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From the Baltimore Sun

City plans to ban tainted jewelry

U.S. fails to protect children from lead, health chief says

By Chris Emery
Sun reporter

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Declaring that the federal government has failed to protect children from lead, Baltimore's health commissioner has announced plans for a citywide ban on the sale of jewelry found to contain dangerous levels of the metal.

Dr. Joshua Sharfstein, the commissioner, said that this month his agency surveyed six sellers of jewelry made for children and found four of 17 products had unacceptably high amounts of lead.

"The fact that we keep finding lead in these products, despite the fact that it's unsafe, is a clear sign that the federal regulation has failed," he said yesterday at a news conference.

Federal officials agree that there's a national problem but say they've taken strong steps to curb it. The U.S. Consumer Product Safety Commission has negotiated voluntary recalls with a number of companies. In March, for example, Reebok International Ltd. of Canton, Mass., agreed to withdraw from the market 300,000 heart-shaped charm bracelets distributed as gifts with the purchase of certain shoes.

Reebok, according to the commission, received a report of a lead poisoning death of a 4-year-old from Minneapolis who swallowed a piece of a bracelet. It was that report, Sharfstein said, that caused him to take action.

Among the suspect pieces of jewelry identified by the health department was a pearl ring, purchased as part of a three-piece "Princess Collection" set from a Claire's store in the [Inner Harbor](#). It contained more than 100 times the level of lead acceptable under federal regulations.

Another ring, decorated with hearts and purchased as part of a "Girl Connection" jewelry set from a Port

Covington Wal-Mart, contained six times the acceptable lead amount. Testing also showed high lead levels in two other rings purchased at Claire's stores in the city.

The federal limit is 600 parts per million of lead. Young children who mouth or swallow jewelry containing high levels of lead can suffer brain damage or even death, Sharfstein said.

Parents of children under 6 years old who suck on their fingers or like to put things in their mouths should be especially cautious about what jewelry they let their kids wear, experts said.

Sharfstein said he plans to institute the new regulation soon after Sept. 29, the deadline for public comment on the proposed ban. The proposal, which does not require action by the City Council or mayor, would require city health officials within six months to randomly test about 100 pieces of jewelry that might be used by children under 6 years old. Products found to exceed the federal limit would be banned from sale in the city.

Stores that continued to sell a banned product could be fined up to \$1,000 for each offense.

Claire's removed the pearl ring from its Baltimore stores after the high lead levels were discovered, according to Merissa Jacobs, a spokeswoman for the corporation, which has 31 stores in Maryland and more than 2,000 stores nationwide.

Jacobs said the rings are still being sold in Claire's stores elsewhere in Maryland and around the country, pending in-house lead testing of the product by the company. "We don't have anything that tells us there is a danger with this product," she said.

She characterized the chance of the jewelry injuring a child as a "remote possibility."

"We believe the jewelry we are selling is safe," she said. "The concern here is only if a small child should swallow the jewelry."

After Wal-Mart was notified of the high lead levels in the heart-patterned ring sold in its Baltimore store, the company pulled the product from its stores nationwide, according to spokesman John Smiley. He said the company is conducting its own lead tests on the rings.

"Until we can independently determine if the product is safe, the responsible thing to do would be to pull it from sale," he said.

Sharfstein said that what Wal-Mart is doing "is exactly the right response." He said it is "a mistake" for Claire's not to pull all its products off the shelves right away.

Sharfstein said federal regulations concerning lead in children's jewelry are vague and enforcement policies too lenient, allowing contaminated jewelry imported from such countries as China, India, Mexico and Honduras to make its way onto the shelves of U.S. stores.

But Patty Davis, a spokeswoman for the Consumer Product Safety Commission, said the agency has recently stepped up efforts to keep stores from selling dangerous jewelry. "We believe we are having an impact on the marketplace," she said.

Over the past two years, the commission required retailers to recall more than 168 million pieces of children's jewelry due to high lead levels, she said. Of those pieces, 150 million had been imported from

India and were sold in vending machines. They were recalled in 2004 after a 4-year-old Oregon boy suffered neurological damage from swallowing a piece of jewelry purchased from a machine.

Davis said most companies comply voluntarily with product recalls issued by the CPSC and companies that refuse to comply can be fined.

"About 99.9 percent are done with the voluntary cooperation of the manufacturers, importers and retailers," she said. "We believe that the federal law is working."

The incidence nationally of children 5 and younger with dangerous lead levels in their blood has dropped from 4.4 percent to 1.6 percent in the past decade, she said, attributing the decrease in part to federal efforts to reduce lead in paint, furniture and other products.

Sharfstein says, however, that the federal laws and enforcement policy regarding jewelry allow companies too many loopholes.

As an example, he said the commission's technical definition of lead poisoning in children - anything above 10 micrograms of lead per deciliter of blood - is too high and at odds with U.S. Centers for Disease Control and Prevention guidelines that say no level of lead is acceptable in children.

Sharfstein was joined yesterday by children's advocates and other public health experts in calling for more stringent state and federal regulation of lead in children's jewelry.

"The lack of regulation puts children in harm's way when it's not necessary," said Ruth Ann Norton, director of the Coalition to End Childhood Lead Poisoning, a Baltimore nonprofit.

"The children's jewelry market should be something that is fun, that parents can rely on to be safe, that basically brings joy," she said, "not something that brings poisoning, harm, irreversible damage or even death."

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