



fashion jewelry
trade association

Summary of Current and Pending Legislation Regulating Jewelry
February 2008

Entity	Status/Reference	Summary	Comment
CPSC	Guidance	CPSC issued an Interim Policy for metal in children's jewelry in 2005. If the total lead concentration of any component type exceeds 600 ppm (0.06%), CPSC will then subject the metal to its acid leaching test. If the accessible lead exceeds 175 micrograms the staff will decide whether to pursue a corrective action on a case by case basis. CPSC does not define "children"	FJTA met with the CPSC Chief of Staff and Legal Council to the Chairman on June 26. The meeting was very productive. We encouraged a national standard for children's jewelry. There was no resistance to this plan. We offered information and assistance. CPSC will provide experts to address a future forum. Periodic summaries will be sent to CPSC.
	In effect. 16 CFR 1303.	CPSC regulations prohibit paint and other similar coatings with more than 600 ppm lead on consumer products for children.	
Baltimore (see also Maryland) Baltimore Ordinance	In effect.	The regulation currently bans metal jewelry for children with more than 1200 ppm lead. As of September 1, 2007, metal jewelry for children with more than 600 ppm is banned. This regulation does not define "children".	The regulation is Title 2 and 5 of the city health code Baltimore is testing jewelry and initiating recalls.

California	In effect. AB1681 (2006), California Health & Safety Code §§ 25214.1 <i>et seq.</i>	AB 1681 became law in 2006 and adopts the standards in the Proposition 65 consent judgment. The law sets standards for lead content for all jewelry components with stricter standards for children's and body piercing jewelry. Children is defined as six and younger. Children's standards take effect on September 1, 2007 with stricter standards for plastic by August 2009. Standards for other jewelry take effect March 1, 2008 with stricter standards for metal and plastic on August 31, 2009.	
	In effect. Proposition 65 Proposition 65, California Health & Safety Code §§ 25249.5 <i>et seq.</i>	Requires warnings for exposure to Proposition 65 listed carcinogens and reproductive toxins. Lead is a listed carcinogen and reproductive toxin.	The Center For Environmental Health continues to pursue retailers and suppliers which did not participate in the consent agreement.
Chicago (see also Illinois)	In effect. Chicago Municipal Code Chapter 7-4	Prohibits any "lead bearing substance" – defined by limits to be set by the commissioner – in any article used by and chewable by children. Children defined as six and under. All other "lead bearing substances must have a warning label.	FJTA testified in front of the commissioner to adopt the Illinois standard.
Illinois (see also Chicago)	Lead Poisoning Prevention Act in effect.	Prohibits any lead bearing substance – defined as more than 600 ppm lead – in jewelry and other products intended to be chewable by children. Requires a warning for all other jewelry with lead over 600 ppm. This act does not exclude materials in which the lead content is not accessible.	FJTA has written an amendment to the law setting standards for non children's jewelry and eliminating the warning label requirement. The amendment has been introduced and is meeting with resistance . We are in contact with all parties and trying to eliminate the resistance.
Indiana	SB102 pending	Prohibits any lead bearing substance – defined as more than 600 ppm lead – in jewelry and other products intended to be chewable by children. The age definition is less than 7 years of age.	The bill is under consideration in February 2008
Maryland	HB1214	Would prohibit the sale of children's jewelry with more than 0.02% lead. A change to 0.06% is being considered. The age definition is 6 and under.	The bill is under consideration in February 2008
Massachusetts	SB1224 and HB873	Companion bills established a commission to study lead in children's jewelry and toys and report to the joint Senate and House committees by December 31, 2007.	FJTA has established contact with the retailers association and a lobbyist to be in front of this issue rather than playing catch-up.

Michigan	HB4936	Legislation has passed and been signed by the Governor based on the FJTA model. It covers children's jewelry only. The age definition is six and under. The lead limit is 600 ppm.	FJTA testified at a hearing by the Health Policy Committee. The committee voted unanimously to approve the bill and send it to the House floor.
Minnesota	HF1656 and SB1262	The House and Senate voted in favor of the bill and it was signed by the Governor in June.. It is chapter 132 SF 1262 effective September 1, 2007. Sections relating to lead in jewelry are effective March 1, 2008. Other limits follow the California standards.	Our lobbyist did a fine job of providing access to legislators. The bill passed without amendments. Children's jewelry is limited to 600 ppm lead in metal components and no more than 1 gram of glass.
New York	A08077 and S06635	Assembly Bill 8077 Senate Bill 5784 would regulate jewelry for children under seven. Metal components are limited to 600 ppm and no more than 1 gram of crystal and glass is allowed. Adult limits follow the California standards. The House and Senate have passed the bill. The effective dates are September 1, 2007 for children's products and March 1, 2008 for adult jewelry.	FJTA is working with a lobbyist. We await action by the Governor. We were able to have all references to labeling deleted.
Vermont Prevention Of Lead Poisoning By Exposure To Lead In Consumer Products	S.0152 introduced 2007.	Defines children's products as any jewelry intended for children six and younger including any jewelry priced at \$20.00 or less. Would prohibit the sale of children's jewelry containing over 70 ppm (0.007%). Does not have a phase-in date.	This bill is under consideration by the legislature in February 2008
Washington State	House Bill 2647 Senate Bill 6530	Prohibits a manufacturer, distributor or retailer from selling, offer to sell, distribute for sale or distribute a children's product or product component containing more than 0.004 (40ppm) lead or cadmium or phthalates individually or in combination at more than 0.01% (100 ppm) effective January 1, 2009. The definition of children's products are products made for, marketed for use by, or marketed to children under the age of twelve (12)	FJTA and the Washington Retail Association are lobbying to have the age definition changed to 6 and under and the lead limits changed to 600 ppm
Canada	In effect. P.C. 2005-805.	Health Canada regulations require that jewelry for children 15 and under must not contain more than 600 ppm and more than 90 micrograms of migratable lead. Children defined as 15 and younger.	

	In effect. P.C. 2005-621	Health Canada prohibits the use of paint or other coatings with more than 600 ppm lead.	
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