

Legislative History for Connecticut Act

PA 14-140

HB5305

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H - 1190

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 10
3044 - 3394**

Will the Clerk please call Calendar 90.

THE CLERK:

On page 4, House Calendar 90, favorable report of joint standing committee on Children. House Bill 50 -- or 5305, AN ACT CONCERNING CADMIUM LEVELS IN CHILDREN'S JEWELRY.

SPEAKER SHARKEY:

Distinguished chairman of the children's Committee, Representative Urban.

REP. URBAN (43rd):

Thank you, Mr. Chairman. Mr. Chairman, I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, Madam?

REP. URBAN (43rd):

Yes, thank you Mr. Speaker.

We had a unique situation in 2010, I'm sure that many members recall children's jewelry particularly, there were snowman charms on children's bracelets, there were TV character jewelry that contained in some instances 90 percent cadmium in other instances 50

percent cadmium, and it was concern to many parents because cadmium is the seventh most toxic substance on a list of toxic substances that the CDC keeps. It is in fact ahead of arsenic. This heavy metal was actually banned in landfills in Connecticut so that packaging would not be able to have cadmium in it for fear that it would leach into our landfills and into our water supplies. So, the knowledge, and this was brought about by consumer groups like the Washington Toxics Coalition testing children's jewelry and realizing that these high percentages of cadmium in the children's jewelry was extremely worrisome. You might wonder why they would put cadmium in children's jewelry. Well, Mr. Speaker, it used to be lead and then we found the high toxicity of lead in a particularly unfortunate instance where a four year old child ingested a lead charm from his buddies sneaker at a play group and his mom thought he had the flu when he became ill and unfortunately by the time they knew that the child has ingested the charm, his systems had shut down and he unfortunately passed away. So, lead was banned in the United States so they were looking for a cheap alternative. That cheap alternative was cadmium. So, we in the Connecticut

legislature in 2010 would have a bill that would limit cadmium in children's jewelry to 75 parts per million starting in July 2014. But, the jewelry industry had come up with another standard and there was a bill in general law that looked at that other standard which established a 300 parts per million acceptable level of cadmium in children's jewelry. Mr. Speaker, I would tell you the European Union has 100 parts per million, Maryland has 75 parts per million, Washington has 40 parts per million, Minnesota has 70 parts per million so clearly, there is a lot of disagreement on what in fact the appropriate level of cadmium to have in jewelry. With that in mind, Mr. Speaker, the Clerk has in his possession an amendment, LCO number 4488. I ask that he call it and I be allowed to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 4488, which will be designated House Amendment "A."

THE CLERK:

House Amendment "A," LCO 4488, introduced by Representative Urban, et al.

SPEAKER SHARKEY:

The gentlewoman has sought leave of the chamber to summarize. Is there objection?

Seeing none, you may proceed with summarization, madam.

REP. URBAN (43rd):

Thank you, Mr. Speaker. Mr. Speaker, this amendment establishes a task force with a myriad of people on it with various degrees of expertise in cadmium. It seemed reasonable given the different levels that were acceptable in other states to develop this task force and I move adoption.

SPEAKER SHARKEY:

The question before the chamber is adoption of House Amendment "A." Will you remark?

Representative Betts.

REP. BETTS (78th):

Good -- Good evening, Mr. Speaker. Thank you.

I just quickly want to stand up and express my support for this amendment. This is a reflection of a group of people working together and I'd ask the chamber to support it.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on House Amendment "A"? If not, let me try your minds.

All those in favor of House Amendment "A" please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay.

The ayes have it. The amendment is adopted.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended?

Representative Adinolfi.

REP. ADINOLFI (103rd):

Thank you, Mr. Speaker.

I've worked in my history before I retired with cadmium an awful lot, and as a matter of fact, we did many military contracts, and they forbid us to use any cadmium plating on any new contracts once they found out what this could do. Cadmium is awful and we should do everything we can just to not allow anything to be plated with that, especially something that a human being could come in contact with. That's all I wanted to mention, it's serious. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended? If not, staff and guests to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately?

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? All the members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5305, as amended by House "A."

Total number voting	143
Necessary for passage	72
Those voting Yea	143
Those voting Nay	0
Those absent and not voting	8

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar 112.

THE CLERK:

House Calendar 112, on page 39, favorable report of the joint standing committee on Transportation, AN ACT CONCERNING THE FINDINGS OF THE MILITARY OCCUPATIONAL SPECIALTY TASK FORCE.

HB 5299

SPEAKER SHARKEY:

The distinguished chairman of the Veterans Committee, Representative Hennessey. You have the floor, sir.

REP. HENNESSEY (127th):

Thank you -- thank you, Mr. Speaker. Mr. Speaker, I move for acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, sir?

REP. HENNESSEY (127th):

Thank you, Mr. Speaker. Mr. Speaker, as you know, last year we, the legislature, passed a legislative task force in which for four months during the summer, this group of people that was staffed by

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CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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pat/gbr
SENATE

274
May 7, 2014

003459

And Calendar 517, House Bill 5305, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And Calendar 512, House Bill 5386, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Moving now to Calendar Page 20, where there are two items. The first, Calendar 527, House Bill 5592, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And the second, Calendar 528, House Bill 5453, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Moving to Calendar Page 21 where there is a single item, Calendar 531, House Bill 5299, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

pat/gbr
SENATE

290
May 7, 2014

003475

Calendar 500, House Bill 5547.

On Page 18, Calendar 507, House Bill 5530.

On Page 19, Calendar 512, House Bill 5386.

Calendar 514, House Bill 5521.

Calendar 516, House Bill 5500.

Calendar 517, House Bill 5305.

On Page 20, Calendar 527, House Bill 5592.

Calendar 528, House Bill 5453.

On Page 21, Calendar 531, House Bill 5299.

Calendar 533, House Bill 5290.

On Page 22, Calendar 541, House Bill 5456.

Calendar 539, House Bill 5294.

On Page 24, Calendar 551, House Bill 5588.

Calendar 552, House Bill 5269.

On Page 25, Calendar 564, House Bill 5489.

Calendar 562, House Bill 5446.

On Page 26 --

THE CHAIR:

Hold on. Okay. Sorry. Please proceed.

THE CLERK:

On Page 26, Calendar 568, House Bill 5434.

Calendar 569, House Bill 5040.

Calendar 566, House Bill 5535.

(HB5466)

pat/gbr
SENATE

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May 7, 2014

SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

pat/gbr
SENATE

296
May 7, 2014

An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

Total number voting	36
Necessary for adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**CHILDREN
PART 3
937 – 1206**

2014



TESTIMONY RE: TESTIMONY RE: Raised House Bill No. 5305 AN ACT CONCERNING CADMIUM
IN CHILDREN'S JEWELRY

Public Health Committee

March 6, 2014

Good Afternoon, Senator Gerrantana, Representative Johnson and esteemed members of the Public Health Committee.

I want to thank-you for the opportunity to provide testimony on behalf of the Connecticut Nurses' Association (CNA), as a founding partner of the Coalition for a Safe and Healthy Connecticut. I am Mary Jane Williams Ph.D., RN current chairperson of Government Relations Committee for the Connecticut Nurses Association and professor emeritus from Central Connecticut State University. I am also a founding member of the National Alliance of Nurses for Healthy Environments and currently serve on the Steering Committee.

I speak in strong opposition to: Raised House Bill No. 5305 AN ACT CONCERNING CADMIUM IN
CHILDREN'S JEWELRY

We don't know what the triggers are to the incidence of disease onset. However, we are beginning to develop a strong body of scientific knowledge that establishes cause and effect, until we have multiple well-grounded research studies, we need to apply the Precautionary Principle. The Precautionary Principle asks "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically."

In this context the proponent of the activity, rather than the public, should bear the burden of the proof. The process of applying the precautionary principle must be open, informed and democratic and must include potentially affected parties. It must involve an examination of a full range of alternatives, including no action." (Wingspread Statement on the Precautionary Principle, Jan. 1998).

We Know 1) Cadmium is a heavy metal, used in many products and has replaced lead in many children's products. Cadmium is a probable carcinogen. 2) Cadmium bio-accumulates in the body and in the environment. 3) Cadmium exposure is linked to respiratory problems, lung cancer, gastrointestinal disorders, kidney and liver problems and cardiovascular problems. If ingested, it can cause abdominal pain, cramps, nausea, vomiting and diarrhea. 4) Cadmium has a long half-life and is a cumulative toxin so children's exposure is a particular concern. "After reviewing the literature, Kjellström and Nordberg (1985) developed a range of half-times from their kinetic model of between 6 and 38 years for the human kidney and between 4 and 19 years for the human liver. These high values indicate the persistence of cadmium in the body and the importance of minimizing exposures in children to prevent long-term accumulation and toxicity. " (ATSDR Toxicological Profile of Cadmium)

The literature and research demonstrate the toxic effect of cadmium. Therefore If we have the research and know the outcome of cadmium exposure WHY would we change the current law, lower the standards for Cadmium levels as legislated in 2010 and put our children at unnecessary risk?

Cadmium is extremely dangerous and may be lethal to children. As elected officials charged with protecting the public we serve we must always strive to protect our children, therefore lowering the current standards and possibly increasing the risk to children is unacceptable for the children of Connecticut, our most valuable asset. I strongly urge the committee to oppose Raised House Bill No. 5305 AN ACT CONCERNING CADMIUM IN CHILDREN'S JEWELRY

Thank you

Mary Jane M. Williams PhD., RN



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March 1, 2014

Representative Diana Urban
 Legislative Office Building, Room 4042
 Hartford, CT 06106-1591

Dear Representative Urban,

HB 5305

I offer the following comments regarding the proposal to replace the Connecticut statute which prohibits the manufacture, sale or distribution of children's jewelry that contains cadmium at more than 0.0075 per cent by weight (75 parts per million, or ppm) with the standards contained in the ASTM F2923-11 *Specification for Consumer Product Safety for Children's Jewelry*. The ASTM standard establishes a limit of 300 ppm total cadmium content, and provides that if cadmium content exceeds 300 ppm further testing must be performed to make certain that the bioavailable cadmium extracted does not exceed specified levels.

I make my comments on the basis of having done extensive testing of inexpensive and children's jewelry for both lead and cadmium, and on the basis of having done the most extensive published study¹ on cadmium bioavailability that has been published in the peer-reviewed scientific literature. I have separately included a copy of this paper which was recently published in *Environmental Health Perspectives*. Furthermore, of the four recalls of children's jewelry items for cadmium content and one additional warning about high cadmium content in a jewelry item which have been issued by the US Consumer Product Safety Commission, three of the items were identified as hazardous through testing in my laboratory and reported to the Commission prior to those actions.

It is my opinion that the ASTM F2923-11 test procedure is not adequate to protect children's health with respect to potential hazards of cadmium in children's jewelry.

1. Cadmium is an extremely toxic metal which bioaccumulates in the body. The toxicity of cadmium is well-established in the scientific literature, with primary concerns from chronic exposure including osteotoxicity and kidney damage. A recent review² indicates that a significant fraction of the nonsmoking population in the US (smoking being a significant route of cadmium exposure) has cadmium levels high enough for measure impacts on kidney function to be seen. The authors of this review concluded that "this implies no margin of safety" between current levels of exposure to trace levels of cadmium through the diet and

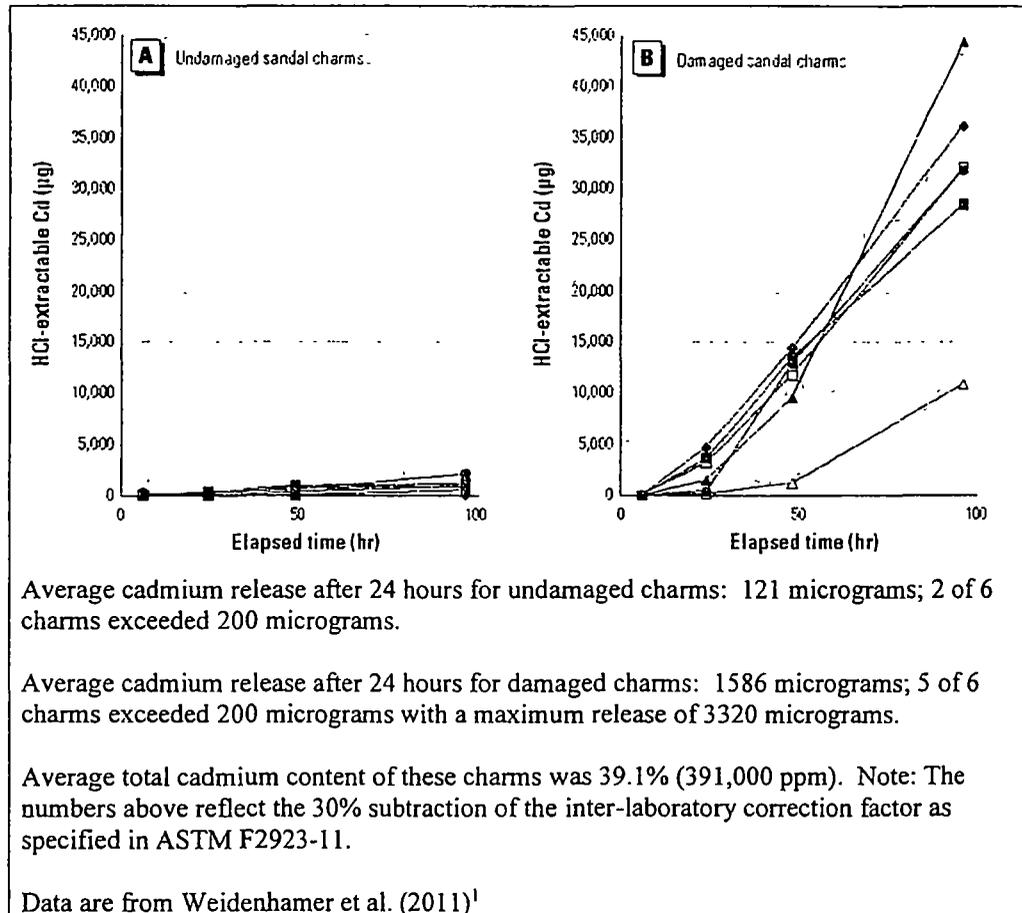
other sources, and levels that would adversely affect health. Thus any exposure of children to cadmium early in life could result in kidney damage and osteoporosis later in life.³

2. The ASTM standard assesses the potential hazards of jewelry items containing more than 300 ppm total cadmium by one of two tests for extractable cadmium. Small items are tested to measure the cadmium that is leached by exposure to a dilute hydrochloric acid solution, simulating exposure to stomach acids. Larger items are tested by measuring the cadmium that leaches into a saline solution, simulating the mouthing of the item.

The logic of basing the ASTM standard on cadmium bioavailability is that if the cadmium is in a form that cannot be leached from the jewelry item by mouthing or swallowing the item, then there is no hazard to a child. The fundamental problem with the ASTM standard is that there is no provision for testing jewelry items that have experienced damage expected through normal wear and use. Damage to the outer surface of an inexpensive children's jewelry item may be expected through abrasion or if a child bites the item, but the ASTM standard gives no consideration to this possibility. The breaching of an outer electroplated coating on a jewelry item by such damage may greatly change the leaching characteristics of the jewelry item, and potentially put a child at greater risk of cadmium exposure from that item. (By contrast, the ASTM standard mandates "use and abuse" testing as part of determination of safety of children's jewelry items which contain magnets.)

3. Testing in my laboratory¹ has shown that damage to a jewelry item can greatly affect the amount of cadmium leached from jewelry items in the bioavailability extractions. We have observed that sometimes the amount of cadmium released is increased, while other times it is decreased due to this damage, presumably due to electrochemical effects based on what metals are exposed to the extracting solutions. However, with the dilute hydrochloric acid extractions used to simulate a worst-case ingestion scenario, the bioavailable cadmium released by some jewelry items increased by more than 10-fold.

The data on the next page are taken from our published paper on cadmium bioavailability.¹ These graphs show the amount of cadmium extracted with dilute hydrochloric acid from six undamaged and six damaged charms from the same jewelry item. The results are summarized below the graphs. Of significance relative to the present discussion is the fact that the amount of cadmium released from these charms increased more than 10-fold when they were damaged, from an average of 121 micrograms over 24 hours for undamaged charms (below the 200 microgram threshold in the ASTM standard) to an average of 1586 micrograms for the damaged charms. The average total cadmium content of these charms was 39.1% (391,000 ppm). The ASTM standard does not impose an upper limit on cadmium concentration, provided that jewelry items pass the appropriate leaching test. Thus the charms tested are an example of items that might pass the extraction tests provided by the ASTM standard, but could pose a serious threat to a child.



Connecticut is not alone in regulating the cadmium content of jewelry based on total content. The European Union has recently enacted a standard restricting the cadmium content of all jewelry items to a maximum cadmium concentration of 0.01% or 100 ppm, effective December 2011.⁴ Unlike other potentially harmful metals such as chromium, which can impart useful properties to steel and is generally recognized as safe when used properly in jewelry and implanted medical devices, there is no inherent functional reason why cadmium needs to be in children's jewelry at high concentrations. I have analyzed many children's jewelry items that contain less than 75 ppm cadmium, supporting the conclusion that cadmium is not essential in these items.

While total content standards do not take potential bioavailability into account, a standard based on bioavailability must take the actual use of the item into account. In the real world, children wear their jewelry, and exposure to cadmium may come from mouthing or swallowing jewelry that has been abraded or bitten. As detailed above, my data indicate that this damage can greatly increase the amount of cadmium released from the item. Testing unabraded, undamaged items as provided in ASTM F2923-11 is thus inadequate to identify jewelry that in real-life use may



Connecticut
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CONNECTICUT PUBLIC HEALTH ASSOCIATION
Testimony in support of
HB 5305- AN ACT CONCERNING CADMIUM LEVELS IN CHILDREN'S JEWELRY
CHILDREN'S COMMITTEE
MARCH 6, 2014

Dear Distinguished Members of the Children's Committee,

The Connecticut Public Health Association supports HB 5305 - AN ACT CONCERNING CADMIUM LEVELS IN CHILDREN'S JEWELRY because the bill, as written, merely extends the enactment date and does not lower Connecticut's standards for the amount of cadmium that can be used in children's jewelry. We base our support on studies that show cadmium poses a significant health threat to children, but we also appreciate that manufacturers often need time to make the changes in their products.

In the past, the Connecticut Legislature has been very proactive in protecting children's health by phasing out lead, asbestos and even Bisphenol A (BPA) from items used by children. Four years ago, the Legislature recognized the dangers that Cadmium exposure posed to young children and passed legislation requiring that children's jewelry not contain more than .0075 of cadmium. The bill before you gives the jewelry industry additional time to comply with Connecticut's law - while this isn't ideal, we are pleased that the .0075 stays constant to protect children from exposure to this toxic heavy metal.

Cadmium is a toxic metal commonly found in nickel-cadmium (Ni-Cad) batteries, paints, metal coatings, and plastics, and is a prevalent environmental contaminant. [1,2,3] Recently, cadmium has been used in making jewelry, often as part of the metal alloys in pendants and charms commonly found in children's jewelry. [1] Manufacturers, particularly those based in India and China, are replacing lead with cadmium as lead has been banned from children's products in many states. [1]

Unfortunately, there is no adequate regulatory system in the United States to ensure chemicals are safe and to prevent toxic substances from being used in children's products. Before using new chemicals in consumer products, current federal regulations do not require manufacturers to prove their safety--the burden falls to consumer to demonstrate that a chemical is toxic [4]. In fact, only 200 of the 80,000 chemicals created over the past thirty years have been adequately tested for their effects on human health [1,3,4].

Cadmium exposure should be limited in children as much as possible to prevent potential health effects in children, and the accumulation of cadmium that may cause diseases later in life. [5] More research is needed to determine the exact effects of cadmium on children; however, there is enough compelling evidence that cadmium is harmful to humans.

When you take into account that small children often put items in their mouths, their exposure risk is increased even more. CPHA maintains that we should not be increasing our youth's exposure to a heavy metal that has been associated with kidney and prostate cancers and hormone-dependent cancers of the breast and endometrium. [6]

There are enormous public health and economic costs associated with the presence of toxic chemicals and metals in our children's environments. Currently, \$8,508 is spent per person per year on health care in the United States. [7]. Add to this number, which as of November of 2013 was the highest in the world, the additional costs of unemployment or the loss of productivity associated with chronic disease and people should take notice. CPHA believes that phasing out harmful chemicals and metals from children's products may result in the reduction of the incidence of diseases linked with toxic chemicals, reduce overall health care expenditures and improve public health. [1]

The Connecticut Public Health Association respectfully urges members of the Children's Committee to support this legislation.

References

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6. http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3002210/#?po=78_5714
7. http://www.upi.com/Health_News/2013/11/13/US-healthcare-Most-expensive-longest-waits-most-red-tape/UPI-30501384398664/



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March 6, 2014

In opposition to HB 5305

An Act Concerning Cadmium Levels in Children's Jewelry

On behalf of the children in Connecticut, the Fashion Jewelry and Accessories Trade Association (FJATA)¹ would like to submit this statement in opposition to HB 5305, which would amend An Act Banning Cadmium in Children's Jewelry, Public Act No. 10-113 (HB 5314). This legislation would change the enforcement date for prescribed cadmium content limits in children's jewelry from July 1, 2014 to July 1, 2016.

It is important to recognize that there is currently another raised bill in the CT Legislature, SB 84, which would amend the cadmium restriction in the above-mentioned public act to harmonize with the cadmium protocols established through ASTM F2923-11, the Children's Jewelry Safety Standard. This standard was developed through a consensus process that included jewelry producers, retailers, testing laboratories and consumer groups, as well as representatives from the U.S. Consumer Product Safety Commission (CPSC). ASTM F2923 addresses all known hazards for jewelry designed and intended primarily for children 12 and under, including lead, cadmium, nickel release, magnets, batteries, and other heavy metal limits. The standard specifically incorporates limits on cadmium derived from the CPSC Staff Report on Cadmium in Children's Metal Jewelry (October 2010)². This peer-reviewed report represents the most extensive review of cadmium in children's jewelry conducted to date and is considered the authority on the topic.

A Review of CPSC's Technical Research and Actions on Cadmium

When reports suggested that cadmium might be present in children's jewelry, both CPSC and FJATA began conducting tests to assess the potential for children to be exposed to harmful levels of cadmium. CPSC also received a petition requesting that it adopt a total content limit of cadmium on "toy jewelry" filed by a coalition of environmental groups in May, 2010³. In the meantime, the state of Connecticut enacted a 75 ppm total content limit before the CPSC's extensive technical work was completed, with an effective date of 2014 in anticipation that additional technical data might become available prior to the effective date.

The CPSC staff's technical report rejected a total content limit as an incorrect assessment of risk pertaining to cadmium in children's jewelry. This report on cadmium in metal and plastic components of children's jewelry establishes that a total content limit is not scientifically valid since "soluble cadmium migration is not generally

¹ FJATA's membership includes in excess of 230 companies, from large multi-national corporations to small family businesses that manufacture and distribute jewelry internationally

² Staff Report, Cadmium in Metal Jewelry, October, 2010, attached to letter to Brent Cleaveland, Executive Director, FJATA, October 19, 2010, available at <http://www.cpsc.gov/PageFiles/115615/cadmiumjewelry.pdf>.

³ Citizen Petition Regarding Cadmium in Children's Products, Especially Toy Metal Jewelry, May 28, 2010, available at <http://www.cpsc.gov/LIBRARY/FOIA/FOIA10/petition/cadmium.pdf>

proportional to cadmium content” and “product composition factors such as element content and coatings have a larger effect on cadmium migration than does total cadmium content.”⁴ Instead, the CPSC recommended migration testing to correctly assess exposure to cadmium. It expressly urged the jewelry and toy industries to consider the agency’s technical input and recommended migration testing on separate ASTM standards for children’s jewelry and toys (ASTM F2923-11 and ASTM F963- 11, respectively). Notably, CPSC’s test results were consistent with test results commissioned by FJATA, which also failed to show a reliable link between total cadmium content and migration⁵

The children’s jewelry safety standard, ASTM F2923-11, adopted the CPSC’s recommendation and adopts a total content screening limit of 300 ppm for cadmium in substrate (plastic or metal) of jewelry with a migration option. Although jewelry containing less than 1.5% cadmium was not found to have the potential for harmful exposure in CPSC’s tests, the standard adopted this lower screening limit of 300 ppm to provide added assurance that products containing this amount of cadmium would never result in adverse health effects to children. The migration standard assures that in the rare instances where items exceed the limit, migration testing would assure safety in accordance with CPSC’s research.

The ASTM F2923-11 approach to managing potential risks of cadmium exposure in children’s jewelry has the support of the CPSC. The agency, in considering whether ASTM F2923-11 would adequately address potential exposure risks to children due to cadmium in children’s jewelry, reiterated its findings, namely, that there was “no clear relationship between the extractability of cadmium from children’s metal jewelry.”⁶ CPSC staff also noted that the 300 ppm screening limit “represents a relatively low cadmium concentration that, in staff’s experience, is not expected to be associated with harmful exposure or subsequent adverse health effects.”⁷ In a bipartisan vote, the four sitting CPSC Commissioners adopted the staff’s recommendation that the standard was health-protective and was widely adhered to, and unanimously denied a petition seeking a mandatory total content limit on cadmium in “toy jewelry” in July, 2012⁸. The CPSC staff and Commissioners have recognized the scientific adequacy of the jewelry safety standard in addressing all potential risks of cadmium in children’s jewelry.

Conclusion

The CPSC Commissioners have recognized and supported the cadmium protocol authorized in the scientifically-reviewed international safety standard for children’s jewelry, ASTM F2923-11. FJATA urges Connecticut to reject HB 5305 and support SB 84, a bill that would harmonize cadmium restrictions in this state with CPSC data, as well as existing state and international requirements.

Sincerely,

Brent Cleaveland

Brent Cleaveland, Executive Director, FJATA

⁴ Memo to Kristina Hatlelid from Ian A Elder, Assessment of Cadmium Migration from Materials, June 3, 2010, contained in CPSC Report Cadmium in Children’s Metal Jewelry, October, 2010, p 55 See footnote 2, *supra*.

⁵ Exponent Technical Report, Evaluation of Cadmium in Metal Jewelry, November, 2010, available at <http://www.fjata.org/wp-content/uploads/EXPONENTcadmiuminjewelryreport2011.pdf>.

⁶ Staff Briefing Package, Staff Update Petition HP 10-2 Requesting Restriction on Cadmium in Toy Jewelry, June 29, 2012, at p. 9, available at <http://www.cpsc.gov/PageFiles/91376/cadmium.pdf>

⁷ *Id* at p. 9.

⁸ See Record of Commission ballot vote at <http://www.cpsc.gov/library/foia/ballot/ballot12/cadmumpet.pdf>

Testimony before PUBLIC HEARING IN CHILDREN'S COMMITTEE, in support of H.B. No. 5354: (RAISED) AN ACT CONCERNING CHEMICALS OF HIGH CONCERN TO CHILDREN; H.B. No 5036 (RAISED) AN ACT CONCERNING CHILDREN'S PRODUCTS AND CHEMICAL OF HIGH CONCERN; H.B. NO 5305 (RAISED) AN ACT CONCERNING CADMIMUM LEVELS IN CHILDREN 'S JEWELRY; H.B. No. 5035 (RAISED) AN ACT CONCERNING TOXIC FIRE RETARDANTS IN CHILDREN'S PRODUCTS and S.B 46 (RAISED) AN ACT CONCERNING PESTICICES ON SCHOOL GROUNDS.

As a former Chair of the Milford Environmental Concerns Coalition, and an aunt of four grand nephews, I still want to participate in the issues that affect the environment and human health.

It took many years for the government to recognize the necessity for laws preventing the use of wastes being dumped into rivers. The change came only when the people who lived down stream, developed cholera. These laws now extend to corporations not to use rivers as dumping grounds for their toxic wastes. We are still trying to clean up these rivers and the land sites used as waste deposits. They are now known as brown fields. I would like to give you two quotes from EF Schumacher, who was a well known Economist, environmentalist and the writer of, "SMALL IS BEAUTIFUL": A study of Economics as if people mattered (1973). He said it all.

1. "Scientific and technological "solutions" which poison the environment or degrade the social structure and man himself are of no benefit, no matter how brilliantly conceived or how great their superficial attraction."
2. "Wisdom demands a new orientation of science and technology toward the organic, the elegant and beautiful."

Please do not let it take years to recognize these hazardous chemicals that are in too many products, flowing into the lives of young children, which are still on the market. If many of these companies can produce green toys for sale in Europe, what is keeping them from selling green products in the United States? Corporate greed is no longer acceptable when health and life are at stake.

We have a right to know what is in the products we purchase for our kids!!!

Submitted by,
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**Connecticut General Assembly
Testimony Before the Children's Committee
In Support of HB 5354 AN ACT CONCERNING
CHEMICALS OF HIGH CONCERN TO CHILDREN**

March 6, 2014 Hartford, CT

Joyce Acebo~Raguskus, Chair Diesel cleanup, Environmental
Concerns Coalition, Clean Water Action, Advocate, Coalition For
A Safe & Healthy CT

My name is Joyce Acebo~Raguskus and I thank you for this privilege to speak in support of HB 5354 AN ACT CONCERNING CHEMICALS OF HIGH CONCERN TO CHILDREN.

I ALSO SUPPORT:

HB 5035 CONCERNING FIRE RETARDANTS,

HB5036 CHILDREN'S "PRODUCTS" & CHEMICALS OF HIGH CONCERN

HB5305 CADMIUM LEVELS CHILDREN'S JEWELRY.

SB46 CONCERNING PESTICIDES ON SCHOOL GROUNDS

PARENT'S HAVE THE RIGHT TO KNOW CHEMICAL OF HIGH CONCERN, WHAT IS IN CONSUMER PRODUCTS, AND WHAT CHEMICALS ARE USED ON SCHOOL GROUNDS. THEY HAVE A RIGHT TO A REPORT OF CHEMICALS OF HIGH CONCERN. CT LEADS FIRST IN OUR NATION TO PASS A BAN BPA, BISPHENOL-A (endocrine disruptor), AND PASSING A RIGHT TO KNOW BILL ON GMO'S. THESE ARE THE SAME CONSTITUTIONAL VISITS.

All of these Bills are asking you to help in the reduction of exposures to toxic chemicals, known to be associated with terrible children's diseases and disorders, which are on the rise, as we sit here deliberating...

THE UMBILICAL CORD CONTAINS WELL OVER 200 TOXIC CHEMICALS INCLUDING PESTICIDES, PCBS...listed in this testimony. We are delivering toxic babies into this world.

This is so not acceptable. Such detrimental toxins do not belong into the life line, the umbilical cord and into newly developing human beings.

I do not believe that we want to continue this flood of contaminating new life.

Chemical warfare is not a concept here. The reality is that vulnerability to chemicals occurs in utero, during infancy, and in early childhood. The number of chemicals known to be toxic to children's developing brains has DOUBLED OVER THE LAST SEVEN YEARS! ref. Dr. Philip Landrigan, Mt. Sinai School of Medicine, Dr. Philippe Grandjean, Harvard School of Public Health.

Biomonitoring studies demonstrating such toxic chemicals in umbilical cords, NO, they do not belong there! I ask, is there anyone here who would deny that the unborn are at war with these chemical invaders. The industry that for decades has flooded the consumer market with known toxins, supports this invasion. We need to overhaul the regulatory process worldwide in order to protect children's brains. We must start state by state, right here in these rooms!

These chemicals are permanently damaging to the brain. The fragile developing brain in utero, the body's most uniquely vulnerable organ, is in our hands, your hands, and everyone in this room...ally or not.

We have allowed this chemical warfare, with few regulations, federal safe chemical laws that have not been updated since the 70's (TSCA), leaving ourselves wide open to danger. Thirty years of study has identified neurotoxins that impact brain development and cause a number of neurodevelopment disabilities, including attention-deficit hyperactivity disorder, autism, dyslexia and other cognitive damage, irreversible damage.

Let us join together and be on the side of prevention for the unborn, not the side of 'passive destruction,' contributing to rising illness in our children. PARENTS HAVE THE RIGHT TO KNOW AND A LIST OF CHEMICALS OF CONCERN and stop exposures such as pesticides on school grounds, which trail into homes for long periods.

As Dr. Landrigan shares, children will struggle from birth and are at "risk of becoming the first generation in a century to live shorter, less healthy lives than their parents. Science is showing strong correlations between exposures to synthetic chemicals in the environment and increasing rates of such chronic diseases in children such as asthmas, autism. Type2 diabetes, ADHA, leukemia and yes brain cancer." This should be alarming to us all who have the mind to make healthy minds.

Do we want to continue flooding the umbilical with lead, methyl mercury, arsenic, polychlorinated biphenyls, (PCBS) and toluene, and more. I don't think so.

My goodness, what living cell has a chance for a healthy life?

In closing I would like to thank you for your continued diligence and compassion for the welfare of our children of CT.

Joyce Acebo~Raguskus, 174 Eastern Parkway, Milford, CT 06460