

REESE'S LAW

Child's death prompts new law affecting door and gate operator accessories

By Greg Matias, Director of Compliance and Validation for Genie



Editor's note:

Anyone who sells, distributes, or manufactures products with button cell or coin batteries should read this article. Greg Matias gives a timely and comprehensive overview of Reese's Law, a rule that went into effect in March 2024. Learn what prompted the law, the requirements, and the potential consequences of noncompliance.

The implementation of Reese's Law in March of 2024 affects many products used in the door and access system industry. Most residential automated door and gate systems are provided with some form of remote control or key fob to allow for remote access. Many of these products use lithium coin cells, also known as button batteries, because of their small size and long life. The following article will provide some background on this new law and its effects on manufacturers, dealers, and retailers in the door and access industry.

The history

Reese's Law, signed by President Biden on Aug. 16, 2022, mandates federal safety requirements for button cell and coin batteries, which are often found in household items like remote controls, key fobs, flashing apparel, and even greeting cards. The intent of the law is to

eliminate or adequately reduce the risk of injury from ingestion of button cell or coin batteries by children six years of age and younger.

Reese's Law is named for Reese Hamsmith, who in 2020 at the age of 18 months swallowed a button cell or coin battery and later died from the following injuries.

On Feb. 9, 2023, the Consumer Product Safety Commission (CPSC) published a Notice of Proposed Rulemaking (NPR) to establish a Safety Standard and Notification Requirements for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries.

Compelling data

The proposed rule establishes performance, labeling, and other related requirements as mandated by Reese's Law. Additionally, based on information in the National Electronic Injury Surveillance System (NEISS), the NPR reflected staff's estimate that from 2011 to 2021 approximately 54,300 emergency room visits were associated with human ingestion, impaction, or insertion of button cell or coin batteries.

The data showed these incidents occur most often with children four years old or younger. Ingestion of button batteries has caused severe injuries and deaths — based on data in the Consumer Product Safety

Risk Management System (CPSRMS), the NPR identified 25 fatalities from 2016 through 2021.

For manufactured or imported products containing coin cell or button batteries, the rule became effective on March 19, 2024.



The "regulations"

Code of Federal Regulations, Title 16, CFR Chapter II, Subchapter B Part 1263, establishes performance and labeling requirements for consumer products containing button cell or coin batteries. There is an exception for children's toys, which are covered by a separate part of the code. Section 2 of the code defines requirements for consumer products containing button cell or coin batteries. The code specifically requires compliance to UL 4200A Standard for Safety for Products Incorporating Button Batteries or Coin Cell Batteries. Section 3 of the code covers packaging and labeling requirements for button or coin cell batteries sold individually.

Testing and UL 4200A requirements

First, preconditioning is performed wherein a product is heated to a temperature of 70 C (158 F) for seven hours. Then, the batteries are removed and reinstalled 10 times according to the manufacturer's instructions. After temperature and battery replacement preconditioning, a series of abuse tests are conducted. For products with replaceable batteries, the testing includes drop, impact, crush, torque, compression, and tension tests. Following the abuse tests, a compliance test is conducted to determine if a battery can become free of the product.

For products with batteries that are not intended to be replaced by the user, a battery secureness test is conducted. Specific warning language and symbols are required in UL 4200A for the product literature, packaging, and, where practical, on the product.

 WARNING	
<ul style="list-style-type: none"> • INGESTION HAZARD: This product contains a button cell or coin battery. • DEATH or serious injury can occur if ingested. • A swallowed button cell or coin battery can cause Internal Chemical Burns in as little as 2 hours. • KEEP new and used batteries OUT OF THE REACH OF CHILDREN. • Seek immediate medical attention if a battery is suspected to be swallowed or inserted inside any part of the body 	

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continued from page 40

Proof of compliance

For consumer products that are not intended specifically for children, the CPSC requires a General Certificate of Conformity (GCC) to the product safety rule. The GCC must contain:

- Identification of the product(s) covered by the certificate.
- Descriptions of the product(s) covered by the certificate.
- Citation for each CPSC product safety rule to which the product is being certified.
- Identification of the domestic manufacturer or importer certifying compliance of the product.
- Name, full mailing address, and telephone number of the firm.
- Contact information for the individual maintaining records of test results.
- Date and place of manufacture.
- Date(s) and place(s) of testing.
- Date(s) of the test(s) or test report(s) and location(s) of testing.
- Identification of any third-party laboratory who conducted the testing.

Note: This section may state "N/A" for a GCC because third-party laboratory testing is not a requirement for general-use products.

Enforcement

The CPSC has the ability to levy civil penalties, criminal penalties, and injunctive measures to enforce its authority. The CPSC emphasizes that its laws and regulations apply to anyone who sells or distributes consumer products — not just manufacturers.

Additionally, industry experts have acknowledged the CPSC's more aggressive enforcement of its rules since 2021. CPSC statistics show the

commission obtained civil penalties of \$7.95 million in 2021, \$38 million in 2022, and \$55.3 million in 2023 — with indicators of greater increases in penalties going forward.

Major retailers are also being targeted, as evidenced by the recent CPSC ruling that held Amazon responsible for distributing more than 400,000 products that were defective or failed to meet federal consumer product safety standards.

Conclusion

The implementation of Reese's Law intends to reduce the incidents of injuries to children. Compliance will be important in order for DASMA members to maintain our reputation of high standards regarding safety. ■

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*For additional guidance and information about
Reese's Law, visit www.CPSC.gov.*