



Record of Commission Action  
Commissioners Voting by Ballot\*

Commissioners Voting:      Chair Alexander D. Hoehn-Saric  
   Commissioner Peter A. Feldman  
   Commissioner Richard Trumka Jr.  
   Commissioner Mary T. Boyle

ITEM:

Draft Federal Register Notice: Petition Requesting Rulemaking to Amend the Requirement for a Keep Out Of Reach Icon on Button Cell or Coin Battery Packaging

(Ballot vote package dated January 10, 2024)

DECISION:

The Commission voted (3-1) to approve publication of the draft *Federal Register* notice inviting public comment on the petition from Elliott Alexander (Petitioner), President of Micropower Battery Company, requesting that the Commission initiate rulemaking to amend the button battery final rule under Reese’s Law, codified in 2023 at 16 C.F.R. part 1263, to reduce the size of the “Keep out of Reach” icon that is required to be on the front panel of button and coin cell battery packaging when insufficient space exists for a full warning label.

Chair Hoehn-Saric, Commissioner Feldman, and Commissioner Boyle voted to approve publication of the *Federal Register* notice, as drafted. Commissioner Trumka voted not to approve publication of the *Federal Register* notice.

For the Commission:

Alberta E. Mills  
Secretary

\*Ballot vote due January 17, 2024.

\*Chair Hoehn-Saric voted on January 17, 2024.

\*Commissioner Feldman voted on January 10, 2024.

\*Commissioner Trumka voted on January 10, 2024

\*Commissioner Boyle voted on January 17, 2024.