

SENATE No. 01074

The Commonwealth of Massachusetts

PRESENTED BY:

Gale D. Candaras

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regulating cadmium in children's jewelry.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Thomas M. McGee</i>	<i>Third Essex and Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

SENATE No. 01074

By Ms. Candaras, petition (accompanied by bill, Senate, No. 1074) of Swan, Puppolo, Provost and other members of the General Court for legislation to regulate cadmium in children's jewelry [Joint Committee on Public Health].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act regulating cadmium in children's jewelry.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended by inserting after section 186B the following section:-

3 Section 186C. (a) In this section, the following words shall have the following
4 meanings:--

5 “Accessible”, the term shall have the meaning given in Section 3.1.2 of the ASTM
6 International Safety Specification on Toy Safety, F963.

7 “Child”, an individual who is 6 years of age or younger.

8 “Children’s jewelry”, jewelry that is primarily designed, marketed and intended for use
9 by a child.

10 (b) No person may manufacture, knowingly sell, offer for sale, distribute for sale, or
11 distribute for use children's jewelry containing cadmium in any paint or surface coating or
12 accessible substrate that exceeds 75 parts per million, as determined through solubility testing for
13 heavy metals defined in the ASTM International Safety Specification on Toy Safety, ASTM
14 Standard F-963, and subsequent versions of this standard, unless superseded by a federal
15 standard applicable to children's jewelry.

16 (c) This Section applies to products that are manufactured after December 31, 2011.

17 (d) This section shall not apply to any product category or toy regulated for cadmium
18 exposure under the federal Consumer Product Safety Improvement Act of 2008 (Public Law
19 110-314).

20 SECTION 2. This act shall take effect upon passage.