

Chapter 578

(House Bill 145)

AN ACT concerning

~~Health~~ Environment – Cadmium in Children’s Jewelry – Prohibition

FOR the purpose of prohibiting a person, on or after a certain date, from manufacturing, selling, offering for sale, or distributing in the State certain children’s jewelry that contains a certain amount of cadmium; ~~requiring~~ authorizing the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to adopt certain regulations; providing that this Act does not apply to certain toys regulated under a certain federal law; defining certain terms; and generally relating to a prohibition on cadmium in children’s jewelry.

~~BY adding to~~

~~Article – Health – General
Section 24-305
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)~~

BY adding to

Article – Environment
Section 6-1401 through 6-1404 to be under the new subtitle “Subtitle 14.
Cadmium in Children’s Jewelry”
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

~~Article – Health – General~~

~~24-305.~~

Article – Environment

SUBTITLE 14. CADMIUM IN CHILDREN’S JEWELRY.

6-1401.

(A) ~~(1)~~ (1) IN THIS ~~SECTION~~ SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(2)~~ (B) “CADMIUM” MEANS ELEMENTAL CADMIUM AND ANY COMPOUND OR ALLOY THAT CONTAINS CADMIUM.

~~(3)~~ (C) “CHILDREN’S JEWELRY” MEANS ANY JEWELRY, INCLUDING A CHARM, BRACELET, PENDANT, NECKLACE, EARRING, OR RING, AND ANY COMPONENT OF JEWELRY, DESIGNED OR INTENDED TO BE WORN OR USED BY A CHILD UNDER THE AGE OF ~~12~~ 13 YEARS.

6-1402.

~~(B)~~ ON OR AFTER JULY 1, 2012, A PERSON MAY NOT MANUFACTURE, SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE ANY CHILDREN’S JEWELRY THAT CONTAINS CADMIUM AT MORE THAN 0.0075% BY WEIGHT.

6-1403.

~~(C)~~ ~~THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IN CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL~~ MAY ADOPT REGULATIONS TO IMPLEMENT THIS ~~SECTION~~ SECTION SUBTITLE.

6-1404.

~~(D)~~ THIS ~~SECTION~~ SECTION SUBTITLE DOES NOT APPLY TO ANY TOY REGULATED FOR CADMIUM EXPOSURE UNDER THE FEDERAL CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 2008.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.