



22 September 2023

(23-6331)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Addendum

The following communication, dated 22 September 2023, is being circulated at the request of the delegation of the United States of America.

Title: Safety Standard and Notification Requirements for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries

Reason for Addendum:	
<input checked="" type="checkbox"/>	Comment period changed - date: 5 October 2023
<input type="checkbox"/>	Notified measure adopted - date:
<input checked="" type="checkbox"/>	Notified measure published - date: 21 September 2023
<input checked="" type="checkbox"/>	<p>Notified measure enters into force - date: 23 October 2023; The direct final rule is effective 23 October 2023, unless the Commission receives a significant adverse comment by 5 October 2023. If the Commission receives such a comment, we will publish a document in the Federal Register withdrawing this direct final rule before its effective date.</p> <p>Compliance and enforcement dates: Third party testing and certification of children's products subject to this rule is not required until on or after 20 December 2023. Consumer products containing button cell or coin batteries that are manufactured or imported after 23 October 2023, must comply with this direct final rule. However, in recognition of limited testing availability and for the avoidance of hardship, the Commission is granting a 180-day transitional period of enforcement discretion from 21 September 2023, through 19 March 2024.</p> <p>Incorporation by reference: The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of 23 October 2023.</p>
<input checked="" type="checkbox"/>	<p>Text of final measure available from¹:</p> <p>88 Federal Register (FR) 65274, 16 Code of Federal Regulations (CFR) Parts 1112 and 1263:</p> <p>https://www.govinfo.gov/content/pkg/FR-2023-09-21/html/2023-20333.htm</p> <p>https://www.govinfo.gov/content/pkg/FR-2023-09-21/pdf/2023-20333.pdf</p> <p>https://members.wto.org/crnattachments/2023/TBT/USA/final_measure/23_12567_00_e.pdf</p>
<input type="checkbox"/>	Notified measure withdrawn or revoked - date:

¹ This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained.

	Relevant symbol if measure re-notified:
<input type="checkbox"/>	Content or scope of notified measure changed and text available from ¹ : New deadline for comments (if applicable):
<input type="checkbox"/>	Interpretive guidance issued and text available from ¹ :
<input type="checkbox"/>	Other:

Description: Direct final rule - In February 2023, as required by [Reese's Law](#), the U.S. Consumer Product Safety Commission (CPSC or Commission) issued a [notice of proposed rulemaking \(NPR\)](#) to eliminate or adequately reduce the risk of injury from ingestion of button cell or coin batteries by children six years old and younger. In the NPR the Commission preliminarily determined that no existing voluntary standard met the requirements in Reese's Law at that time. In this document, however, the Commission determines that one voluntary standard, substantially revised since publication of the NPR, now meets the requirements in Reese's Law with respect to performance and labeling requirements for consumer products containing button cell or coin batteries. Reese's Law states that after a determination of sufficiency by the Commission, such a qualifying voluntary standard is treated as a consumer product safety rule. The Commission is publishing this determination, as required by Reese's Law, as well as a direct final rule to incorporate the voluntary standard by reference into our regulations. Consumer products subject to performance and labeling requirements in this direct final rule must be tested and certified as compliant with the direct final rule.

Effective date: The direct final rule is effective 23 October 2023, unless the Commission receives a significant adverse comment by 5 October 2023. If the Commission receives such a comment, we will publish a document in the Federal Register withdrawing this direct final rule before its effective date.

Compliance and enforcement dates: [Third party testing and certification of children's products](#) subject to this rule is not required until on or after 20 December 2023. Consumer products containing button cell or coin batteries that are manufactured or imported after 23 October 2023, must comply with this direct final rule. However, in recognition of limited testing availability and for the avoidance of hardship, the Commission is granting a 180-day transitional period of enforcement discretion from 21 September 2023, through 19 March 2024.

Incorporation by reference: The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of 23 October 2023.

16 CFR Part 1112 is accessible online at <https://www.ecfr.gov/current/title-16/chapter-II/subchapter-B/part-1112>. 16 CFR Part 1263 will be accessible at <https://www.ecfr.gov/current/title-16/chapter-II/subchapter-B/part-1263>.

This direct final rule and previous actions notified under the symbol [G/TBT/N/USA/1964](#) are identified by Docket Number CPSC-2023-0004. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/CPSC-2023-0004/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](#) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) on or before [4pm Eastern Time](#) on 5 October 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with CPSC and will also be submitted to the [Docket](#) on Regulations.gov if received within the relevant comment period.