

JOINT COMMENTS TO HEALTH CANADA

Regarding the Consultation on Danger to Human Health or Safety Assessment for Products Containing Button or Coin Batteries and the Packaging of Button and Coin Batteries

January 22, 2026

The undersigned consumer safety and public interest organizations strongly support Health Canada's proposed determination that products containing button or coin batteries, and the packaging of these batteries, pose a danger to human health or safety under the Canada Consumer Product Safety Act (CCPSA). To prevent deaths and injuries associated with these products and their packaging, we urge Health Canada to proceed expeditiously to add these products to Table 3 of the General Prohibitions and to adopt comprehensive regulatory requirements comparable to U.S. 16 CFR Part 1263. We also urge Health Canada to extend those protections to children's toys.

Our organizations include Reese's Purpose, Consumer Federation of America, Consumer Reports, Charlie's House, and National Consumers League, each of which works to protect families in the United States from preventable product hazards. Reese's Purpose is a parent-led advocacy organization, founded by Trista Hamsmith after the tragic loss of her eighteen-month-old daughter, Reese Hamsmith, from a button battery-related injury. Consumer Federation of America is an association of over 200 non-profit consumer organizations, established in 1968, to advance the consumer interest through research, advocacy, and education. Consumer Reports is an independent, non-profit, non-partisan member organization that has worked side-by-side with consumers to improve marketplace safety through product testing, research, and advocacy since 1936. Charlie's House is dedicated to preventing accidents and injuries to children in and around the home. National Consumers League is America's oldest consumer advocacy organization, dedicated to protecting and promoting social and economic justice for consumers and works since 1899.

Collectively, our organizations have witnessed firsthand the devastating injuries and deaths caused by button and coin battery ingestions in the United States. Health Canada's comprehensive hazard assessment accurately reflects the severity of the preventable hazard posed by these products, particularly to young children.

The incident data presented in Health Canada's assessment—41 reported incidents, including four deaths, involving button or coin batteries from June 2011 to June 2025, and approximately 1,400 reports in the Canada Hospitals Injury Reporting and

Prevention Program (CHIRPP) from 2011 to April 30, 2025—demonstrate the clear and present danger these button and coin batteries pose to Canadians. Alarming, 79% of victims identified in Canada's CHIRPP data were children under five years old. Each of these incidents represents a child suffering painful chemical burns, perforations, and, in tragic cases, death, all from a preventable hazard. These data also underscore the need for stronger protocols for toys that use these small but powerful batteries.

U.S. incident data, as outlined in Health Canada's assessment, further underscore that this is not a theoretical risk, but an ongoing public health crisis. In the U.S., the National Capital Poison Center documented 69 ingestion-related deaths between 1977 and June 2022, and an estimated 54,300 ingestion or insertion-related emergency department visits related to button battery ingestion or insertion from 2011 to 2021. For these reasons, we agree with Health Canada's analysis that concludes that button and coin battery hazards meet every element of the CCPSA's definition for a "danger to human health or safety."

- The existing, ongoing ingestion and insertion hazard is unreasonable, as it is inherent to products with accessible batteries and non-child-resistant packaging. The severity ranges from serious to lethal. Further, the hazard is unintuitive to most adult consumers, and certainly to children, who likely do not realize that even depleted batteries retain sufficient charge to cause devastating internal burns within two hours.
- It is also entirely foreseeable that children will access products containing these batteries through normal play and interaction, poor product design, product damage, or inadequate packaging. Parents and caregivers cannot reasonably be expected to anticipate and prevent all scenarios in which batteries may become accessible.
- The evidence clearly establishes that button and coin battery ingestion can cause severe adverse health effects including chemical burns, tissue necrosis, perforation, internal bleeding, permanent disability, and in the most severe cases, loss of life.

Health Canada appropriately references established consensus standards (e.g., ANSI/UL 4200A-2023) that provide effective, technically feasible solutions. These standards have been successfully implemented in other jurisdictions without eliminating product utility or imposing unreasonable costs or hurdles to compliance. The United States' implementation of Reese's Law (Public Law 117-171, enacted in 2022) demonstrates that comprehensive requirements for battery security, child-resistant packaging, and warning labels are achievable. Industry has adapted to these requirements, and safer products are now available in the U.S. marketplace. Health Canada's proposed approach reflects a shared recognition of the severity of button and

coin battery hazards and the effectiveness of design-based and packaging-based interventions.

Our organizations also strongly encourage Health Canada to consider strengthening requirements for toys containing button and coin batteries beyond current U.S. standards. While ASTM F963-23 provides important baseline protections, Health Canada should evaluate whether additional safeguards are warranted for toys given children's extended exposure during play and the particular vulnerability of the target age group. Specific enhancements could include more rigorous testing protocols for battery compartment security that simulate aggressive child play, enhanced requirements for battery compartment screws or fasteners, and requirements that battery compartments remain secure even after multiple uses and abuse testing. As Health Canada's incident data makes clear, toys are a major source of button battery exposures for young children. Health Canada has an opportunity to be a global leader in child safety by establishing life-saving protections for children's products and setting a higher standard that other jurisdictions can follow.

Based on our comments above, we respectfully urge Health Canada to:

1. Issue a final determination that products containing button/coin batteries and the packaging of button/coin batteries pose a danger to human health or safety under the CCPSA.
2. Add these products to Table 3 of the General Prohibitions process without delay.
3. Strengthen requirements for toys beyond current U.S. standards by requiring children's toys to meet the protections established by Reese's Law. These more stringent safeguards are warranted for toys given children's extended exposure during play and the particular vulnerability of the target age group.
4. Require comprehensive warning labels on products, batteries, and packaging in both English and French as outlined in Appendix C.
5. Establish a prompt compliance timeline that recognizes the urgency of preventing further injuries and deaths.
6. Conduct a public education campaign to raise awareness of button and coin battery hazards among parents, caregivers, and healthcare providers.

Every preventable button battery injury is unacceptable. Every death is a tragedy that regulatory action can prevent. Health Canada's thorough hazard assessment provides a compelling factual and legal foundation for determining that these products pose a danger to human health or safety. We have seen too many families devastated by

button battery ingestions in the United States. Canada must act decisively to protect Canadian children.

Respectfully submitted,

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