Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries

Overview of Draft Revision

Article 21 of the Waste Disposal Act stipulates that “For those articles or the packaging and containers thereof for which there is concern of serious pollution to the environment, the central competent authority may officially announce the prohibition of use or the restriction of manufacturing, import, sales and use.” With reference to the European Union’s Battery Directive, and in accordance with the provisions of Article 21 of the Waste Disposal Act, on March 27, 2006 the Environmental Protection Administration (EPA), Executive Yuan, promulgated the Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries; since then, the Restrictions have been revised twice.

In response to international trends in relation to dry cell battery management involving the EU, the United Nations Environment Programme (UNEP), China, etc., this new revision expands the scope of the Restrictions to cover button cell batteries, and also adds new heavy metal restriction items and more rigorous controls. At the same time, in line with the principles of local autonomy and delegation of responsibility, local government authorities are given responsibility for related document verification and review work. The key revisions included in this draft revision of the Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries are as follows:

1. In order to ensure that there is sufficient time to implement the managerial requirements relating to the new designated battery types – including alkaline manganese button cell batteries, and silver oxide batteries – a grace period of specified length will be granted (Revision Announcement Subject).

2. Referencing international trends in the management of heavy metals in dry cell batteries, the methods by which management of dry cell batteries is implemented in Taiwan have been reviewed, and the definitions used in the Restrictions have been revised. This revision includes the designation of alkaline manganese button cell batteries and silver oxide batteries as designated battery types, and the
incorporation of clear provisions governing the manufacturing, import and sale of such batteries (Revision Announcement Item 1).

3. Maximum permitted heavy metal content levels for designated batteries, and a timetable for the adoption of these restrictions, have been formulated (Revision Announcement Item 2 and Attached Table 1).

4. Items have been formulated with which manufacturers, importers and vendors etc. are required to comply (Revision Announcement Items 3 – 5).

5. Restrictions have been imposed on the content and character size of labels (Revision Announcement Items 3 and 4)

6. Additions and revisions have been made to the document verification items (Revision Announcement Items 6 – 10 and Attached Tables 2 and 3).

7. The capping of the period of validity of the initial application for document verification at a maximum of two years has been cancelled, and a clear stipulation has been made regarding the period of validity of verification documents issued during the grace period (Revision Announcement Item 7).
Draft Revision of the *Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries*

**Public Announcement – Table of Comparison**

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<td><strong>Subject:</strong> Revision of the <em>Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries</em>, with the provisions relating to button cell batteries taking effect from January 1, 2017, and the remaining provisions taking effect from January 1, 2015.</td>
<td><strong>Subject:</strong> <em>Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries.</em></td>
<td>1. The date of implementation has been added.</td>
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<tr>
<td><strong>Basis:</strong> Article 21, <em>Waste Disposal Act.</em></td>
<td><strong>Basis:</strong> Article 21, <em>Waste Disposal Act.</em></td>
<td>2. A grace period has been granted to enable companies involved with the new types of designated batteries added by this revision – including button cell alkaline manganese batteries, mercuric oxide batteries and silver oxide batteries, etc. – to have sufficient time to prepare to comply with the related battery management requirements.</td>
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<td><strong>Announced Items:</strong></td>
<td><strong>Announced Items:</strong></td>
<td><strong>Unchanged.</strong></td>
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<tr>
<td>1. Terms used in this Official Announcement are defined as follows:</td>
<td>1. Terms used in this Official Announcement are defined as follows:</td>
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<tr>
<td>A. “Designated battery” means a battery that is the subject of official designation, including the following types of one-time-use battery:</td>
<td>A. “Dry cell battery” means a battery in which the electrolyte is not able to flow freely.</td>
<td></td>
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<tr>
<td>1. Non-button type cell batteries:</td>
<td>B. “One-time-use battery” means a battery constructed to employ chemical energy derived from chemical reactions in accordance with electrochemical methods so as to directly discharge electricity, and so that the electric potential produced by the chemical reaction is irreversible.</td>
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</tr>
<tr>
<td>(1) “Manganese-zinc battery” means a battery composed of manganese dioxide as the effective anodic material and zinc as the effective cathodic material, and that uses an aqueous solution of a neutral salt such as ammonium chloride or zinc chloride as the electrolyte; this battery is commonly known as a carbon zinc battery.</td>
<td>C. “Designated battery” means a one-time-use battery that is either a manganese-zinc battery or a non-button type alkaline manganese battery.</td>
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</tr>
<tr>
<td>(2) “Alkaline manganese battery” means a battery that uses manganese dioxide as the effective anodic material and zinc as the effective cathodic material.</td>
<td>D. “Manganese-zinc battery” means a battery that uses manganese dioxide as the effective anodic material and zinc as the effective cathodic material.</td>
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</table>

In 2013, both the European Union (EU) and the United Nations Environment Programme (UNEP) introduced strict controls on the mercury content of batteries, with the aim of reducing the amount of heavy metals used in batteries, and the amount of waste created that contains heavy metals, through at-source controls. In response to this initiative, the *Restrictions* have been revised to designate three additional categories of one-time-use battery as designated batteries: button cell alkaline manganese batteries, mercuric oxide batteries, and silver oxide batteries.

The definitions adopted for the three types of one-time-use battery in question - button cell alkaline manganese batteries, mercuric oxide batteries, and silver oxide batteries – are based on the relevant CNS standard.

A “dry cell battery” is a battery in which the electrolyte is not able to flow freely.

The order in which the definitions...
manganese dioxide as the effective anodic material and zinc as the effective cathodic material and uses an aqueous solution of an alkali metal hydroxide as the electrolyte; this battery is commonly known as an alkaline battery.

2. Button cell batteries:
   (1) “Alkaline manganese battery.”
   (2) “Mercuric oxide battery” means a battery that uses mercuric oxide as the effective anodic material and zinc or magnesium as the effective cathodic material.
   (3) “Silver oxide battery” means a battery that is composed of silver oxide as the effective anodic material and zinc as the effective cathodic material and that uses an aqueous solution of an alkali metal hydroxide as the electrolyte.

B. “One-time use battery” means a battery constructed to employ chemical energy derived from chemical reactions in accordance with electrochemical methods so as to directly discharge electricity, and so that the electric potential produced by the chemical reaction is irreversible, and where the electrolyte cannot flow freely.

C. “Operation” means engaging in the following types of activity relating to the manufacturing, importation or sale of designated batteries:
   I. “Manufacturing” means the manufacture of designated batteries and/or products equipped with designated batteries (such as toys, clocks, appliances, etc.).
   II. “Importer” means a business that engages in the importation of designated batteries, including when the designated batteries are attached to other goods (such as toys, clocks, appliances, etc.).
   III. “Vendor” means a business that engages in the sale of designated batteries, including when the designated batteries are attached to other goods (such as toys, clocks, appliances, etc.).

5. The following definitions in the current version of the Announcement – I. 3 (Designated battery), I. 4 (Manganese-zinc battery), and I. 5 (Alkaline manganese battery) – have been combined under the definition A. (Designated battery) in the revised version.

6. The following definitions in the current version of the Announcement – I. 1 (Dry cell battery) and I. 2 (One-time-use battery) – have been combined under the definition B. (One-time-use battery) in the revised version.

7. The following definitions in the current version of the Announcement – I. 6 (Manufacturer), I. 7 (Importer) and I. 1 (Vendor) – have been combined under the definition C. (Operation) in the current version.
clocks, appliances, etc.) or the installing of designated batteries to a product after production and importation.

2. “Importing” means the importation of designated batteries and/or designated batteries when attached to other goods (such as toys, clocks, appliances, etc.).

3. “Sale” means the wholesaling or retailing sale of designated batteries and/or designated batteries when attached to other goods (such as toys, clocks, appliances, etc.).

II. The maximum permitted heavy metal content levels for designated batteries, and the timetable for the adoption of these restrictions, are as shown in Table 1.

1. This is a new item.

2. In order to effectively reduce the negative impact that heavy metals contained in batteries have on the environment, maximum permitted heavy metal content levels have been formulated for designated batteries; taking into account the need to give related firms time to prepare for the new restrictions, these restrictions are being implemented in different time phases.

3. In response to the global trend towards more rigorous management of the heavy metal content of batteries, and referencing the regulations adopted in the EU, the U.S. and China, as well as the at-source controls provided for by the U.N.’s Minamata Convention on Mercury, this revision of the Restrictions tightens up the existing provisions regarding the maximum permitted mercury content of batteries (applying to managanese-zine batteries and non-button type alkaline manganese batteries) and also imposes new restrictions on maximum permitted cadmium content; in addition, the scope of batteries to which restrictions on maximum permitted mercury and cadmium content apply is expanded to include several new types of battery (button cell type alkaline manganese batteries,
III. Manufacturers are required to comply with the following provisions:

A. A manufacturer must apply to the competent authority at the municipal, county or city government level for a document confirming designated battery mercury and cadmium content before manufacturing may take place.

B. If the manufacturer of a designated battery attached to another product uses a designated battery for which a confirmation document number has already been obtained, and obtains the consent of the manufacturer or importer to which the confirmation document in question was originally issued, then the manufacturer does not need to make a new application for a confirmation document.

C. A designated battery or product to which a designated battery is attached shall have the confirmation document number clearly labelled on its packaging. The width and height of the characters on the label may not be less than 0.3 centimeters.

II. The manufacture or import of designated batteries may begin only after the manufacturer or importer has submitted an application to the central competent authority that includes a testing report that indicates said batteries have a mercury concentration lower than 5 ppm, and the said authority has issued confirmation documents.

III. If the manufacturer or importer of a designated battery attached to another product uses a designated battery for which the central competent authority has issued a confirmation document, and obtains the consent of the original designated battery confirmation document applicant, the manufacturer or importer does not need to re-apply for a confirmation document.

IV. Manufacturers and importers shall attach labeling to designated battery packaging that clearly states the phrase “This battery complies with Environmental Protection Administration regulations on mercury content” and the confirmation document number issued by the central competent authority. The width or height of the characters may not be less than 0.3 centimeters.

1. This item has been modified.
2. The provisions of Items II to IV in the current version of the Announcement relating to manufacturers have been combined in this item.
3. In line with the principle of respecting local autonomy, it is clearly stipulated that, starting from January 1, 2015, the reviewing of applications for, issuing of, and auditing of confirmation documents will be handled by the municipal, county or city government with which the manufacturer in question has its business registration.
4. The current version of the Announcement requires that the text of the labels must make it clear to consumers that they are purchasing a product that conforms to regulatory requirements. Taking into consideration the fact that the Restrictions have now been in effect for over seven years, the stage in which the public needs to be educated can be deemed to have already ended. The results of Customs surveys and market surveys undertaken by the competent authorities show that over 99% of designated batteries sold in Taiwan have had confirmation documents applied for as required by law; furthermore, the labelling with the confirmation number can be considered sufficient evidence that the product conforms to legal requirements. For this reason, the labelling requirement is being simplified, so that the label need only give the confirmation document number.
5. With regard to those manufacturers that had obtained a dry cell battery mercury content mercuric oxide batteries and silver oxide batteries), so as to facilitate at-source reduction of the quantity of heavy metals used and discarded in waste.
IV. Importers are required to comply with the following provisions:
   A. An importer must apply to the competent authority at the municipal, county or city level for a document confirming designated battery mercury and cadmium content before importation may take place.
   B. If the importer of a designated battery attached to another product uses a designated battery for which a confirmation document number has already been obtained, and obtains the consent of the manufacturer or importer to which the confirmation document in question was originally issued, then the manufacturer does not need to make a new application for a confirmation document.
   C. A designated battery or product to which a designated battery is attached shall have the confirmation document number clearly labelled on its packaging. The width and height of the characters on the label may not be less than 0.3 centimeters.

II. The manufacture or import of designated batteries may begin only after the manufacturer or importer has submitted an application to the central competent authority that includes a testing report that indicates said batteries have a mercury concentration lower than 5 ppm, and the said authority has issued confirmation documents.

III. If the manufacturer or importer of a designated battery attached to another product uses a designated battery for which the central competent authority has issued a confirmation document, and obtains the consent of the original designated battery confirmation document applicant, the manufacturer or importer does not need to re-apply for a confirmation document.

IV. Manufacturers and importers shall attach labeling to designated battery packaging that clearly states the phrase “This battery complies with Environmental Protection Administration regulations on mercury content” and the confirmation document number issued by the central competent authority. The width or height of the characters may not be less than 0.3 centimeters.

V. Vendors are required to comply with the following provisions:
   A. Vendors may not sell or give away designated batteries that have not been confirmed by the competent authority and/or do not bear confirmation document on or prior to December 31, 2015, once this revised Announcement comes into effect the Environmental Protection Administration (EPA), Executive Yuan will implement confirmation document replacement operations; the period of validity of all documents requiring replacement will be changed to December 31, 2015.
   B. The provisions of Items II to IV in the current version of the Announcement relating to importers have been combined in this item.
   C. With regard to those importers that had obtained a dry cell battery mercury content confirmation document on or prior to December 31, 2015, once this revised Announcement comes into effect the Environmental Protection Administration (EPA), Executive Yuan will implement confirmation document replacement operations; the period of validity of all documents requiring replacement will be changed to December 31, 2015.

V. A vendor may not sell or give away designated batteries that have not been confirmed by the central competent authority confirmation and do not bear the markings specified in Item 4 of this announcement.

1. This item has been modified.
2. The provisions of Items II to IV in the current version of the Announcement relating to importers have been combined in this item.
3. With regard to those importers that had obtained a dry cell battery mercury content confirmation document on or prior to December 31, 2015, once this revised Announcement comes into effect the Environmental Protection Administration (EPA), Executive Yuan will implement confirmation document replacement operations; the period of validity of all documents requiring replacement will be changed to December 31, 2015.

1. In accordance with Item II of these Restrictions regarding the maximum permitted heavy metal content levels for designated batteries, and the timetable for the adoption of these restrictions, it is clearly stipulated that those button
1. The phrase “do not bear the specified markings” refers to those batteries that do not bear a confirmation document number as required by Items III and IV of this Announcement, or where the confirmation document number does not match the designated batteries in question, or where the width or height of the characters used in the label is less than 0.3 centimeters, or where the label cannot be read easily, etc.

2. The phrase “do not bear the specified markings” refers to those batteries that do not bear a confirmation document number as required by Items III and IV of this Announcement, or where the confirmation document number does not match the designated batteries in question, or where the width or height of the characters used in the label is less than 0.3 centimeters, or where the label cannot be read easily, etc.

3. This revision incorporates the content of EPA order Huan Shu Fei Tzu #0970054769 dated July 24, 2008: “Taking into account the fact that those designated batteries and products to which designated batteries are attached which have already obtained a confirmation document in accordance with the requirements of the Announcement and which conform to requirements at the time of commencing sale will already be in conformity with the requirements of this Announcement, such products may therefore continue to be sold after the expiration of the confirmation document. However, if sampling of designated batteries by the competent authorities shows that the mercury content of such batteries does not comply with the requirements given in the attached Table 1 regarding maximum permitted heavy metal content and timetable for adoption, then this shall be handled in accordance with the relevant provisions of this Announcement.

VI. When applying for a mercury content and cadmium content confirmation document for designated batteries, the materials specified in the announcement shall be submitted. For example, the manufacturer or importer shall attach the following materials when applying to the central competent authority for a confirmation document for a cell type alkaline manganese batteries, mercuric oxide batteries and silver oxide batteries that were already on sale prior to the date of implementation of the revised Restrictions may continue to be sold or given away.

| VI. When applying for a mercury content and cadmium content confirmation document for designated batteries, the materials specified in the announcement shall be submitted. | VI. The manufacturer or importer shall attach the following materials when applying to the central competent authority for a confirmation document for a cell type alkaline manganese batteries, mercuric oxide batteries and silver oxide batteries that were already on sale prior to the date of implementation of the revised Restrictions may continue to be sold or given away. | 1. It is clearly stipulated that the materials that a manufacturer or importer must submit when applying for a confirmation document are as listed in the announcement. |

| B. Those designated batteries or products to which designated batteries are attached which were already on sale prior to the expiration of the confirmation document may continue to be sold after the expiration of the confirmation document. | C. Button cell type batteries and products to which button cell type batteries are attached that were already on sale prior to December 31, 2016 may continue to be sold after that date. |  |
attached Table 2 must be submitted.

designated battery in accordance with Item 2 of this Official Announcement:
A. Application form.
B. A photocopy of company registration or commercial registration or other verification document showing government approval of establishment.
C. A photocopy of the personal identification document of the statutory responsible person.
D. Photo showing the appearance of the designated battery.
E. Testing report for mercury content issued within three months before the date the documents are submitted.
F. Other documents or information designated by the central competent authority.

attached Table 2 of the revised announcement.

1. An additional provision has been included specifying that, when applying for a confirmation document, the applicant must submit a self-regulation pledge; if the applicant has any illegal gains, the letter of pledge can be used in relation to the recovery of such gains.
3. In accordance with the coming into effect of the revised Personal Data Protection Act and the adoption of new online application methods by the EPA whereby the Ministry of Economic Affairs (MOEA) Commerce Industrial Services Portal can be used to examine data made public by manufacturers or importers, the requirement that applicants must submit a photocopy of the responsible person’s identity document and of the applicant’s company registration, business registration or other registration certificate issued by a government agency, has been abolished.
4. On the basis of the collated examples of special cases reviewed by the central government competent authorities, a clear stipulation has been made that, in the case of batteries that do not bear the name of the country of manufacture or of the manufacturer, the applicant must submit suitable supporting documentary evidence to facilitate review of their application. For example, in the case of batteries that do not bear the name of the country of manufacture, the applicant must submit evidence that it is the manufacturer of the batteries in question, along with a letter of pledge verifying the place of manufacture, and the manufacturer registration or other registration document issued by the government authorities in the place of manufacture.

VII. The testing report mentioned in Item 6 of this Official Announcement has been deleted.

1. This Item has been deleted.
2. The content of Item VII in the
Announcement shall comply with the following regulations:

A. The manufacturer shall provide all testing reports submitted by the analysis laboratory that have received permits to test mercury content from the central competent authority.

B. The importer shall provide all testing reports submitted by analysis laboratories mentioned in the previous item or laboratories that are authorized to test for mercury concentration in dry batteries by the International Laboratory Accreditation Cooperation (ILAC).

C. The manufacturer or importer shall submit separate testing reports when the manufactured or imported designated batteries are of different brands, models, specifications, or outward appearances, or when designated batteries made by the same manufacturer have been manufactured in different countries.

D. The manufacturer and importer shall submit sample batteries that are representative of the type and model to be sold on the domestic market.

VII. The designated battery mercury and cadmium content confirmation document issued by the municipal, county or city government authorities must contain the items specified in the appended Table 3.

The validity period of a confirmation document issued by the competent authorities must not exceed five years. Those firms that wish to continue to manufacture or import designated batteries must

VIII. A confirmation document shall state the following items:

A. Confirmation number.
B. Name, address, and statutory responsible person of the company or profit seeking enterprise.
C. Country of manufacture.
D. Battery model, specifications, photograph of outward appearance, and mercury content.
E. Issuance date and period of validity.

1. This Item has been modified.
2. The provisions of Items VIII and IX in the current version of the Announcement relating to importers have been combined in this item.
3. Certain of the provisions of Item VIII in the current Announcement have been moved to the appended Table 3 of the revised Announcement.
4. During the initial period of implementation of this Announcement the central
submit a new application at least three months prior to the expiration of the original confirmation document.

In the case of an applicant that prior to December 31, 2015, had only applied for a designated battery mercury content confirmation document, the period of validity of the previously issued confirmation document shall be deemed not to extend beyond December 31, 2015.

F. Other items designated by the central competent authority.

IX. The central competent authority may, depending on the mercury content of the designated battery and random testing circumstances, approve the validity period of the confirmation documents. The validity period is limited to five years. Those manufacturers and importers that wish to continue to use their confirmation documents after expiration shall reapply six months prior to expiration. Those that are applying for the first time are limited to a validity period of two years.

VIII. When changes are made to recorded items in designated battery mercury and cadmium content confirmation documents, such changes must be made pursuant to the following regulations.

A. In the case of change of government competent authority will continue to implement confirmation document application review and the issuing of confirmation documents, until such time as the system is working smoothly, when all responsibility for the issuing of confirmation documents will be transferred to the competent authorities at the municipal, county and city government levels. The items must be listed in such confirmation documents, and the former to be used, are listed in the appended Table 3.

5. Revisions have been made pursuant to the revisions of Items III and IV of the Announcement.

6. In line with the staged implementation of this Announcement, it is clearly stipulated that, in the case of those applicants who have only applied for a mercury content confirmation document as of the time when this Announcement comes into effect, the period of validity of such confirmation document shall extend only until December 31, 2015.

7. The content of Item IX of the current Announcement has been merged into Item VIII, and the restrictions limiting the maximum period of validity of a first application for a confirmation document to two years has been abolished. In addition, taking into account the fact that review of confirmation document applications only requires a period of approximately one month, the requirements regarding the timing of the submission of new applications have been revised so as to facilitate management by the competent authorities.

X. When making changes to recorded items in confirmation documents, the changes shall be made pursuant to the following regulations:

A. When basic information such as the name, address, or statutory responsible

1. This Item has been modified.

2. The text has been revised in light of the revisions made to Items II, III, IV and VIII of this Announcement, as well as to the appended Tables.

3. When the company or profit-seeking enterprise address
Basic information of a company or profit-seeking enterprise changes, application registration must be performed with the competent authority in the municipal, county or city government with jurisdiction over the area where the company or profit-seeking enterprise is located within 15 days.

B. In the case of change of other confirmation document content changes, a new confirmation document application must be made prior to the change.

B. When other confirmation document content changes, the manufacturer or importer shall submit a new application in accordance with Item 6 of this announcement prior to the change.

IX. The competent authority may send personnel in possession of personal identification documents to enter operation premises in order to inspect the circumstances of designated battery operations, and may request the provision of confirmation documents or other relevant information. Designated batteries shall be provided for inspection without compensation, up to a quantity sufficient to meet inspection needs. The operator must not refuse, seek to evade or obstruct this activity.

XI. The competent authority may still conduct random testing of any designated battery on the domestic market that has obtained a confirmation document.

XII. The competent authority may send personnel in possession of personal identification documents to enter the premises of manufacture or import and sales in order to inspect the circumstances of the manufacture or import and sale of designated batteries, and request the provision of relevant information. The manufacturer or importer shall provide designated batteries for testing without compensation, up to a quantity sufficient to meet testing needs, and may not refuse to do so.

X. The municipal, county or city government competent authorities possess the authority to revoke a confirmation document when a manufacturer or importer is found to be in any of the following circumstances:

A. In those circumstances in which designated batteries in the domestic market have a heavy metal content that exceeds the limits noted in appended Table 1, as determined through random

XIII. The central competent authority possesses the authority to revoke a confirmation document when a manufacturer or importer is found to be in any of the following circumstances:

A. In those circumstances in which designated batteries in the domestic market have a mercury content of 5 ppm or higher, as determined through random testing by the central competent authority.

1. This Item has been modified.
2. The provisions of Items XI and XII in the current version of the Announcement relating to importers have been combined in this item.
3. The text has been revised in light of the revisions made to Item I of this Announcement.
4. In accordance with the principle of trust, those designated batteries that are already being lawfully manufactured or imported prior to the date of implementation may
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<th>Section</th>
<th>Content</th>
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<tbody>
<tr>
<td>XI</td>
<td>In those circumstances in which random testing by the competent authority reveals that a designated battery has a heavy metal content that exceeds the limits noted in appended Table 1, the competent authority of the municipal, county or city government with jurisdiction over the area where the manufacturer or importer in question is located may order the manufacturer or importer to recall the product from stores and return or dispose of the product.</td>
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<tr>
<td>XIV</td>
<td>If the central competent authority has revoked a confirmation document, the manufacturer or importer must submit a new application for a confirmation document for the same type or model of designated battery six months after completion of improvement.</td>
</tr>
<tr>
<td>XV</td>
<td>In those circumstances in which random testing by the central competent authority reveals that a designated battery has a mercury content greater than 5 ppm, the said authority may order the manufacturer or importer to recall the product from stores and return or dispose of product pursuant to the Waste Disposal Act.</td>
</tr>
</tbody>
</table>

1. This Item has been modified.
2. The text has been revised in light of the revisions made to Items II and VI of this Announcement.

XVI. The labeling, investigation and disciplinary procedures for designated batteries that were placed on the market before this announcement took effect shall be conducted according to the following rules:

<table>
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<tr>
<th>Rule</th>
<th>Description</th>
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<tbody>
<tr>
<td>A.</td>
<td>Labeling shall comply with Article 4 of this announcement by September 1, 2007; the date of sale shall be the date on the vendor sales form, the purchase invoice or receipt.</td>
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<td>B.</td>
<td>Before September 1, 2009, when the first competent authority investigation at a vendor location reveals that the designated batteries are not marked according to regulations, the competent authority shall order the vendor to suspend the sale and delivery of goods on that day. The vendor may resume the sale and delivery of goods</td>
</tr>
</tbody>
</table>

1. This Item has been deleted.
2. This Item was a transitional measure; since the period of applicability has now ended, the Item has been deleted.
only upon the completion of the regulation markings. Those that do not abide shall be disciplined pursuant to Article 51 of the Waste Disposal Act. Second time violations and any violations thereafter shall be directly disciplined pursuant to Article 51 of the Waste Disposal Act.

C. The manufacturer or importer shall complete the aforesaid designated battery markings within ten days of receiving the improvement notification from the competent authority. Those that do not make the necessary improvements before the deadline shall be disciplined pursuant to Article 51 of the Waste Disposal Act.

D. Starting on September 2, 2009, manufacturers, importers and vendors that are found by competent authority investigation to have designated batteries with non-regulation markings, shall be directly disciplined pursuant to Article 51 of the Waste Disposal Act.

| XVII. This Announcement shall take effect on September 1, 2006. However, Item 4 of this announcement will take effect on December 1, 2006; and Item 16, Paragraphs 2, 3, and 4 will take effect on January 1, 2007. | 1. This Item has been deleted. 2. Since the date of implementation of the Announcement is now given in the Subject section, this Item has been deleted. |
Revised Announcement

Table 1: The Maximum Permitted Heavy Metal Content Levels for Designated Batteries, and the Timetable for the Adoption of these Restrictions

<table>
<thead>
<tr>
<th>Designated Battery Item</th>
<th>Maximum Permitted Heavy Metal Content</th>
<th>Timetable for Adoption</th>
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<tbody>
<tr>
<td>Non-button cell type batteries</td>
<td>Mercury content □ 5ppm</td>
<td>Until December 31, 2015</td>
</tr>
<tr>
<td></td>
<td>Mercury content □ 1ppm, Cadmium content □ 20ppm</td>
<td>Starting from January 1, 2016</td>
</tr>
<tr>
<td>Button cell type batteries</td>
<td>Mercury content □ 5ppm, Cadmium content □ 20ppm</td>
<td>Starting from January 1, 2017</td>
</tr>
</tbody>
</table>

Notes:
1. Non-button cell type batteries include the following items:
   (1) Manganese-zinc batteries, the external volume of which does not exceed 300 ml, with the C.C. Code 8506.10.21.006.
   (2) Manganese-zinc batteries, the external volume of which exceeds 300 ml, with the C.C. Code 8506.10.22.005.
   (3) Non-button type alkaline manganese batteries, with the C.C. Code 8506.10.90.100.
2. Button cell type batteries include the following items:
   (1) Button cell type alkaline manganese batteries, with the C.C. Code 8506.10.90.903.
   (2) Mercuric oxide batteries, with the C.C. Code 8506.30.00.007.
   (3) Silver oxide batteries, with the C.C. Code 8506.40.00.005.

1. This Table has been newly added to the Announcement.
2. In order to effectively reduce the negative impact that heavy metals contained in batteries have on the environment, this Announcement stipulates maximum permitted heavy metal content levels for designated batteries; taking into account the need to give companies time to adjust to the new regulations, these restrictions are being imposed gradually.
3. In order to reduce disparities in regard to the determination as to which types of battery the restrictions apply to, the C.C. Codes for designated batteries are specified.
## Revised Announcement

### Appended Table 2 Materials to be Submitted When Applying for a Designated Battery Mercury or Cadmium Content Confirmation Document

<table>
<thead>
<tr>
<th>Group</th>
<th>Materials to be Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable</strong></td>
<td></td>
</tr>
</tbody>
</table>
| Manufacturers | - Application form  
- Photocopy of factory registration certificate  
- Photograph of the exterior of the designated battery  
- Designated battery mercury and/or cadmium content test report issued within the past three months by an inspection and testing organization authorized by the central government competent authority to perform designated battery mercury and cadmium content testing. In the case where a manufacturer produces a number of designated batteries with different brands, models, specifications or external appearance, a separate test report must be submitted for each different type.*  
- In the case where the battery is not marked with the name of the country of manufacture and with the battery type in either English or Chinese, the application must be accompanied by a certificate issued by the manufacturer confirming that it is the manufacturer of the battery in question, and by a certificate confirming the country of manufacture.  
- In the case with the battery is not marked with the name of the brand, a sample of the packaging in which the battery is sold, or an external design drawing, must be submitted.  
- A self-regulation letter of pledge (see attachment)  
- Such other documents or materials as may be specified by the competent authorities. |
| Importers    | - Application form  
- Photograph of the exterior of the designated battery  
- Designated battery mercury and/or cadmium content test report issued within the past three months by an inspection and testing organization authorized by the central government competent authority to perform designated battery mercury and cadmium content testing or by an International Laboratory Accreditation Cooperation (ILAC) accredited facility. In the case where a manufacturer produces a number of designated batteries with different brands, models, specifications or external appearance, or where a single manufacturer undertakes battery manufacturing in more than one country, a separate test report must be submitted for each different type and each different country.*  
- In the case where the battery is not marked with the name of the country of manufacture or the name of the brand, relevant documentary evidence must be submitted to facilitate application review.  
- In cases where the battery is not marked with the name of the brand, a sample of the packaging in which the battery is sold, or an external design drawing, must be submitted.  
- A self-regulation letter of pledge (see attachment)  
- Such other documents or materials as may be specified by the competent authorities. |

### Current Announcement

1. This Table has been newly added to the Announcement.
2. The content of Items VI and VII of the current Announcement has been merged into this Table.
3. The requirement that applicants must submit a photocopy of the responsible person’s identity document and of the applicant’s company registration, business registration or other registration certificate issued by a government agency, has been abolished. A requirement has been added that, where a battery is not marked with the name of the country of manufacture or the name of the brand, relevant documentary evidence must be submitted to facilitate application review.
4. A new requirement has been added that applicants must submit a self-regulation letter of pledge.

### Explanation

Note: The manufacturer or importer must submit a sample of the same designated battery type and model as will be sold in Taiwan.
Self-regulation Letter of Pledge

This Company hereby warrants that, on being issued with a designated battery mercury and/or cadmium content confirmation document by the competent authorities pursuant to the public announcement Restrictions on the Manufacture, Import, and Sale of Dry Cell Batteries, we shall comply with the provisions of the Waste Disposal Act and all other relevant laws and regulations, and shall accept any penalty or punishment that may be imposed for violation of such laws and regulations. In the event that the Company receives any unlawful benefits, we shall accept the increased penalty and/or requirement to make restitution of unlawful benefits pursuant to Articles 18 and 20 of the Administrative Penalty Act.

Signatory: ____________________________

Name of Company: ____________________________

Company Address: ____________________________

Submitted to:

XXX County/City Government (the competent authority with jurisdiction over the district where the applicant, manufacturer or importer has its registered address)

Date: (Day/Month/Year)
1. This Table has been newly added to the Announcement.
2. The content of Item VIII of the current Announcement has been merged into this Announcement.
3. With the issuing of designated battery confirmation documents to be handled by municipal, county and city governments in the future, this provision stipulates the items that must be included in such documents, and the format to be used.

### Revised Announcement

**Appended Table 3** Items to be Included in a Designated Battery Mercury or Cadmium Content Confirmation Document

<table>
<thead>
<tr>
<th>Item</th>
<th>Approval Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmation Number</td>
<td></td>
</tr>
<tr>
<td>Import Approval Document Number</td>
<td></td>
</tr>
<tr>
<td>Brand Name</td>
<td></td>
</tr>
<tr>
<td>County of Manufacture</td>
<td></td>
</tr>
<tr>
<td>Model</td>
<td></td>
</tr>
<tr>
<td>Specification</td>
<td></td>
</tr>
<tr>
<td>Mercury Content</td>
<td></td>
</tr>
<tr>
<td>Period of Validity</td>
<td>From (Day/Month/Year) to (Day/Month/Year)</td>
</tr>
</tbody>
</table>

*Name of County Magistrate / City Mayor:
Date: (Day/Month/Year)*

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**Confirmation Number:**

**Photograph of Battery’s External Appearance**

*Photograph of the External Appearance of the Battery to be used by and other appropriate documents by the manufacturer (producer and wholesaler)*

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**Record of Changes in Basic Data**

<table>
<thead>
<tr>
<th>Original Record</th>
<th>Approved Alternative</th>
<th>Approval Date and Approval Document No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*No:*