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NOTICE TO RETAILERS

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MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT (Public Law 104-142)

The Mercury-Containing and Rechargeable Battery Management Act of 1996 bans the sale in the United States of any alkaline-manganese battery (other than a button cell) or any zinc-carbon battery with a mercury content that was intentionally introduced. Eighteen states have passed similar laws (Arkansas, California, Connecticut, Florida, Indiana, Iowa, Maine, Maryland, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Vermont and Wisconsin).

A retailer in the US is responsible for ensuring that any alkaline-manganese or zinc-carbon battery that is sold is in compliance with these laws. A retailer could be subject to enforcement actions and fines for violations of the Act.

US based battery manufacturers eliminated their use of added mercury in these batteries by 1993. Manufacturers of these batteries who are members of the National Electrical Manufacturers Association include Duracell, Eastman Kodak, Eveready Battery Company, Panasonic, Polaroid, and the Rayovac Corporation. You can rely on these manufacturers for ensuring compliance with the Federal and state laws. Major manufacturers in Japan and Europe also ended their use of added mercury in these batteries during this time period.

Retailers that sell batteries manufactured by other companies still must ensure compliance with these laws. Retailers should take prudent measures to ensure that the batteries they sell meet US and state requirements.

The NEMA Dry Battery Section has published a brochure, "Household Batteries and the Environment," that describes the battery industry's mercury reduction efforts and the Federal battery legislation. You can download the brochure at www.nema.org/batteriesehs.