

CPSC Publishes Final Rules for Button Cell or Coin Batteries and their Labeling

On 21 September 2023, U.S. **Consumer Product Safety Commission** (CPSC) published a Final Rule in the Federal Register titled: "**Safety Standard for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries**", establishing performance and labeling requirements for consumer products containing button cell or coin batteries, and requirements for the labeling of button cell or coin battery packages, to eliminate or adequately reduce the risk of injury from ingestion of button cell or coin batteries by children six years old and younger.

Substantial Changes

Performance Requirements

In a companion rule-making document, published elsewhere in this issue of the Federal Register, the Commission determines that UL 4200A–2023 meets the performance and labeling requirements of section 2(a) of Reese's Law, and issues a direct final rule to incorporate by reference to this standard as the mandatory standard for consumer products containing button cell or coin batteries.

Labeling

As the scope of UL 4200A–2023 is for consumer products, it does not require the warnings mandated by Reese's Law for the packaging of button cell or coin batteries. Accordingly, this final rule establishes warning label requirements for the packaging of button cell or coin batteries for the complete implementation of section 2 of Reese's Law.

In the related previous Notice of Proposed Rulemaking (NPR), CPSC proposed a rule to address the battery ingestion hazard for children six years of age or younger. Children can potentially gain access to button cell or coin batteries from battery packaging and be exposed to the ingestion hazard.

Figure 1 shows examples of button cell or coin batteries that, when packaged, are subject to this final rule.

		
LR44 button cell, 11.6mm (0.45 inch) diameter x 5.4mm (0.21 inch) thick	LR754 button cell, 7.9 mm (0.31 inch) diameter, 5.4mm (0.21 inch) thick	LR626 button cell, 6.8 mm (0.26 inch) diameter, 2.6mm (0.10 inch) thick
		
CR2032, 20mm (0.787 inch) diameter	CR2025, 20mm (0.787 inch) diameter	CR2450, 24mm (0.945 inch) diameter

Figure 1. Example button cell and coin batteries.

Because none of the voluntary standards were deemed to meet the requirements in Reese's Law, the Commission proposed warning requirements for button cell and coin battery packaging and packaging of batteries are included separately with consumer products, explaining that the labeling of button cell or coin battery packaging is intended to reduce the likelihood of loose batteries being liberated from these products and to warn caregivers of the battery ingestion hazards to children, 88 FR 8706–09. The proposed requirements followed the format requirements in ANSI Z535.4, Product Safety Signs and Labels, and were based on warnings found in ANSI C18.3M, ASTM F963, UL 4200A–2020, and other voluntary standards.

Based on the consideration of comments received and analysis in Staff's Final Rule Briefing Package, the labeling requirements for button cell or coin battery packaging are being finalized as proposed, with three modifications to the earlier NPR

(<https://www.federalregister.gov/documents/2023/02/09/2023-02356/safety-standard-and-notification-requirements-for-button-cell-or-coin-batteries-and-consumer>) as below:

Warning label colors:

The final rule clarifies that specific colors on warning labels, in accordance with ANSI Z535, are required only if the label is present in more than one color, to allow flexibility in warning label designs and align with existing requirements in relevant voluntary standards.

Warning label letter size:

The final rule clarifies that the minimum text size for warning labels must be based on the product display panel size.

Treatment information:

To provide specific guidance to consumers on an available contact for treatment information, the final rule requires that button battery packaging displays the National Battery Ingestion Hotline phone number. Additionally, the final rule replaces the warning statement “Call a local poison control center for treatment information” with the more actionable presentation of the National Battery Ingestion Hotline phone number.

Effective Date

This rule is effective 21 September 2024. Button cell or coin battery packaging manufactured or imported after this date must comply with this final rule.

Reference:

<https://www.federalregister.gov/documents/2023/09/21/2023-20334/safety-standard-for-button-cell-or-coin-batteries-and-consumer-products-containing-such-batteries>

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