

Tween Brands to limit toxic cadmium in its jewelry

March 22 2011, By JUSTIN PRITCHARD , Associated Press

(AP) -- In the first settlement of its kind, national jewelry seller Tween Brands Inc. will effectively eliminate the toxic metal cadmium from the bracelets, necklaces and other items it sells.

The agreement covers jewelry sold in California, but given the size of the state's market, it becomes company policy nationally. It covers jewelry intended for children, teens and adults, expanding the age range from the preteen girls who had been the focus of concern after high levels of cadmium in jewelry surfaced over the past year.

Last July, Tween recalled about 137,000 pieces of jewelry that had been made in China due to unspecified high levels of cadmium. While test results from that recall have not been publicly released, some of the five other cadmium jewelry recalls orchestrated last year by the U.S. [Consumer Product Safety Commission](#) involved pieces that were more than 90 percent cadmium, according to laboratory testing conducted for The Associated Press.

Under the agreement, starting in January 2012, Tween faces fines if it sells jewelry that is more than 0.03 percent cadmium - a background level that doesn't suggest the cadmium was intentionally added. A state judge still needs to approve the settlement, but that is almost never an issue in these cases.

The case against Tween was brought by the Center for Environmental Health, a California-based group that has long used the state's

Proposition 65 to force companies to reduce levels of harmful materials in consumer products. The center said it hoped that the settlement, filed with California's attorney general Friday, would serve as a model for the 39 other retailers or jewelry suppliers against which it has filed cadmium actions over the past year.

The center's lawyers are still negotiating with a group of other companies.

"Tween is really being a leader and doing the right thing," said Caroline Cox, the group's research director.

The center said that the jewelry that led to the case - which it bought in February 2010 at a Tween-owned store called Justice - was 69 percent cadmium.

Last year, California passed a law that limited jewelry to 0.03 percent cadmium content, but when it goes into effect in January, the levels only apply to jewelry for kids 6 and under. That law, as well as those in three other states, was enacted after an AP investigation revealed that some Chinese jewelry manufacturers were substituting cadmium for lead, the use of which Congress clamped down on in 2008 following a string of imported product safety scandals.

Cadmium is a soft, whitish metal that, if ingested over time, can damage the kidneys and bones; a large-enough single dose can kill. Cadmium also causes cancer, and some research suggests it can stunt the development of young brains.

Tween - which in the settlement denied any wrongdoing but will pay the state, the center, and its lawyers a total of \$45,000 - issued a statement in response to questions posed by AP: "As a company, we are committed to working to ensure the well-being of our customers, and continue to work

to ensure all of our products meet or exceed safety standards."

Meanwhile, the head of a trade group representing the jewelry industry said to expect a new, voluntary standard for cadmium limits in jewelry intended for children 12 and under by the summer.

Under that standard, jewelry suppliers would screen items with an X-ray gun that estimates levels of various metals and any piece that registered more than 0.03 percent cadmium would be sent to a lab for more rigorous testing, according to Brent Cleaveland, executive director of the Fashion Jewelry and Accessories Trade Association.

The further testing would gauge how much [cadmium](#) escapes from the jewelry - as opposed to how much it contains - by simulating what would happen either if a child licks or swallows the jewelry and it is digested for 24 hours.

[Jewelry](#) that failed acceptable exposure standards published by CPSC last fall would be in violation. Those standards still have to be decided by members of committees at the private-sector organization ASTM International, which sets voluntary industry safety standards for everything from medical products to toys.

That process should be wrapped up by July, said Cleaveland, who heads the ASTM subcommittee devising the standard.

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Citation: Tween Brands to limit toxic cadmium in its jewelry (2011, March 22) retrieved 2 May 2024 from <https://medicalxpress.com/news/2011-03-tween-brands-limit-toxic-cadmium.html>

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