

1.1 A bill for an act

1.2 relating to commerce; regulating cadmium in children's jewelry; proposing
1.3 coding for new law in Minnesota Statutes, chapter 325E.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [325E.3891] CADMIUM IN CHILDREN'S JEWELRY.

1.6 Subdivision 1. Definitions. (a) As used in this section, the term:

1.7 (1) "accessible" has the meaning given in section 3.1.2 of the ASTM International
1.8 Safety Specification on Toy Safety, F-963-08;

1.9 (2) "child" means an individual who is six years of age or younger; and

1.10 (3) "children's jewelry" means jewelry that is made for, marketed for use by, or
1.11 sold to a child.

1.12 Subd. 2. Prohibitions. (a) A person may not use or apply cadmium in excess of
1.13 75 parts per million on any surface coating or accessible substrate material of children's
1.14 jewelry, as determined through solubility testing for heavy metals defined in the ASTM
1.15 International Safety Specification on Toy Safety, ASTM standard F-963-08, if the product
1.16 is sold in this state. This section shall not regulate any product category for which an
1.17 existing federal standard regulates cadmium exposure in surface coatings and accessible
1.18 substrate materials.

1.19 (b) The prohibitions under this subdivision do not apply to sales or free distribution
1.20 of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal
1.21 Revenue Code or to isolated and occasional sales of jewelry not made in the normal
1.22 course of business.

1.23 Subd. 3. Enforcement. The attorney general shall enforce this section under section
1.24 8.31.

2.1 Sec. 2. **EFFECTIVE DATE.**

2.2 This act is effective January 1, 2011.