CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5628

Chapter 266, Laws of 2025

69th Legislature
2025 Regular Session

LEAD IN COOKWARE—MODIFICATION

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 22, 2025
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 15, 2025
Yeas 95 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 13, 2025 10:26 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5628** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 14, 2025

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE SENATE BILL 5628

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Environment, Energy & Technology (originally sponsored by Senators Harris, Shewmake, Hasegawa, Stanford, Trudeau, and Valdez)

READ FIRST TIME 02/19/25.

AN ACT Relating to lead in cookware; and amending RCW 70A.565.010 and 70A.565.020.

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

Sec. 1. RCW 70A.565.010 and 2024 c 340 s 1 are each amended to read as follows:

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

(1) ((~~"Component" includes separate or distinct parts of the cookware including, but not limited to, accessories such as lids, knobs, handles and handle assemblies, rivets, fasteners, valves, and vent pipes.~~)) (a) "Aluminum or brass cookware" means the following items when made of brass or aluminum: Pots, pans, kettles, griddles, grills, internal pots for devices such as rice cookers or pressure cookers, and similar vessels or surfaces in or on which food is cooked.

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

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

(ii) The body of electronic cooking devices with removable cooking containers, such as slow cookers, rice cookers, and pressure cookers.

(2) ((~~"Cookware" means any metal pots, pans, bakeware, rice cookers, pressure cookers, and other containers and devices intended for the preparation or storage of food.~~)) "Aluminum or brass cookware component" means cookware parts made of aluminum or brass such as lids, rivets, fasteners, valves, and vent pipes.

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

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

((~~(4)~~)) (5) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product or is an importer or domestic distributor of a product sold or offered for sale in or into the state.

((~~(5)~~)) (6) "Vulnerable populations" has the same meaning as defined in RCW 70A.02.010.

Sec. 2. RCW 70A.565.020 and 2024 c 340 s 2 are each amended to read as follows:

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

(a) 90 parts per million, beginning January 1, 2026; and

(b) 10 parts per million, beginning January 1, 2028.

(2)(a) ((~~Beginning January 1, 2026, no~~)) No retailer or wholesaler may knowingly sell or knowingly offer for sale for use in this state aluminum or brass cookware, aluminum or brass utensils, or ((~~a~~)) an aluminum or brass cookware component containing lead or lead compounds at a level of more than ((~~five~~)):

(i) 90 parts per million, beginning January 1, 2026; and

(ii) 10 parts per million, beginning January 1, 2028.

(b) Retailers or wholesalers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(c) The sale or purchase of any previously owned aluminum or brass cookware, aluminum or brass utensils, or aluminum or brass

cookware components containing lead made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter.

(3) After December ((~~2034~~)) 2030, the department, in consultation with the department of health, may lower the ((~~five~~)) 10 parts per million limit established in subsections (1) and (2) of this section by rule if it determines that the lower limit is:

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

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

(4) Nothing in this chapter limits the authority of the department with respect to lead in cookware, cookware components, or utensils under chapter 70A.350 RCW.

Passed by the Senate April 22, 2025.
Passed by the House April 15, 2025.
Approved by the Governor May 13, 2025.
Filed in Office of Secretary of State May 14, 2025.

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