

---

**Select Committee on  
Environmental Health**

---

**HB 2882**

**Brief Description:** Concerning the labeling of lead-containing products.

**Sponsors:** Representatives Wood, Hudgins, Hasegawa and Ormsby.

**Brief Summary of Bill**

- Prohibits manufacturers and wholesalers from selling a lead-containing product at retail in this state, to a retailer in this state, or for use in this state, unless the product is labeled to show the percent content of lead.
- Allows the Department of Ecology to adopt rules to implement this chapter.
- Authorizes a fine of up to \$1000 for each violation in the case of a first violation and up to \$5000 for each repeat violation.

**Hearing Date:** 1/22/08

**Staff:** Ashley Pedersen (786-7303).

**Background:**

According to the United States Environmental Protection Agency, exposure to lead is highly dangerous, especially to children ages six and younger. Young children are more likely to ingest lead dust, and as such, are at higher risk for lead poisoning. In addition, children are more likely to be affected by lead poisoning than adults due to their smaller and still developing bodies. Lead poisoning in children can cause irreversible learning difficulties, mental retardation, and delayed neurological and physical development.

**Summary of Bill:**

**Labeling:**

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Effective January 1, 2010, manufacturers and wholesalers may not sell a lead-containing product at retail in this state, to a retailer in this state, or for use in this state, unless the lead-containing product is labeled. This prohibition does not apply to lead-containing products that contain less than 0.009 percent lead.

Manufacturers are primarily responsible for affixing the labels on lead-containing products. A lead-containing product is properly labeled if it has a label and an imprint identifying the percentage content of lead in a minimum of 10 point font. The label must be on the outer portion of the package viewable to consumers at the time of purchase, or, if the lead-containing product is not contained in a package, then directly on the lead-containing product.

Manufacturers, wholesalers, and retailers are prohibited from removing any required label or imprint that relates to lead.

**Transporting and Storing:**

Manufacturers, importers, and domestic distributors are not prohibited from transporting products through the state or from storing products in the state for later distribution outside the state.

**Penalties:**

A violation of this chapter or any rule adopted under this chapter is punishable by a civil penalty of up to \$1000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty of up to exceed \$5000 for each repeat violation. Penalties collected under this section must be deposited in the State Toxics Control Account created in RCW 70.105D.070.

**Rules:**

The Department of Ecology may adopt rules to implement this chapter.

**Appropriation:** None.

**Fiscal Note:** Requested on January 18, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.