

SENATE BILL REPORT

SB 6042

As of February 19, 2015

Title: An act relating to cadmium in children's jewelry.

Brief Description: Concerning cadmium in children's jewelry.

Sponsors: Senators Brown, Ericksen and Sheldon.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/19/15.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: Cadmium is a soft, silver-white, relatively inexpensive metal. It is a byproduct of processing metals such as lead, zinc, and copper as well as recycling of nickel-cadmium batteries. According to the Agency of Toxic Substances and Disease Registry, most cadmium, approximately 80 percent, in the United States is used in batteries. Cadmium is also used in pigments to create bright yellow, orange, and red dyes; paints; plastics; ceramics; and in metal alloys to increase strength and provide wear resistance.

Cadmium is widely found in the environment, food, and tobacco. For most people food is the largest source of cadmium exposure. Because tobacco leaves accumulate cadmium from the soil, smokers have increased exposure and have twice the level of cadmium in their bodies than nonsmokers. In addition people may be exposed to cadmium through contact with some consumer products. Exposure occurs, especially in children, by handling objects and then putting hands in mouths, or by mouthing or swallowing small objects or parts of products.

Cadmium has known health effects. It is considered a suspected or probable carcinogen by several federal agencies. Acute exposure from eating food or drinking water with high levels of cadmium can cause vomiting, diarrhea, and possibly death. Chronic exposure of cadmium accumulates in the kidneys and liver and causes kidney damage and failure, bone damage, and lung disease.

The Consumer Product Safety Improvement Act (CPSIA) of 2008 established new testing and documentation requirements and acceptable levels of certain substances in consumer

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products. Under CPSIA the Consumer Protection Safety Commission (CPSC) adopted national standards for toy safety. Manufacturers of children's toys must adhere to industry guidelines, American Society for Testing and Materials (ASTM) F-963-11. Toys that are intended for the use of children under 14 years of age must meet the total cadmium content standard of 75 parts per million (ppm). Children's jewelry, however, is not considered a toy and therefore does not come under the requirements as toys.

CPSC identified products, particularly jewelry intended for use by children, that they felt presented a risk of adverse health effects from exposure to cadmium. ASTM F-2923-11, which was updated in 2014 (ASTM F-2923-14), is a voluntary industry standard for children's jewelry. It provides a limit of 300 ppm total content and 75 ppm in paint or surface coatings for children's jewelry. Where components of the jewelry exceed 300 ppm total content, those components must be further evaluated to determine that the migration of cadmium does not exceed 200 micrograms through solubility testing. Although ASTM F-2923-14 provides standards for cadmium in children's jewelry, these are voluntary and are not mandated by CPSC. CPSC determined that ASTM F-963-11, applicable to toys, and ASTM F-2923-11, a consensus standard for children's jewelry, provides adequate protection from the risk of cadmium exposure.

Under the Children's Safe Products Act, Washington State established a 40 ppm by weight limit for cadmium in children's products. Several states enacted legislation addressing cadmium in children's jewelry. These include Maryland at 75 ppm by weight; Illinois and Minnesota at 75 ppm, as determined through solubility testing for heavy metals; California at 300 ppm by weight; and Rhode Island adopted ASTM F-2939-11.

Summary of Bill: Children's jewelry is excepted from the 40 ppm cadmium standard for children's products. Children's jewelry must meet the ASTM F-2923-14 standards as approved on October 1, 2014.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.