

FEDERAL LAW HR 4040
Also known as the CPSIA
the Consumer Product Safety Improvements Act of 2008

The following report should provide you with a thorough understanding of **federal law HR 4040** also known as the **CPSIA** (the Consumer Product Safety Improvements Act of 2008).

Scope of the regulation

The CPSIA pertains to **children's products ONLY**. There are no federal laws, regulations or standards in effect for adults' products that would restrict the use of crystal.

The state standards in **California** (A.B. 1681 for jewelry) and their equivalent in Minnesota are still in effect, **permitting unrestricted use of leaded crystal on adults' jewelry**.

Definition of products covered by HR 4040

While the CPSIA contains some general obligations, the CPSIA lead limits apply **ONLY to children's products**. Children's products are defined as "a consumer product **designed or primarily intended for children 12 years of age or younger**".

Timing and Provisions:

Certain provisions of HR 4040 pertaining to children's products will be implemented over the next three years. Those seeking an in-depth understanding of the provisions should read the law in its entirety and/or seek advice from a legal counsel.

Members of the Fashion Jewelry Trade Association may sign up to receive updates regarding federal and state regulations, as well as a monthly newsletter. For further information, have a look at the organization's website (<http://www.fjta.org>) or call 401-295-4565. Swarovski is the world leader in the manufacture of crystal for industrial and consumer applications, including figurines and jewelry. Our proprietary formulas and processes are based on years of experience, and the quality and safety of our products is recognized throughout the world.

Recently, there has been an increased regulatory focus on potential human exposure to lead from various consumer products, including jewelry. We hope that our customers will find this overview of current requirements applicable to lead in jewelry and other products useful. Recognizing that the regulatory landscape is rapidly changing, however, it remains the responsibility of our business customers to assure that their use of crystal in jewelry and other products is consistent with all applicable requirements.

How is lead in crystal different from lead in other products? Crystal has unique properties. The crystal manufacturing process creates a matrix, which inhibits the mobility of lead. Because of this structure, lead crystal poses no significant risk of excessive lead exposure to human health via surface contact (hand to mouth), mouthing or even ingestion. By contrast, lead in other materials that might be used in jewelry, such as coatings, metal or plastic, may be accessible to consumers. That is why some regulatory bodies, like the Consumer Product Safety Commission (CPSC), have focused on children's metal jewelry and surface coatings, and not crystal.

Has crystal been tested to assess the potential for lead exposure? Swarovski crystals have been tested under a variety of test methods for extractable lead, including the CPSC's Standard Operating Procedure for Determining Lead (Pb) and Its Availability in Children's Metal Jewelry, ASTM F963-03 (the standard on accessible lead in toys), and EN 71/3 (the European standard for lead in toys).

What are the current national limits applicable to lead in crystal jewelry? The Consumer Product Safety Improvement Act (CPSIA) of 2008 was signed into law by President Bush on August 14, 2008.

According to this law, the age of a child has been defined as 12 and under. All products for a child are required to have less than 600ppm lead by February 10, 2009 and the limit progressively decreases to 300ppm within 1 year and 100ppm within 3 years, if feasible. The CPSC does not have any restrictions on the use of crystal in adult jewelry; therefore, this would only be relevant to products intended for children as defined above.

Do state limits apply to crystal jewelry? The CPSIA includes language that prevents states from passing their own lead limits on children's products. The states that had legislation in place prior to the Federal Act passing will now defer to the national standard. Certain states that have legislation referencing lead in adult products would not be affected by the CPSIA.

What is Swarovski doing? Swarovski will try to keep you informed of actions that affect your use of our products. Recognizing that the regulatory landscape changes often, it remains the responsibility of our business customers to assure that their use of crystal in jewelry and other products is consistent with all applicable requirements.