



Department of  
Toxic Substances  
Control

*Preventing*

*environmental*

*damage from*

*hazardous waste,*

*and restoring*

*contaminated*

*sites for all*

*Californians.*



State of California



California  
Environmental  
Protection Agency

Fact Sheet, March 2007

## AB 1125: Rechargeable Battery Recycling Act

Rechargeable batteries are used in a wide variety of products, including cellular and cordless phones, digital cameras, laptop computers, portable electronic devices, remote control toys, electric razors, and cordless power tools. Effective July 1, 2006, a new law prohibits many retailers from selling rechargeable batteries in California unless they have a system in place for collecting used rechargeable batteries from consumers. This law provides a convenient, cost-free opportunity for consumers to return, recycle, and ensure the safe and environmentally sound management of used rechargeable batteries. You can find the text of the new law in Public Resources Code Sections 42451-42456 (available online at: [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_1101-1150/ab\\_1125\\_bill\\_20051006\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_1101-1150/ab_1125_bill_20051006_chaptered.pdf)).

### Why is it important to recycle rechargeable batteries?

While rechargeable batteries reduce waste and can be more economical than regular household batteries, they may contain mercury, cadmium, lead, and other heavy metals. Proper disposal of batteries that contain hazardous metals is required by law.

### Who must comply with this law?

The Rechargeable Battery Recycling Act applies to a retailer, defined in the law as “a person who makes a retail sale of a rechargeable battery to a consumer in the state.” A sale includes, but is not limited to, a transaction conducted through sales outlets, catalogs, or the Internet. For the purposes of this law, a consumer can be an individual, business, corporation, limited partnership, nonprofit organization, or governmental entity, but not a person who purchases batteries in a wholesale transaction.

### Are some retailers and batteries exempted from the requirements of this law?

Large chain supermarkets and persons (including corporations or franchisees) who have less than one million dollars annually in gross sales are not considered “retailers” under this law’s definition; and therefore, these businesses are not subject to the law’s requirements. Also, sales of rechargeable batteries that are contained in, or packaged with, a battery-operated device are not subject to this law. However, a retailer selling replacement batteries for such devices must comply.



## What are the requirements?

Effective July 1, 2006, retailers must have in place, and promote, a system for accepting and collecting used rechargeable batteries for reuse, recycling, or proper disposal. At no cost to the consumer, retailers must:

- Take back from the consumer a used rechargeable battery of a type or brand that the retailer sells or has previously sold.
- A retailer who makes out-of-store sales (e.g. by mail) must provide a notice with information that directs how the consumer can return used rechargeable batteries at no cost for reuse, recycling, or proper disposal [applies only to a retailer who makes out-of-store sales (e.g. by mail)].
- Publicize information about the used rechargeable battery recycling opportunities that the retailer provides. This may include, for example, signage, brochures, or advertising material given to the consumer, or direct communications with the consumer at the time of purchase.

## Is it working?

Beginning July 1, 2007, and annually thereafter, DTSC will post on its Web site the estimated amounts of rechargeable batteries which are returned for recycling in California. Check <http://www.dtsc.ca.gov/> for a link to the recycling amount.

## What can I do?

For retailers – The Rechargeable Battery Recycling Corporation (RBRC), a non-profit organization, provides battery collection containers to retailers, free of charge. RBRC also pays shipping and recycling costs. Information is available at their web site, <http://www.rbrc.com>, or by calling 1-800-8-BATTERY. A commercial collection option available to retailers is the Big Green Box program. Information is available at <http://www.biggreenbox.com> or by calling (714) 278-9211. Whichever option you choose, DTSC encourages retailers who

sell batteries to join the California Take it Back Partnership. Information is available at <http://www.dtsc.ca.gov/TIB/index.cfm>

For consumers – You can find battery collection locations in your area, by zip code, at <http://california.earth911.org> and [www.rbrc.com](http://www.rbrc.com). Many local household hazardous waste programs also accept spent batteries. A list, by county, is available at: <http://ccelearn.csus.edu/mercury/lamp/content/resources5.htm>.

For more information about regulatory requirements, please contact the DTSC office nearest you, or call the Regulatory Assistance Officers at:

(800) 72TOXIC (1-800-728-6942) or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov)

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