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Rep. Tranel's Testimony on AB 511

February 13, 2012

First, I would like to thank Chairman Ripp for scheduling Assembly Bill 511 for a public hearing and the committee members for allowing me to speak.

The bill that I am proposing today is about keeping jobs in Wisconsin and making sure that our environment is protected.

Assembly Bill 511 updates Wisconsin statutes regarding mercury content in dry cell batteries. Currently, Wisconsin's law (Stat. §100.27) restricts the amount of mercury that a number of different types of batteries can contain and has not been updated since 1995.

The U.S. battery manufacturing industry has made great strides to develop mercury-free button batteries for hearing aids, medical devices, watches, and toys. A Wisconsin company, Rayovac, is at the forefront of manufacturing these new modern batteries. I am very fortunate to have one of their two Wisconsin manufacturing plants in my district.

The new products now being offered with no added mercury are as available and reliable as their mercury containing foreign competitors and at a marginal cost differential.

Four states, Connecticut, Maine, Rhode Island and Louisiana have already passed legislation to eliminate the sale of mercury containing zinc air button cells and other states are expected to follow suit. These states have determined that the market is ready to move to mercury free zinc air button cell batteries and the industry agrees.

Assembly Bill 511 amends Wisconsin's current law by prohibiting the retail sale of all zinc air button cell batteries that contain any intentionally introduced mercury. Even though U.S manufacturers have voluntarily met this requirement, there are a number of foreign manufacturers that have not taken any steps to develop or produce mercury free zinc air button cell batteries.

By modernizing our statutes, Wisconsin can avoid becoming a dumping ground for the mercury containing batteries from China, South Korea, and Japan.

This legislation is supported by leading battery manufacturers in the U.S., including Rayovac which is headquartered in Wisconsin. Rayovac has two Wisconsin production faculties in Fennimore and Portage. The company employs 318 people in my district and 731 people state wide.

By passing this legislation you will be protecting Wisconsin jobs and our state's environment. Thank you for the opportunity to address the committee.

Spectrum Brands, Inc.
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Spectrum BRANDS

January 13, 2012

Dear Representative:

Spectrum Brands and its Rayovac® global battery division are writing to express their strong support for LRB 3675 which seeks to update and amend outdated,16-year-old Wisconsin statutes governing the levels of mercury that a number of different types of batteries may contain.

This proposal is very timely and important for several reasons. Led by Rayovac®, the world's number-one selling and longest-standing hearing aid battery producer, the U.S. battery manufacturing industry in recent years has developed mercury-free button batteries for hearing aids, toys, medical devices and other items that are as available and reliable as mercury-containing foreign competitors with only a marginal cost difference.

With a handful of states already passing legislation to eliminate the sale of mercury-containing button cells, it is now time for Wisconsin to amend current law and modernize its statutes to also prohibit the retail sale of Zinc Air button cell batteries containing any intentionally introduced mercury.

This will ensure that our state does not become a consumer market for the mercury-containing batteries of some foreign manufacturers in China, South Korea, Germany and Japan who have not moved to develop mercury-free button cell batteries. Not only will such legislation level the playing field and reinforce the innovation and high quality standards of the U.S. battery industry, but it also will demonstrate that American know-how will continue to improve the power and reliability of mercury-free batteries to enhance everyday living for millions of American consumers.

Rayovac's roots in Wisconsin run strong and deep, with its origins dating back more than 100 years as a battery manufacturer on Madison's east side. From its Fennimore alkaline battery plant and Portage hearing aid battery facility to its North American headquarters and technology center in Madison, Rayovac employs some 700 Wisconsinites, translating into a significant annual economic impact on our state.

In closing, Spectrum Brands and Rayovac are pleased to endorse and support LRB 3675, and we respectfully encourage the state legislature and Governor Scott Walker to move expeditiously to approve this important proposal.

Sincerely,

Randy Raymond
Vice President, Global Sales and Marketing – Hearing Aid
Rayovac

I. NEMA Announces Battery Industry Commitment to Eliminating Mercury in Button Cells

02 Mar 2006

(ROSSLYN, VA) - Continuing its record of positive environmental achievements, the U.S. battery industry is announcing a commitment to eliminate added mercury from button cell batteries by June 30, 2011.

Code Alerts!

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The battery industry has a record of using technological innovation to reduce the environmental impact of batteries. It voluntarily eliminated mercury, which had been used as an additive to reduce gassing and leakage, from standard size alkaline and carbon zinc batteries in the 1990s. At that time, the technology was not available to do the same for smaller button cell batteries, which are predominantly used in watches and hearing aids. Thus button cells are the only batteries that continue to contain small amounts of mercury.

In order to achieve its goal of eliminating mercury from button cells, the industry will continue to advance emerging technologies. Manufacturers will also dedicate resources to solving technological and manufacturing challenges that exist today. "By making this commitment, the U.S. battery industry demonstrates once again its leadership in product stewardship," says Evan Gaddis, NEMA president and chief executive officer. "Their voluntary efforts over the years have contributed a great deal toward reducing the amount of mercury released into the environment."

For the past two decades, the battery industry has been working diligently to solve the technological challenges of eliminating mercury from all types of batteries. The industry has made substantial progress during this period, achieving the following milestones:

- Manufacturers discontinued production of mercuric oxide batteries and replaced them with new and improved battery systems containing far less mercury.
- By the early part of this decade, the industry had lowered the amount of mercury in button cells to quantities well below historical levels and those sanctioned by federal laws. The 1996 Mercury-Containing and Rechargeable Battery Management Act restricts the addition of mercury to a maximum of 25 mg per button cell. By 2002, the industry average was less than half of this value.

These significant achievements represent a major investment and commitment to improved environmental performance, while at the same time delivering better overall battery performance to consumers in terms of shelf life, safety, and hours of operation.

Members of the Dry Battery Section of the National Electrical Manufacturers Association, a trade association of electrical manufacturers, include dry cell battery manufacturers Duracell Inc., Eastman Kodak Company, Energizer Holdings, Inc., Panasonic Battery Corporation of America, Rayovac Corporation, Renata SA, Saft America, Inc., and Wilson Greatbatch, Ltd.

NEMA is the leading trade association in the United States representing the interests of electroindustry manufacturers. Founded in 1926 and headquartered near Washington, D.C., its 430 member companies manufacture products used in the generation, transmission and distribution, control, and end-use of electricity. Domestic shipments of electrical products within the NEMA scope exceed $100 billion.

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Spectrum BRANDS

MERCURY-FREE BUTTON BATTERIES

The time has come for Wisconsin to update state statutes regarding mercury content in dry cell batteries. Wis. Stat. § 100.27 restricts the amount of mercury that a number of different types of batteries can contain and has not been updated since 1995.

In the late 1990s and into the early part of the 2000s a number of states and municipalities contemplated bans on the sale of button cell batteries containing mercury due to concern over the amount of mercury they were contributing to the waste stream. A critical mass was reached in a couple of key places, but concerns were raised by the industry and consumers because suitable substitutes weren't available at the time. A collective agreement between battery manufacturers was reached that would eventually end the manufacture of mercury added button cell batteries.

To help make this a reality, Wisconsin needs to amend current law to prohibit the sale of **zinc air button cell batteries** that contain any intentionally introduced mercury. If Wisconsin does not modernize its statutes, it will become a dumping ground for the mercury containing batteries from China, South Korea, Germany and Japan.

This legislation is fully supported by Rayovac, the manufacturer of the World's No. 1 selling hearing aid battery. With regards to Rayovac Hearing Aid Batteries, Rayovac is:

- The Technology Leader — no battery lasts longer
- The Global Market Share Leader
- An Industry Leader, aligned with Key Partners
- Committed to the Environment (green packaging & zero mercury)
- Made in the USA

Rayovac is headquartered in Wisconsin and has over 700 employees in living and working in the state.

Spectrum Brands is a global consumer products company and a leading supplier of batteries, shaving and grooming products, personal care products, specialty pet supplies, lawn & garden and home pest control products, personal insect repellents and portable lighting. Headquartered in Madison, Wisconsin, Spectrum Brands generates annual revenue from continuing operations in excess of $3 billion.

Employment and locations in Wisconsin

Rayovac Employees in Wisconsin	
Location	**Total**
Fennimore	318
Portage	204
World Headquarters (Madison)	125
Tech Center (Madison)	82
Field	2
Grand Total	**731**