

Proposed New Requirements for Lithium-Ion Batteries in Consumer Products

Litigation | Litigation & Dispute Resolution | Transportation and Logistics

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Health Canada has published a [Notice of Intent](#) regarding proposed regulations for lithium-ion batteries and consumer products containing lithium-ion batteries (under the [Canada Consumer Product Safety Act](#) ("CCPSA")). The CCPSA regulates consumer products present in the Canadian market by prohibiting the manufacture, import, advertisement and sale of consumer products that pose a risk to human health or safety.

The notice issued on December 2, 2025 seeks comments from interested parties on a proposed regulatory initiative that would introduce mandatory requirements for lithium-ion batteries and consumer products containing lithium-ion batteries under CCPSA.

Lithium-ion batteries have become the battery of choice in a wide variety of consumer product applications (for example, vaping devices, mobile and wearable devices, toys, tools, appliances, energy storage systems), as well as transportation applications (for example, vehicles, e-bikes and other micromobility devices) and medical devices (for example, portable ventilators and cochlear implants).

Poor design or manufacturing of the batteries and/or the products containing them, or conditions that cause excess mechanical, electrical or thermal stress during operation, charging or storage can cause batteries to fail.

The hazards can range from overheating, off-gassing and smoke, to fire, thermal runaway and explosion. The failure progression to the extreme effects of fire and explosion can happen in a matter of seconds.

Health Canada has completed a risk assessment summary report on lithium-ion batteries. To request a copy, contact Health Canada Consumer Product Safety via email (ccpsa-lcspc@hc-sc.gc.ca) or telephone at 1-866-662-0666 (toll-free within Canada and the United States).

The proposed regulatory initiative under the CCPSA would establish mandatory safety requirements for lithium-ion batteries and consumer products containing lithium-ion batteries that are manufactured, imported, advertised and sold in Canada. These would include performance criteria for battery protection and battery management systems of consumer products that will help to maintain a lithium-ion battery's safe operating parameters.

The proposed regulatory initiative applies to lithium-ion batteries and consumer products containing lithium-ion batteries within the [scope of the CCPSA](#) and does not apply to mains power-connected products that are subject to the Canadian Electrical Code (CSA C22.1) or to products listed in [Schedule 1 of the CCPSA](#), which includes:

- Medical devices, as defined as 'devices', within the meaning of section 2 of the [Food and Drugs Act](#) (FDA).
- Vehicles within the meaning of section 2 of the [Motor Vehicle Safety Act](#) and a part of a vehicle that is integral to it — as it is assembled or altered before its sale to the first retail purchaser — including a part of a vehicle that replaces or alters such a part. Of note, this exclusion currently applies to electric micromobility devices, such as e-bikes or e-scooters, which meet the definition of "vehicle".
- Pest control products within the meaning of subsection 2(1) of the [Pest Control Products Act](#), except treated articles within the meaning of subsection 1(1) of the Pest Control Products Regulations.

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To participate in this consultation, “stakeholders” are asked to submit responses to the Questionnaire. Stakeholders can do this by either filling out the [online questionnaire](#) or sending their responses to ccpsa-lcspc@hc-sc.gc.ca. This pre-consultation will be open for comment from December 2, 2025 to 14 February 2026 (75 calendar days).

Feedback collected through this pre-consultation will be used to inform the development of mandatory requirements that align with the purpose of this proposal. A PDF version is available for download [here](#).

(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

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