

US SENATE INTRODUCES BILL TO PROTECT CHILDREN FROM INGESTING **BUTTON BATTERIES**

On November 30, 2021, the US Senate introduced [Bill S.3278](#) to protect children and other consumers against hazards posed by accidental ingestion of button cell or coin batteries. The bill is cited as "Reese's Law".

The bill defines:

1. "Button Cell or Coin Battery" as:
 - A single cell battery with a diameter greater than the height of the battery, or
 - Any other battery, regardless of the technology used to produce an electrical charge, that is determined by the Commission to pose an ingestion hazard
2. "Consumer Product Containing Button Cell or Coin Batteries" means a consumer product containing or designed to use one or more button cell or coin batteries, regardless of whether such batteries are intended to be replaced by the consumer or are included with the product or sold separately
3. "Toy product" means any object designed, manufactured, or marketed as a plaything for children under 14 years of age



The bill will require the Consumer Product Safety Commission (CPSC) to promulgate a consumer product safety standard that requires child-resistant closures on consumer products which use button cell or coin batteries not later than one year after the date the bill is enacted into law.

The safety standard must include at least:

1. A performance standard requiring that button cell or coin battery compartments are secured and prevent access to batteries by children aged 6 or younger during reasonably foreseeable use or misuse conditions; and
2. A warning label must be included:
 - On the packaging of button cell or coin batteries, and the packaging of any consumer product containing button cell or coin batteries
 - In any literature, such as a user manual, that accompanies a consumer product containing button cell or coin batteries, and
 - As practicable, directly on a consumer product containing button cell or coin batteries in a manner that is visible to the consumer upon installation or replacement of the button cell or coin battery

Warning labels required in the bill shall clearly identify the hazard of ingestion, and instruct consumers, as practicable, to keep new and used batteries out of the reach of children, to seek immediate medical attention if a battery is ingested, and to follow any other consensus medical advice.

If the CPSC determines that there is a voluntary standard that meets the requirement for a promulgated standard required under the bill, such a voluntary standard will be treated as a consumer product safety rule promulgated under the Consumer Product Safety Act section 9.

Toy products that are in compliance with ASTM F963 are exempt from the standard that will be promulgated.

The bill will also require any button cell or coin battery, included with a consumer product or sold separately, distributed in commerce, or imported, to be packaged according to child-resistant packaging requirements for button cell or coin batteries as outlined in 16CFR 100.15 (Poison Prevention Packaging Standards). The child resistant packaging should meet the requirement described in 16 CFR 1700.20 (Testing Procedure for Special Packaging).

FOR ENQUIRIES

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