

SENATE No. 990

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 adoption 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>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>

SENATE No. 990

By Ms. Candaras, a petition (accompanied by bill, Senate, No. 990) of Gale D. Candaras, Christine E. Canavan, Sal N. DiDomenico and Marjorie C. Decker for legislation to regulate cadmium in children's jewelry. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1074 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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 “Children’s dishes”, dishes that are primarily designed, marketed and intended for use by
11 a child.

12 (b) No person may manufacture, knowingly sell, offer for sale, distribute for sale, or
13 distribute for use children's jewelry containing cadmium in any paint or surface coating or
14 accessible substrate that exceeds 75 parts per million, as determined through solubility testing for

15 heavy metals defined in the ASTM International Safety Specification on Toy Safety, ASTM
16 Standard F-963, and subsequent versions of this standard, unless superseded by a federal
17 standard applicable to children's jewelry.

18 (c) No person may manufacture, knowingly sell, offer for sale, or distribute for use
19 children's dishes containing cadmium in any paint, glaze, or surface coating or accessible
20 substrate that exceeds 0.25 micrograms per milliliter as determined through ASTM Standard
21 C783-94, and subsequent versions of this standard, unless superseded by an applicable federal
22 standard.

23 (d) This Section applies to products that are manufactured after December 31, 2013.

24 (e) This section shall not apply to any product category or toy regulated for cadmium
25 exposure under the federal Consumer Product Safety Improvement Act of 2008 (Public Law
26 110-314).

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