



Environmental, Health and Safety Supplier Requirements

Chemical Definitions and Policies.

The following outlines the Walmart definition of a chemical, aerosol, pesticide, and battery/battery containing product requiring a UL-WERC Smart assessment:

Chemical.

‘Chemical’ is defined by Walmart to include any item of merchandise that contains a powder, gel, paste or liquid that is not intended for human consumption.

Notwithstanding the foregoing, ‘Chemical’ also includes the following item types that are intended for human consumption, inhalation, or absorption, or labeled with ‘Drug Facts’ or ‘Supplement Facts’:

- All over-the-counter medications, including: lozenges, pills, or capsules (e.g. pain relievers; vitamins and supplements)
- Medicated swabs, wipes, bandages, acne medication, and sunscreen
- Medicated patches (such as nicotine patches)
- Liquids (e.g. cough medicine, eye/ear drops, nasal spray, and inhalers)
- Medicated shampoos, gums, ointments, and creams
- Lip balm, lip creams and petroleum jelly
- Contraceptive foam, films, and spermicides;
- Product/equipment sold with chemicals (e.g. vaporizer sold with medication); and
- Electronic cigarettes

Aerosol.

‘Aerosol’ is defined by Walmart to include any item of merchandise that contains a compressed gas or propellant (including bag-on-valve and other pressurized designs).



Pesticide.

'Pesticide' is defined by Walmart to include any item of merchandise which is advertised or claims to kill, repel, or prevent the growth of any living organism (e.g., anti-microbial, anti-bacterial, anti-fungal).

Even if the product is not a chemical, your product may be considered a pesticide if it makes any claims of protection from pathogens or microorganisms that extends beyond the item itself. Examples of such claims include "antibacterial," "bactericidal," "germicidal," "germ-resistant," "bacteria-resistant," "kills pathogenic bacteria".

Battery

'Battery or battery containing product' is defined by Walmart to include any item of merchandise that is a battery or any component of merchandise, including reusable packaging intended to stay in use with the item, containing a battery of any chemistry/ type. Only lithium or lead-acid batteries should be submitted to UL-WERCSmart.

Additionally, any merchandise: (a) that if discarded, would be regulated as a hazardous waste pursuant to federal or state environmental laws, including but not limited to, the Resource Conservation and Recovery Act (RCRA); (b) that is regulated under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA); (c) that when transported, is regulated as a hazardous material pursuant to rules promulgated by the U.S. Department of Transportation (DOT) or regulated as a dangerous good by any international regulatory body; (d) that is required to be labeled with 'Drug Facts' or 'Supplement Facts'; or (e) that is otherwise a 'chemical', 'aerosol', 'pesticide', or 'battery' (lithium ion, lithium metal, lead-acid or non-spillable lead-acid) as defined by Walmart.

For any merchandise returned to a supplier or withdrawn/recalled from sale (by Walmart or supplier for any reason), the supplier must: (1) select a disposition resulting in "Walmart Discretion"; or (2) return merchandise to supplier.

If supplier selects the "Return to Supplier" option, then supplier also agrees to make reasonable efforts to find sustainable options for returned merchandise, including donation, liquidation, reworking, and reuse. After making such reasonable efforts, if supplier determines that there are no options other than disposal, then supplier agrees that such disposal will be done in accordance with all applicable local, state, and federal laws.

