

Sec.	
14305.	Information gathering and access.
14306.	State authority.
14307.	Authorization of appropriations.
SUBCHAPTER II—RECYCLING OF RECHARGEABLE BATTERIES	
14321.	Purpose.
14322.	Rechargeable consumer products and labeling.
14323.	Requirements.
SUBCHAPTER III—MANAGEMENT OF BATTERIES CONTAINING MERCURY	
14331.	Purpose.
14332.	Limitations on sale of alkaline-manganese batteries containing mercury.
14333.	Limitations on sale of zinc-carbon batteries containing mercury.
14334.	Limitations on sale of button cell mercuric-oxide batteries.
14335.	Limitations on sale of other mercuric-oxide batteries.
14336.	New product or use.
SUBCHAPTER I—GENERALLY	

### § 14301. Findings

The Congress finds that—

(1) it is in the public interest to—

(A) phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and other regulated batteries; and

(B) educate the public concerning the collection, recycling, and proper disposal of such batteries;

(2) uniform national labeling requirements for regulated batteries, rechargeable consumer products, and product packaging will significantly benefit programs for regulated battery collection and recycling or proper disposal; and

(3) it is in the public interest to encourage persons who use rechargeable batteries to participate in collection for recycling of used nickel-cadmium, small sealed lead-acid, and other regulated batteries.

(Pub. L. 104-142, § 2, May 13, 1996, 110 Stat. 1329.)

#### SHORT TITLE

Pub. L. 104-142, § 1, May 13, 1996, 110 Stat. 1329, provided that: "This Act [enacting this chapter] may be cited as the 'Mercury-Containing and Rechargeable Battery Management Act'."

Pub. L. 104-142, title I, § 101, May 13, 1996, 110 Stat. 1332, provided that: "This title [enacting subchapter II of this chapter] may be cited as the 'Rechargeable Battery Recycling Act'."

Pub. L. 104-142, title II, § 201, May 13, 1996, 110 Stat. 1336, provided that: "This title [enacting subchapter III of this chapter] may be cited as the 'Mercury-Containing Battery Management Act'."

### § 14302. Definitions

For purposes of this chapter:

#### (1) Administrator

The term "Administrator" means the Administrator of the Environmental Protection Agency.

#### (2) Button cell

The term "button cell" means a button- or coin-shaped battery.

#### (3) Easily removable

The term "easily removable", with respect to a battery, means detachable or removable at the end of the life of the battery—

(A) from a consumer product by a consumer with the use of common household tools; or

(B) by a retailer of replacements for a battery used as the principal electrical power source for a vehicle.

#### (4) Mercuric-oxide battery

The term "mercuric-oxide battery" means a battery that uses a mercuric-oxide electrode.

#### (5) Rechargeable battery

The term "rechargeable battery"—

(A) means 1 or more voltaic or galvanic cells, electrically connected to produce electrical energy, that is designed to be recharged for repeated uses; and

(B) includes any type of enclosed device or sealed container consisting of 1 or more such cells, including what is commonly called a battery pack (and in the case of a battery pack, for the purposes of the requirements of easy removability and labeling under section 14322 of this title, means the battery pack as a whole rather than each component individually); but

(C) does not include—

(i) a lead-acid battery used to start an internal combustion engine or as the principal electrical power source for a vehicle, such as an automobile, a truck, construction equipment, a motorcycle, a garden tractor, a golf cart, a wheelchair, or a boat;

(ii) a lead-acid battery used for load leveling or for storage of electricity generated by an alternative energy source, such as a solar cell or wind-driven generator;

(iii) a battery used as a backup power source for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily; or

(iv) a rechargeable alkaline battery.

#### (6) Rechargeable consumer product

The term "rechargeable consumer product"—

(A) means a product that, when sold at retail, includes a regulated battery as a primary energy supply, and that is primarily intended for personal or household use; but

(B) does not include a product that only uses a battery solely as a source of backup power for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily.

#### (7) Regulated battery

The term "regulated battery" means a rechargeable battery that—

(A) contains a cadmium or a lead electrode or any combination of cadmium and lead electrodes; or