
ENGROSSED SUBSTITUTE SENATE BILL 5975

State of Washington

69th Legislature

2026 Regular Session

By Senate Environment, Energy & Technology (originally sponsored by Senators Harris, Cleveland, and Hasegawa)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to providing consumer access to safe cookware and
2 interstate and international trade certainty in the regulation of
3 lead in cookware; amending RCW 70A.565.010 and 70A.565.020; adding a
4 new section to chapter 70A.565 RCW; and adding a new section to
5 chapter 70A.350 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 70A.565.010 and 2025 c 266 s 1 are each amended to
8 read as follows:

9 The definitions in this section apply throughout this chapter
10 unless the context clearly requires otherwise.

11 (1)(a) "Aluminum or brass cookware" means the following items
12 when made of brass or aluminum: Pots, pans, kettles, griddles,
13 grills, internal pots for devices such as rice cookers or pressure
14 cookers, and similar vessels or surfaces in or on which food is
15 cooked.

16 (b) "Aluminum or brass cookware" does not include:

17 (i) Items with only an internal layer of aluminum or brass that
18 is (~~completely~~) enclosed by stainless steel; or

19 (ii) The electrical components of electronic cooking devices and
20 the body of electronic cooking devices with removable cooking
21 containers, such as slow cookers, rice cookers, and pressure cookers.

1 (2) "Aluminum or brass cookware component" means cookware parts
2 made of aluminum or brass such as lids, rivets, fasteners, valves,
3 and vent pipes.

4 (3) "Aluminum or brass utensils" means tools made from aluminum
5 or brass such as knives, forks, spoons, spatulas, and similar tools
6 used for preparing, serving, or eating food, unless ~~((completely))~~
7 enclosed by stainless steel.

8 (4) "Department" means the Washington state department of
9 ecology.

10 (5) (a) "Intentionally added" means lead added to aluminum or
11 brass cookware, cookware components, or utensils that serves an
12 intended function in the final product or in the manufacturing of the
13 product or part of the product.

14 (b) "Intentionally added" does not mean lead present from the use
15 of recycled materials.

16 (6) "Manufacturer" means any person, firm, association,
17 partnership, corporation, governmental entity, organization, or joint
18 venture that produces a product or is an importer or domestic
19 distributor of a product sold or offered for sale in or into the
20 state.

21 ~~((+6))~~ (7) "Vulnerable populations" has the same meaning as
22 defined in RCW 70A.02.010.

23 **Sec. 2.** RCW 70A.565.020 and 2025 c 266 s 2 are each amended to
24 read as follows:

25 (1) Beginning January 1, 2027, no manufacturer may manufacture,
26 sell, offer for sale, distribute for sale, or distribute for use in
27 this state aluminum or brass cookware, aluminum or brass utensils, or
28 an aluminum or brass cookware component containing lead that has been
29 intentionally added.

30 (2) Beginning January 1, 2026, no manufacturer may manufacture,
31 sell, offer for sale, distribute for sale, or distribute for use in
32 this state aluminum or brass cookware, aluminum or brass utensils, or
33 an aluminum or brass cookware component containing lead or lead
34 compounds at a level of more than ~~((÷~~

35 ~~(+))~~ 90 parts per million, beginning January 1, 2026 ~~((÷ and~~
36 ~~(b) 10 parts per million, beginning January 1, 2028))~~, for items
37 manufactured on or after January 1, 2026.

38 ~~((+2))~~ (3) (a) No retailer or wholesaler may knowingly sell or
39 knowingly offer for sale for use in this state aluminum or brass

1 cookware, aluminum or brass utensils, or an aluminum or brass
2 cookware component containing lead or lead compounds at a level of
3 more than(÷

4 ~~(i)) 90 parts per million, beginning January 1, 2026(÷and~~
5 ~~(ii) 10 parts per million, beginning January 1, 2028)), for items~~

6 manufactured on or after January 1, 2026.
7 (b) Retailers or wholesalers who unknowingly sell products that
8 are restricted from sale under this chapter are not liable under this
9 chapter.

10 (c) The sale or purchase of any previously owned aluminum or
11 brass cookware, aluminum or brass utensils, or aluminum or brass
12 cookware components containing lead made in casual or isolated sales
13 as defined in RCW 82.04.040, or by a nonprofit organization, is
14 exempt from this chapter.

15 ~~((3) After December 2030, the department, in consultation with~~
16 ~~the department of health, may lower the 10 parts per million limit~~
17 ~~established in subsections (1) and (2) of this section by rule if it~~
18 ~~determines that the lower limit is:~~

19 ~~(a) Feasible for cookware and cookware component manufacturers to~~
20 ~~achieve; and~~

21 ~~(b) Necessary to protect human health, including the health of~~
22 ~~vulnerable populations.)~~

23 (4) Nothing in this chapter limits the authority of the
24 department with respect to lead in cookware, cookware components, or
25 utensils under chapter 70A.350 RCW. Any regulatory determination made
26 by the department under chapter 70A.350 RCW with regard to lead in
27 aluminum or brass cookware, cookware components, or utensils
28 supersedes the 90 parts per million limits established in this
29 section.

30 NEW SECTION. Sec. 3. A new section is added to chapter 70A.565
31 RCW to read as follows:

32 As part of its implementation of this chapter, the department
33 shall develop and make available guidance to manufacturers. The
34 guidance must address, at a minimum, covered items, available test
35 methods for determining total lead content, the department's approach
36 to compliance, and the department's testing procedure for enforcement
37 purposes. If available, the guidance should also include information
38 about technical assistance.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 70A.350
2 RCW to read as follows:

3 (1) For the purposes of the regulatory process established in
4 this chapter, cookware containing lead is a priority consumer
5 product. The department must evaluate lead in cookware as a priority
6 product beginning with the June 1, 2029, review cycle established
7 under RCW 70A.350.050(2)(b). For this priority product, the
8 department must determine regulatory actions and adopt rules by June
9 1, 2032, to implement those regulatory determinations consistent with
10 the process established in RCW 70A.350.040 and 70A.350.050. In
11 determining regulatory actions under this section, the department
12 must:

13 (a) Adopt a lead limit of either 10 parts per million or the
14 lowest lead limit that is feasible and available based on data
15 obtained during the review; and

16 (b) Consider to the extent feasible, the entire life of the
17 cookware product, including when surfaces become damaged, scratched,
18 or heavily used. The department may also consider end-of-life
19 management and recyclability of the product.

20 (2) The department must order cookware manufacturers to provide
21 data regarding lead levels in their products, in accordance with RCW
22 70A.350.040(2) and to the extent practicable, make the data publicly
23 available. Manufacturers that fail to comply with an order to provide
24 data are subject to penalties pursuant to RCW 70A.350.070. In
25 assessing a penalty, the department must consider each product
26 covered by an order as a separate offense.

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