

**DATE:** March 11, 2015

**TO:** Joint Environment Committee

**FROM:** Kevin Callahan  
Director, State Government Affairs  
TechAmerica

**RE: HB 6957 – An Act Establishing a Household Battery Recycling Stewardship Program**

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Chairman Kennedy, Chairman Albis, and members of the Joint Environment Committee, TechAmerica<sup>1</sup> appreciates the opportunity to share our perspective on HB 6957, legislation that would establish a product stewardship program for the collection of common household batteries.

While we support the goal of ensuring the proper disposal of batteries, we have some concerns with the bill as introduced. In addition to other concerns raised by members of the industry, manufacturers that may package their devices with batteries for initial sale have an added concern. Specifically, we respectfully request the following amendment be made to the definition of “primary battery producers” under Section 1 (12):

(12) "Primary battery producer" or "producer" means one of the following with regard to a primary battery that is sold or offered for sale in the state: (A) Any person who manufactures a primary battery and who sells or offers for sale such primary battery under such person's own name or brand; (B) any person who owns or licenses a trademark or brand under which a primary battery is sold or offered for sale, regardless of whether the trademark is registered; or (C) any person who imports a primary battery into the state for sale **unless the primary battery is marked with a brand that is listed as participating in an approved primary battery stewardship plan pursuant to Section 4(d)**;

Consumer electronics product manufacturers may package batteries with products like computer mice or various remote controls. A common example would be Alkaline AA batteries for which the device manufacturer – such as the

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<sup>1</sup> TechAmerica is the public sector and public policy department of the Computing Technology Industry Association (CompTIA). Representing over 2200 technology companies of all sizes, we are committed to expanding market opportunities and driving the competitiveness of the U.S. technology industry around the world. For more information, visit <http://www.techamerica.org>.

**TechAmerica**

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mice or remote controls – is not the battery manufacturer. These batteries constitute a very small portion of the total number of primary batteries sold. The proposed amendment language ensures that the responsibility for recycling lies with the manufacturer of the primary battery, and not the manufacturer of a primary battery-containing product. Furthermore, only brands of primary batteries approved by the Department of Energy and Environmental Protection would be covered (as specified in Section 4(d)). Finally, inclusion of this language would be consistent with Vermont's battery stewardship law<sup>2</sup>.

Thank you for your consideration of our concerns and suggested amendment. We appreciate your engagement of all stakeholders on this issue, and look forward to continuing the dialogue as this legislation moves through the process. If you have any questions, please feel free to contact me at (202) 682-4448 or [kevin.callahan@techamerica.org](mailto:kevin.callahan@techamerica.org).

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<sup>2</sup> See, Vermont Act 139 of 2014 (10 V.S.A. § 7581).