

# Covered Battery-Embedded Product Q&A

Q. What is a covered battery-embedded product (CBEP).

A. “Covered battery-embedded product” is defined in Public Resources Code (PRC) section 42463(f)(1) as “a product containing a battery from which the battery is not designed to be easily removed from the product by the user of the product with no more than commonly used household tools.”

---

Q. Are there battery-embedded products that are statutorily excluded from the definition of CBEP?

A. Yes. Excluded devices are listed in PRC section 42463(f)(2) and include: certain medical devices used or prescribed in healthcare settings; video display devices that are covered electronic devices (CEDs), as defined in PRC section 42463(g)(1)(A); energy storage systems, as defined in subdivision (a) of section 2835 of the Public Utilities Code; electronic nicotine delivery systems, as defined in section 375(7) of Title 15 of the United States Code, which include electronic cannabis vaping devices.

---

Q. What is a covered video display device and where can I find a list of devices that meet this definition?

A: A CED that is a video display device is defined in PRC section 42463(g)(1)(A) as “a video display device containing a screen greater than four inches, measured diagonally, that is identified in the regulations adopted by DTSC pursuant to subdivision (c) of section 25214.10.1 of the Health and Safety Code.”

Device categories that meet this definition are listed in [section 66260.201](#)(e) of Title 22 of the California Code of Regulations (CCR):

- (1) CRT-containing devices (CRT devices);
- (2) CRTs;
- (3) CRT-containing computer monitors;
- (4) LCD-containing laptop computers;
- (5) LCD-containing desktop monitors;
- (6) CRT-containing televisions;
- (7) LCD-containing televisions (excluding LCD projection televisions);
- (8) Plasma televisions (excluding plasma projection televisions);

- (9) Portable DVD players with LCDs;
  - (10) Organic light-emitting diode (OLED)-containing televisions;
  - (11) OLED-containing laptop computers;
  - (12) OLED-containing tablets;
  - (13) OLED-containing desktop monitors;
  - (14) LCD-containing tablets; and
  - (15) LCD-containing smart displays.
- 

Q: If a retailer sells a covered video display device that also has an embedded battery, such as a tablet or laptop, does the retailer need to charge both the recycling fee for video display devices and the battery-embedded waste recycling fee?

A: No. The retailer will only charge the recycling fee for video display devices, since video display devices that are CEDs are excluded from the definition of a CBEP. (See PRC section 42463(f)(2)(B)).

---

Q: Is there a publicly available list of all CBEPs sold in California?

A: CalRecycle compiled this list of products from notices sent to CalRecycle by manufacturers pursuant to PRC section 42466.2. The information contained in the documents was provided by manufacturers and questions about specific product determinations should be directed to manufacturers.

- [The PDF Table document](#) consolidates the data from the Manufacturer Notices into an easy-to-read chart that lists categories of products, manufacturer and brand names, and examples of products within each category.
- [The Notices Excel spreadsheet](#) lists all noticed products from copies of the Manufacturer Notice that have been provided to CalRecycle. This list is sortable by brand, manufacturer, and device type, and contains product model numbers and UPC numbers (if provided).

By posting these lists of products, CalRecycle is not endorsing the accuracy of the lists or otherwise confirming that these products are CBEPs as defined in PRC 42463(f). Also, these lists may erroneously include devices that are not CBEPs such as:

- Products that are video display devices (as defined by [PRC section 42463\(g\)\(1\)\(A\)](#)).
- Products that are a loose battery (as defined at [PRC section 42420.1\(d\)](#)).
- Products that are not considered covered electronic devices.

Additionally, these lists are not complete lists of all CBEPs as they are based upon the notices that manufacturers provided to CalRecycle. The absence of a CBEP from these lists does not relieve a manufacturer's responsibility pursuant to PRC section 42466.2 or a retailer's obligation to collect the covered battery-embedded waste recycling fee on a CBEP from a consumer. If a retailer is unsure, they are encouraged to contact the product manufacturer. These lists are subject to change and will be updated periodically, and a listserv notice will be sent out.

---

Q: If I have a covered video display device that also has an embedded battery, such as a tablet or laptop, can I use the approved cancellation method for battery-embedded covered electronic waste (CEW) to dismantle the covered video display device?

A: There are different requirements for cancellation of covered video display devices than there are for CBEPs. Covered video display devices, such as tablets or laptops, claimed for payment must be cancelled in compliance with CCR section 18660.32(c)(2), which requires "cancellation of non-CRT-containing CEWs through dismantling to a bare panel." CBEPs claimed for payment must be cancelled in compliance with applicable law.

CCR section 18660.32(d) of the proposed regulations would require: "cancellation of battery-embedded CEW by removing the embedded battery in a manner that complies with Chapter 23 of Division 4.5 of Title 22 of the California Code of Regulations, including ensuring the casing of each individual battery cell is not breached and the casing remains intact and closed, and dismantling the CEW into specific material streams such as batteries, plastics, metals, glass, fibers, and any hazardous waste components, if applicable."

The proposed regulations have not yet been approved by the Office of Administrative Law (OAL). If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of 14 CCR section 18660.32 of the proposed regulations at the following link: [\*\*SB 1215 Proposed Regulation Text\*\*](#).

---

Q: If I have a covered video display device that also has an embedded battery, such as a tablet or laptop, can I claim both the non-CRT recycling payment rate and the covered battery-embedded waste recycling payment rate?

A: No. Tablets and laptops are listed in 22 CCR section 66260.201(e) as covered video display devices. Covered video display devices are excluded from the definition of a CBEP. (PRC section 42463(f)(2)(B)). As such, recyclers may only claim the recycling payment rate on covered video display devices such as laptops and tablets.

---

Q. Are electronic devices with embedded batteries located on a circuit board considered CBEPs?

A. Batteries that are not easily removable with commonly used household tools meet the definition of a CBEP in PRC section 42463(f)(1), unless they are specifically excluded by PRC section 42463(f)(2).

---

Q. Can a universal waste recycler shred intact battery-embedded products, or circuit boards with attached batteries?

A. The proposed regulations provide cancellation methods of battery-embedded CEW (see 14 CCR section 18660.32). The proposed regulations have not yet been approved by OAL. If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of the proposed regulations at the following link: [SB 1215 Proposed Regulation Text](#). (Treatment methods involving e-waste and potentially hazardous e-waste residuals fall under the purview of the Department of Toxic Substance Control ([DTSC](#)) and those questions should be directed to [electronicwaste@dtsc.ca.gov](mailto:electronicwaste@dtsc.ca.gov).)

---

Q. Are battery packs and power banks with no ancillary functionality (e.g. flashlights, radios, etc.) considered CBEPs?

A. The proposed regulations , provide that a “battery that charges or powers the product, such as by physically abutting it or by the insertion of its cable into the product, and can be manually removed from the product without the use of any tools,” is designed to be easily removed, and thereby would be considered to be a loose battery subject to the requirements of Assembly Bill 2440 (see section 18660.5(a)(22) of the proposed regulations. The proposed regulations have not yet been approved by OAL. If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of the proposed regulations at the following link: [SB 1215 Proposed Regulation Text](#). Thus, this draft language, if approved by OAL, would clarify that battery packs and power banks with no ancillary functionality are not considered CBEPs.

---

Q. What information must be listed in a manufacturer's annual notice to retailers?

A. PRC section 424266.2 requires manufacturers of CBEPs to send an annual notice to retailers every July listing any battery-embedded product manufactured by that manufacturer that is subject to a BEP recycling fee, and those that are exempt. The statute requires manufacturers to identify those products by brand and model number, and to send a copy of the notice to CalRecycle. CalRecycle has developed a

[recommended template](#) that manufacturers may use to send to retailers. This template is **optional**.

---

Q. When is the manufacturer report for CBEP manufacturers due?

A. On or before July 1, 2027, manufacturers of CBEPs must begin sending CalRecycle annual reports covering the period of the previous calendar year (2026) (PRC section 42467). See CalRecycle's [Manufacturer Information webpage](#) for details.

---

Q. What are the labeling requirements for CBEPs?

A. On and after January 1, 2026, a new or refurbished CBEP cannot be sold in the state unless the item is labeled with the name of the manufacturer or the manufacturer's brand label so that it is readily visible (PRC section 42466.1(a)).

Additionally, a new or refurbished CBEP must either be labeled with information identifying the chemistry of the battery contained within the covered electronic device (see below) **or** the manufacturer must include that information on the manufacturer's website (PRC section 42466.1(b)).

---

Q. What is battery chemistry?

A. The proposed regulations define "Battery Chemistry" as "the specific combination of materials used in the cathode, anode, and electrolyte of the battery. Types of battery chemistries include, but are not limited to, lithium-ion, nickel metal hydride, nickel-cadmium, and small sealed lead-acid;" (See section 18660.5(a)(8) of the proposed regulations). The proposed regulations have not yet been approved by OAL. If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of the proposed regulations at the following link: [SB 1215 Proposed Regulation Text](#),

---

Q. Does a recycler have to ship batteries before submitting a claim for the cancelled CBEPs?

A. Unlike the requirements for recyclers relating to bare cathode ray tubes (CRTs), there are no requirements to ship battery residuals prior to submitting a claim.

---

Q. How long can batteries be stored at a recycling facility prior to shipment?

A. Storage times for e-waste and potentially hazardous e-waste residuals fall under the purview of [DTSC](#), and those questions should be directed to [electronicwaste@dtsc.ca.gov](mailto:electronicwaste@dtsc.ca.gov).

---

Q. Approved Recyclers of CBEPs must weigh and issue separate weighmaster certificates for each treatment residual derived from cancellation of battery-embedded CEW. Each battery chemistry is considered a separate residual. Does that mean that each battery chemistry must also be shipped offsite separately?

A. CalRecycle has no requirements for how batteries are shipped offsite. The requirement is to weigh the total amount of batteries of each chemistry resulting from the claim, prior to shipment (see section 18660.26(e)(4) in the proposed regulations). The proposed regulations have not yet been approved by OAL. If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of the proposed regulations at the following link: [SB 1215 Proposed Regulation Text](#).

---

Q. What is the covered battery-embedded waste recycling fee?

A. PRC section 42464(b)(1) requires that, on and after January 1, 2026, a consumer shall pay a covered battery-embedded waste recycling fee upon the purchase of a new or refurbished CBEP. CalRecycle's proposed regulations provide, in part, that:

“On or after January 1, 2026, 1.5 percent of the retail sales price for each covered battery-embedded product sold for use in this state by a retailer. The covered battery-embedded waste recycling fee shall not exceed \$15.00. For the purposes of this section, “retail sales price” shall have the same meaning as “sales price” in section 6011 of the Revenue and Taxation Code”.

For example, 1.5% up to the cap of \$15 means that any CBEP equal to or greater than \$1,000 shall apply the covered battery-embedded waste recycling fee cap of \$15 (See section 18660.40(d) in the proposed regulations). The proposed regulations have not yet been approved by OAL. If approved as currently written, these proposed regulations are anticipated to go into effect on January 1, 2026. See the full text of the proposed regulations at the following link: [SB 1215 Proposed Regulation Text](#).

---