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# Product Safety Policy Statement – Button batteries; safer products and packaging

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This product safety policy statement is issued by the Minister of Commerce and Consumer Affairs on 02 February 2018 pursuant to section 30A of the Fair Trading Act 1986

Hon Kris Faafoi - Minister of Commerce and Consumer Affairs



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## **Introduction**

This policy statement is intended to highlight the risks associated with button batteries in household goods. The aim is to provide guidance for manufacturers and suppliers of such goods to help mitigate those risks and contribute to improved safety outcomes.

A Product Safety Policy Statement is made by the Minister of Consumer Affairs under section 30A of the Fair Trading Act 1986. It highlights the risks related to a class of goods, and provides guidance for mitigating those risks to help improve a product's safety.

This policy statement sets the expectation that suppliers of button batteries, and goods containing, or supplied with button batteries:

- take reasonable steps to ensure that their products limit access by children to button batteries; and
- highlight the potential risks to parents and caregivers.

Detailed recommendations to achieve the policy intent are included.

## **Policy Statement approach**

A product safety policy statement enables industry to self-adjust, by establishing an expected safety benchmark for the goods that are the subject of the statement. The intention is that the policy statement will address the identified safety issue with those goods, without more formal regulatory intervention being required.

A policy statement allows the industry to voluntarily follow guidelines and create a positive change to help increase consumer safety. Policy statements are a new approach to product safety in New Zealand. The success of the approach will depend on the willingness of industry to respond to voluntary guidelines.

## **What are button batteries?**

For the purpose of this policy statement, all flat, disc-shaped cells or batteries are included as button batteries, regardless of their size or chemistry (lithium, alkaline or other).

## **Safety issues with button batteries**

Button batteries pose a hazard to children. They are small, round and easily swallowed. Apart from a risk of choking, a swallowed battery can cause severe burns and the injuries can be fatal. Several cases of New Zealand children swallowing button batteries have been reported in recent years. SafeKids Aotearoa reports that 20 children are taken to Starship Hospital each year with button battery related injuries.

Household items that contain button batteries (such as bathroom scales and remote controls) are not subject to specific safety regulations. These types of items, commonly found around the home, pose a risk to children if the batteries are accessible.



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Button batteries in toys designed for children under three are subject to the Product Safety Standards (Children's Toys) Regulations 2005. Manufacturers of toys subject to those regulations (applicable to children under three years of age) must ensure any small parts (including button batteries) are contained in compartments that are secure and not accessible by children under normal use and misuse (abuse) conditions. These regulations have worked as intended and toys with button batteries are generally considered to be safe for children. Toys designed for older children generally meet the requirements of the regulations as well, although not strictly mandatory. This demonstrates an interest in the industry to be proactive in taking steps to ensure the safety of their products.

It is best practice to make battery compartments in all children's toys and all household goods 'child resistant'.

### **Scope**

This policy statement is intended to help mitigate the risks associated with button batteries to children. As such, it is products that can generally be found around the home that are the most likely to cause a problem and pose a safety risk. Items that consumers purchase for domestic use are the target of this policy statement. Suppliers, manufacturers and retailers should be aware of four different ways that children can get access to batteries:

- general household products with insecure battery compartments;
- products supplied with batteries which still need to be installed;
- replacement batteries in insecure packaging; and
- old or spent batteries which have been removed but not disposed of.

Those involved in the supply of products containing button batteries (e.g. designers, manufacturers, retailers and sourcing agents) are encouraged to consider whether all such products could be treated with the same safety considerations in mind, even if not specifically intended for use in a domestic setting (e.g. medical and scientific equipment).

### **Products containing button batteries, or supplied with button batteries**

Items that are designed to require button batteries should meet two simple criteria to be considered safe:

#### **1. Secure battery compartment**

Compartments for button batteries should have two mechanisms for release and both must be activated for the battery compartment to open.

#### **2. Use and abuse test**

Products should pass tests to help ensure that with expected everyday use, battery compartments cannot be accidentally opened or become insecure; or result in the release of the batteries.



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Depending on the product, consideration should be given to use and abuse testing such as:

- Torque and tension tests
- Drop tests
- Battery compartment lid pressure tests
- Robustness tests on the mechanical fastener or compartment latch

To assist with the design, manufacture and sourcing of safer button battery containing goods, the standards listed below set out performance and test criteria for battery compartments and/or the release of small parts such as button batteries that may be helpful.

- AS/NZS ISO 8124.1 Safety of toys - Part 1: Safety aspects related to mechanical and physical properties
- ISO 8124 Safety of toys - Part 1: Safety aspects related to mechanical and physical properties
- EN 71-1 Safety of toys - Part 1: Mechanical and physical properties
- ASTM F963-11 - Standard Consumer Safety Specification for Toys Safety
- UL 4200A:2015 - Standard for Safety for Products Incorporating Button or Coin Cell Batteries of Lithium Technologies

To provide for product innovation and development, and safety improvement, it is recommended that the latest versions of the standards be used.

Batteries supplied with goods for user installation should be provided in child-resistant packaging. The goods should come with warnings to alert consumers to the hazards of button batteries.

### **Replacement Batteries and Used/Spent Batteries**

Button batteries available for sale should be supplied in packaging that is child-resistant, and marked with warnings to alert consumers to the hazards of button batteries to children. Packaging should advise consumers to keep batteries out of reach of children and as to how to dispose of used button batteries safely.

### **Suppliers and retailers**

Under the Consumer Guarantees Act 1993, goods supplied to a consumer must be of acceptable quality. This includes a requirement that they must be safe. Under the Fair Trading Act 1986, goods are considered unsafe if with reasonably foreseeable use (including misuse), the goods will, or may, cause injury to any person.

Suppliers of goods should check stock of products containing button batteries and take action to ensure that any goods supplied to consumers in the future are designed and manufactured in accordance with this policy statement.

Retailers should consider the placement of products in shops and the height at which such products are displayed. A proactive approach from retailers may also include ensuring that



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information for consumers about the risks of products with button batteries is available and clearly displayed.

### **Monitoring and effectiveness**

This policy statement is intended to address concerns about the safety of button batteries in household products.

It is understood that it may take some time for redesigned products to become available to suppliers and consumers. Voluntary compliance with the policy statement will be monitored closely over the next two to three years, and feedback on its effectiveness will be sought from relevant interest groups.

If the policy statement is found to have been ineffective in reducing the number of accidents related to button batteries, other measures under the Fair Trading Act 1986 may be considered by the Minister, such as regulations requiring compliance with a mandatory product safety standard.

If you have any questions, see

<https://www.consumerprotection.govt.nz/tradingstandards/product-safety/regulated-products/>, or email [tradingstandards@mbie.govt.nz](mailto:tradingstandards@mbie.govt.nz).