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## Despite new lead laws, consumers still need to be vigilant

By Tom Watson

Special to The Seattle Times

After using lead for more than 6,000 years, humans are finally learning how to prevent it from poisoning us.

Decades of progress has been made reducing or eliminating lead in products such as gasoline and paint. But lead still poses a toxic threat, most recently illustrated by the recalls of millions of imported toys contaminated with lead paint.

This year, Washington state and the federal government have turned up the heat with aggressive new laws and regulations on lead. Consumers still need to take their own precautions, but these measures will go a long way to reduce the health threat from this toxic heavy metal.

Children are especially susceptible to lead poisoning, which can devastate their developing nervous systems.

### Evergreen State out front

In April, Gov. Christine Gregoire signed the Children's Safe Products Act boasting the toughest lead standards in the nation, a limit of 90 parts per million (ppm). Then the U.S. Congress passed its own law with lead standards, the Consumer Product Safety Modernization Act, signed by President Bush in August. The toy industry mostly supported the federal law, preferring that rather than a patchwork of state laws.

"Washington state led the way, and I think made it possible for the federal law to pass," said Ivy Sager-Rosenthal, campaign director for Seattle-based Washington Toxics Coalition (WTC) and a leader in lead-reduction efforts.

However, the new U.S. law has less-strict standards and will ironically pre-empt the lead provisions of the

state law. The federal law sets lead limits of 600 ppm to go into effect Feb. 10, 2009; 300 ppm six months later and 100 ppm in three years if "technologically feasible."

[HealthyToys.org](http://HealthyToys.org), a national project supported by WTC and other consumer groups, independently tests toys and found seven last year with lead levels of 5,000 ppm or higher.

The federal government already has a recall standard for lead paint in toys of 600 ppm, but the new law expands the standard to cover lead in other forms, and in all children's products.

Most significantly, toys and other children's products will now have to be tested for toxics before they are sold. The new federal measure, which restricts potentially hazardous chemicals called phthalates as well, also provides increased funding for the U.S. Consumer Product Safety Commission to enforce the new law.

While Sager-Rosenthal would have liked to have seen the federal law include the same immediate strict standards as the state measure, she said she applauds Congress for sending a message to the industry that "they are not going to stand for toxic chemicals in children's products."

### **Heavy metal holidays?**

Since manufacturers and retailers can legally sell children's products with high lead levels until February, consumers will mostly need to fend for themselves this holiday season. But a few major retailers, including Wal-Mart and Toys R Us, have stepped up by already imposing tough lead limits of 90 ppm for paint and coatings on their toys.

For guidance on toxic-free toys, Sager-Rosenthal suggests consumers consult the *HealthyToys.org* and [SafeStartforKids.org](http://SafeStartforKids.org) Web sites. And think twice before buying metal jewelry for children — about 20 percent of children's metal jewelry contains high levels of lead, says Consumer Reports.

If you want to test products yourself, Consumer Reports recommends the LeadCheck and Lead Inspector kits, available online or at hardware and home-improvement stores.

### **Off the wall**

Though lead in toys has gotten all the press lately, lead paint in older homes poses a greater risk to children overall. About 38 million homes in America contain lead paint, according to the National Center for Healthy Housing, a Maryland-based nonprofit.

Last spring, the U.S. Environmental Protection Agency announced a new lead-safety regulation for home renovations. Under this rule, which takes effect in April 2010, contractors doing projects that disturb lead-based paint in pre-1978 homes must be certified and follow specific practices to prevent lead contamination. If you renovate your own older home, always be sure to minimize dust and clean up thoroughly.

Efforts to reduce lead hazards in homes are part of Washington state's ambitious Chemical Action Plan for Lead, which includes recommendations on education, recycling and product phase-outs. Citizens can comment on this proposal until Monday. For details, see [www.ecy.wa.gov/programs/swfa/pbt/leadcap](http://www.ecy.wa.gov/programs/swfa/pbt/leadcap).

### **Not so sweet**

Even with all we know about the dangers of lead, new hazards keep popping up. Several candies, mostly imported from Mexico or Asia, have recently been found to contain lead exceeding the recommended federal level for candy of 0.1 ppm. Sources of the lead may include candy wrappers and ingredients such as chili powder and tamarind.

Public Health — Seattle & King County is studying this issue and may have recommendations or new information in the coming months. In the meantime, if you buy candies from Mexico or Asia, check Web sites such as the California Department of Public Health news page for warnings.

*Tom Watson is project manager for King County's Recycling and Environmental Services. Reach him at [tom.watson@kingcounty.gov](mailto:tom.watson@kingcounty.gov), 206-296-4481 or [www.KCecoconsumer.com](http://www.KCecoconsumer.com).*