Urgent clarification needed – Industrial Accelerator Act Annex II excludes critical EU produced lead-based and nickel-based battery systems from public procurement

Dear Executive Vice-President Séjourné,

EUROBAT, the Association of European Automotive and Industrial Battery Manufacturers, respectfully seeks urgent clarification regarding Annex II of the draft Industrial Accelerator Act, specifically the Union origin requirements for battery energy storage systems (BESS) in public procurement, auctions and public interventions.

The draft appears to tie BESS eligibility to the presence of a Battery Management System (BMS) alongside Union assembly and component requirements. EUROBAT urgently requests the explicit inclusion of BMS-free industrial battery systems within the scope to ensure that critical energy infrastructure backup-power is not excluded.

Critical issue:

Many industrial battery systems essential for EU critical infrastructure do not incorporate a BMS:

- Lead-based UPS systems (Uninterruptible Power Supplies) for data centres, hospitals, telecom networks, railway signalling, substation/switchgear and control within electric utility networks –typically valve-regulated lead-based (VRLA)– work without a BMS. According to the European Telecommunications Standards Institute, all Tier III and Tier IV data centres must maintain backup power during grid outages, a requirement met overwhelmingly by BMS-free valve-regulated lead-based batteries.
- Nickel-based batteries (e.g. NiCd) for substation/switchgear protection, railway signalling and emergency systems – designed for extreme reliability in mission-critical grid restart applications – operate without BMS.

- A very significant share, roughly 80%, of these lead- and nickel-based battery systems deployed in Europe is manufactured in Europe, meaning these technologies directly sustain EU industrial capacity and strategic autonomy.
- Lead-based and nickel-based batteries for emergency lighting, fire safety systems, alarm systems and utility substation protection –designed for standby/reliability– do not use any dynamic charge management which would requiring a BMS.
- For industrial stationary lead-based and nickel-based applications a BMS adds no value but increases the safety risk (hacking) as well as cost/complexity.

Consequences of unclear drafting:

Without explicit clarification in the legislative text that the requirement for "Made in Europe" regarding the BMS is only valid for batteries which use a BMS, these BMS-free lead-based and nickel-based systems –vital for critical infrastructure resilience, including the ability to clear faults and restart the power grid itself– would be automatically excluded from public procurement, auctions and support schemes, despite their:

- Proven reliability in mission-critical applications
- Immediate availability (no supply chain bottlenecks)
- Lower lifecycle cost vs lithium alternatives
- Made in Europe for roughly 80%
- Recycling infrastructure already established across EU.

Also, lead-based batteries demonstrate consistently high recycling efficiency in Europe. According to Eurostat data, all EU Member States exceeded the 65% recycling efficiency target for lead-acid batteries in 2023, with most reporting rates above 80% and several above 90%. This is underlining the strong recycling performance of these systems within the EU [1].

EUROBAT requests:

1. Explicitly include within the legislative text mention that the BMS requirement only applies to batteries which include a BMS.
2. Ensure, by adding it to the text, that these essential BMS-free lead-based and nickel-based battery systems will not be excluded from "Made in Europe" requirements.

1. Eurostat. (2025). *Waste statistics – recycling of batteries and accumulators*. Eurostat. https://ec.europa.eu/eurostat/statisticsexplained/index.php?title=Waste_statistics_recycling_of_batteries_and_accumulators&stable=0

EUROBAT would greatly appreciate your urgent response to the above topic.

Thank you for your attention to this strategically important matter. EUROBAT stands ready to provide technical expertise and engage constructively if asked.

Kind regards,

Patrick CLERENS, Executive Director

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About EUROBAT:

EUROBAT is the leading association for European automotive and industrial battery manufacturers, covering all battery technologies, and has 34 members. The members and staff work with all policymakers, industry stakeholders, NGOs and media to highlight the important role batteries play for decarbonised mobility and energy systems as well as all other numerous applications

1. Eurostat. (2025). *Waste statistics – recycling of batteries and accumulators*. Eurostat. https://ec.europa.eu/eurostat/statisticsexplained/index.php?title=Waste_statistics_recycling_of_batteries_and_accumulators&stable=0