

JAN 21 2011

S.B. NO. 916

A BILL FOR AN ACT

RELATING TO CADMIUM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that cadmium is an
2 extremely toxic metal that increasingly has been detected in
3 high levels in children's products, most notably, products
4 manufactured in China and imported for sale in the United
5 States. Cadmium is frequently found in children's products made
6 of metal, such as jewelry and clothing accessories, but it has
7 also been found in pigments and paints that are used in
8 children's toys and products other than jewelry and clothing.
9 Children are at particular risk because of their propensity to
10 bite, chew, or suck on their toys, jewelry, and other articles.
11 The legislature further finds that cadmium, even if ingested in
12 small amounts, can cause kidney failure and bone damage, while
13 repeated exposure to cadmium can cause cancer. Small children
14 exposed to cadmium can experience delayed brain development.

15 The legislature finds that it is in the best interest of
16 Hawaii's children to significantly reduce their exposure to
17 cadmium as early as possible and, ultimately, eliminate exposure
18 altogether.



1 The purpose of this Act is to ensure the health and safety
2 of children in the State by prohibiting the manufacture, sale,
3 and distribution of children's products that contain cadmium.

4 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§321- Cadmium in children's products; prohibition.

8 (a) After June 30, 2013, no person shall manufacture, sell,
9 offer for sale, or otherwise distribute in the State any
10 children's product that contains cadmium in an amount more than
11 .004 per cent by weight.

12 (b) As used in this section:

13 "Cadmium" means elemental cadmium and any compounds or
14 alloys that contain cadmium.

15 "Children's product" means any consumer product or
16 component thereof that is designed and intended primarily for
17 use by children under twelve years of age, including but not
18 limited to jewelry, clothing and accessories, decorative
19 objects, backpacks, candy, food, dietary supplements and other
20 edible or chewable items, toys, furniture, or other articles
21 used by or intended to be used by children.



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1 (c) The director shall adopt rules pursuant to chapter 91
2 for the purpose of this section, including rules that provide
3 for product testing and enforcement of this section."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Cadmium; Children's Products

Description:

Prohibits the sale, manufacture, and distribution in the State of children's products that contain cadmium.

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