

CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL CALIFORNIA'S LEAD-CONTAINING JEWELRY LAW QUESTIONS AND ANSWERS

Q. Why is lead used as an ingredient in jewelry?

A. Lead is used in jewelry-making for several reasons. First, it makes the base metal easier to shape and form. Second, it makes jewelry heavier, so it seems more substantial. Lastly, lead is cheaper to use than other metals, such as zinc. Lead is also sometimes used as a stabilizer in some plastics, such as polyvinyl chloride (PVC), which is often incorporated into children's jewelry items.

Q. Why is lead-containing jewelry a concern?

A. Excessive exposure to lead can cause many health effects, ranging from behavioral problems and learning disabilities to organ failure, and even death. Children six years old and younger are more susceptible to adverse health effects because their bodies are growing quickly and their brains are still developing. Lead-containing jewelry poses a particular concern because children often place jewelry in their mouths, which can result in lead absorption at dangerous levels or very serious health effects if the jewelry is accidentally swallowed.

Q. What is being done to prevent jewelry containing high levels of lead from entering the marketplace?

A. California's Lead-Containing Jewelry Law places limitations on the lead content of jewelry. Anyone who manufactures, ships, sells or offers for sale jewelry for retail sale in California must comply with the restrictions specified in the law beginning September 1, 2007 for children's jewelry and March 1, 2008, for all other jewelry, including body piercing jewelry. This law incorporates the terms of a consent judgment resulting from a 2006 Proposition 65 lawsuit regarding lead in jewelry, applying the requirements of that judgment to all parties that manufacture, ship, sell or offer for sale jewelry for retail sale in California.

Q. How does the California Department of Toxic Substances Control (DTSC) intend to enforce the Lead-Containing Jewelry Law?

A. DTSC intends to respond to complaints of jewelry suspected to be out of compliance with the law in addition to conducting marketplace surveillance. DTSC's enforcement of the law is primarily limited to those who were not signatories to a 2006 Proposition 65 settlement involving a large number of jewelry retailers and businesses (see <http://ag.ca.gov/prop65/pdfs/amendedConsent.pdf>).

Q. How does jewelry containing high levels of lead make its way into the marketplace?

A. Jewelry containing high levels of lead are often manufactured in other countries and imported into the United States. Most of the jewelry subject to recent U.S. Consumer Product Safety Commission (U.S. CPSC) recalls were manufactured in China, although some recalled jewelry were manufactured in India and other foreign countries.

Q. How widespread is jewelry containing high levels of lead?

A. In the past few years, the U.S. Consumer Product Safety Commission (U.S. CPSC), which is the federal agency charged with protecting the public from unreasonable risks of serious injury or death from consumer products, has announced numerous jewelry recalls, mainly for jewelry manufactured in China. These recalls were initiated because the U.S. CPSC determined that the jewelry contained dangerous levels of lead, thus posing a risk of lead poisoning in children.

Q. How do stores know if their vendors are providing jewelry containing high levels of lead?

- A. Many jewelry manufacturers and suppliers advertise lead-free jewelry items. While DTSC has not confirmed that these claims are reliable, such suppliers may be more likely to be in compliance with the lead in jewelry law than suppliers that do not make this claim.

In addition, suppliers and retailers of jewelry should require reliable and independently validated certifications from manufacturers and distributors that their jewelry is in compliance with the law or the 2006 Proposition 65 consent judgment.

Q. How should I dispose of jewelry if it contains lead and I no longer want it?

- A. Parents should immediately take jewelry believed to contain lead away from their children. DTSC has not yet determined if jewelry containing lead above the levels allowed under the lead in jewelry law would be considered a hazardous waste if it is disposed. Until this determination is made, DTSC recommends that all suspected lead-containing jewelry be disposed of in a manner that eliminates any access by children.

Q. How do I know if my jewelry is safe?

- A. You cannot tell if a piece of jewelry contains lead just by looking at it. A lead measurement (a chemical test) must be performed. A lead swab test, such as those purchased from a hardware store for lead paint detection, might indicate if the surface of the jewelry contains lead, but it will probably not detect lead present beneath the surface coating. The only way to tell if an item contains lead for certain is to have it analyzed by a laboratory. As an added measure, consumers should look for jewelry items that are marked "lead-free". Although such labels do not absolutely guarantee that the jewelry does not contain lead, jewelry bearing such labels may be less likely to contain lead. In any case, if parents allow their children to wear jewelry, they should monitor their children to ensure jewelry is not placed in their mouths.

Q. Can lead be absorbed through the skin?

- A. Exposure to lead occurs mainly from ingestion, such as eating or putting objects into the mouth, putting young children particularly at risk. Exposure to lead can also occur from inhalation, such as breathing lead that is scattered in the air as dust, fume or mist. However, absorption of lead through the skin from wearing jewelry is not likely to contribute to exposures of concern.

Q: What can I do if I believe my child has put lead-containing jewelry into his/her mouth?

- A: You should consult your health care provider and request a blood test to determine whether your child has been exposed to lead recently. A blood lead test is the only way you can find out if your child has an elevated blood lead level, however, an elevated blood lead level will not tell you if the lead exposure came from lead-containing jewelry or another source of lead.

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