

## ARE YOU BREAKING THE LAW?

The fashion jewelry and accessory industries are facing a myriad of conflicting laws and regulations to limit the amount of lead in their products. Some regulations exclude glass and crystal, some do not. Some laws require labeling, some do not. Some jurisdictions regulate only children's jewelry, others regulate all jewelry. The definition of children varies between no specific ages to various ages.

Retailers and suppliers face monetary penalties from cities, states and recalls from the federal Consumer Products Safety Commission. As of July 20, 2007, two cities and three states have enacted regulations and legislation. Five other states have proposed legislation pending and in New York a bill has passed the Senate and Assembly and awaits the Governors signature.

Since the laws and regulations vary between states and also cities, retailers and suppliers must stay informed in order to avoid unpleasant surprises. The current situation will become more complex when additional cities and states enact laws in the next session.

The answer to this dilemma will be a national standard that will supersede anything a state or local government may enact. This is a long process and in the meantime every proposal must be reviewed. When unfair or extreme legislation is proposed action must be taken by the industry.

This effort is expensive. This is a cost of doing business and staying in business that the members of the fashion jewelry industry are not accustomed to bearing. The result of not bearing this cost will be a far greater monetary loss.

The only voice for the fashion jewelry and accessory industries is the Fashion Jewelry Trade Association. That small group of suppliers negotiated the California standards, stopped unnecessarily strict legislation, dealt with legislators in Minnesota, Illinois, Chicago, Michigan, New York, Massachusetts, Vermont, Maryland, Baltimore and the Consumer Products Safety Commission.

Retaining lobbyists in each state that proposes jewelry legislation is necessary to access the decision makers in city and state agencies and legislatures. At times legal counsel must be consulted to review proposed laws and regulations, and even help write fair proposals depending on the local requirements. Travel to meet and testify at hearings must be done to bring the voice of the industry to those making decisions affecting everyone making their living in the fashion jewelry and accessory industries.

A small group of industry firms cannot be expected to continue to fund this effort on behalf of the entire fashion jewelry industry. Some have said they can not afford the dues. If your business declines, or your costs go up, because no one spoke for the industry, the few dollars you saved by not joining the effort will cost thousands. If you are sued for not obeying laws or regulations, the cost to defend the lawsuit will far exceed the cost of

FJTA membership. If you lose business due to extreme labeling requirements such as a 5 inch square warning label attached to each piece of your jewelry, your lost profits will far exceed the cost of supporting the effort for fair legislation.

If each company in the industry does not help fund this fair legislation effort, the fashion jewelry industry will be at the mercy of extreme and uninformed rules and laws. The industry then will only have itself to blame and every firm will pay a huge price. The current efforts of the Fashion Jewelry Trade Association can not continue without wide industry support. If the industry supports the effort the cost to each firm will be minimal.

The Fashion Jewelry Trade Association maintains a web site, [www.fjta.org](http://www.fjta.org). They can be contacted at 401-295-4564.