

New U.S. Postal Service Lithium Battery/ Product Shipping Rules

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The U.S. Postal Service (USPS) published on January 26, 2015, new standards for mailing lithium ion and lithium metal batteries and equipment packed with or containing them. See 80 Fed. Reg. 3996 (Jan. 26, 2015). They go into effect on March 2, 2015.

USPS's new standards are an attempt to harmonize its requirements with the U.S. Department of Transportation's lithium battery transport regulations that went into effect on February 6, 2015. See 79 Fed. Reg. 46,012 (Aug. 6, 2014). In addition, the new USPS standards address the requirements for shipping equipment with installed lithium batteries internationally by air.

The USPS's existing standards are found in the Agency's "Publication 52, Hazardous, Restricted, and Perishable Mail." The new standards make significant changes to them.

For example, the existing standards authorize up to three lithium ion batteries per package and lithium metal batteries in packages weighing up to five pounds. In contrast, the new standards place a limit of no more than eight "cells" or two batteries per package. See 80 Fed. Reg. at 3997. A single "cell" is used to power relatively small devices like cellular phones and electric toothbrushes, and the term also applies to lithium metal button or coin cells.

The USPS also has adopted new package marking and documentation requirements. The marking and documentation must include:

- An indication that the package contains lithium metal or lithium ion batteries;

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- An indication that the package is to be handled with care and that a flammable hazard exists if the package is damaged;
- An indication that special procedures must be followed in the event the package is damaged, to include inspection and repacking, if necessary; and
- A telephone number for additional information.

See id. The new marking and documentation requirements do not apply to packages containing equipment with installed lithium cells or batteries (provided there are no more than two batteries or four cells installed in the equipment). The USPS also expressly prohibits the marking on packages of equipment that are shipped in the international mail, including to APO/FPO/DPO (Army Post Office, Fleet Post Office, Diplomatic Post Office). *See id.* This prohibition on marking of packages offered for international mail is intended to avoid confusion over whether the package contains individual lithium batteries (without equipment), which are strictly prohibited in the international mail.