

**Comments of Olivia Farrow, Assistance Commissioner of Environmental Health,
Baltimore City Health Department
for the Subcommittee on Commerce, Trade, and Consumer Protection of the
Committee on Energy and Commerce
on Protecting Children from Lead-Tainted Imports**

Washington, DC on September 20, 2007

Mr. Chairman, Ranking Member Stearns and members of the Committee, on behalf of the Baltimore City Health Department, I would like to thank you for this opportunity to testify on the need for stricter federal regulations to reduce exposure to lead hazards from lead-tainted imports. My name is Olivia Farrow and I am the Assistant Commissioner of the Environmental Health Division of the Baltimore City Health Department.

Lead poisoning is the most common environmental hazard facing American children today. It is also one of the most preventable. Children are frequently exposed to lead by ingesting lead dust from deteriorating lead-based paint. Exposure may also come from dirt that contains lead, drinking water or lead-tainted consumer products such as food and jewelry. While lead poisoning can affect children across the socioeconomic spectrum, we have found that often exposure is concentrated in low-income, urban areas.

On March 23, 2006, a four-year-old child in Minneapolis died from lead intoxication after swallowing a piece of children's jewelry that was sold with a new pair of shoes. In response to this tragic event, the Baltimore City Health Department began testing samples of children's jewelry sold within its jurisdiction. Our tests found excessive levels of lead in children's jewelry in Baltimore. The products were being sold in stores that operate throughout the country, including Claire's and Wal-Mart (Attached are the lab results).

To respond, under the authority of the Commissioner of Health, the Baltimore City Health Department proposed and then promulgated regulations on children's jewelry on December 7, 2006. (Attached is the final regulation).

The City regulation requires that the Health Department collect monthly samples of children's jewelry and test for lead content. In order to give City retailers an opportunity to come into compliance, the regulation initially banned children's jewelry containing more than 1200 parts per million. Effective September 1, 2007, we further reduced the acceptable level of lead, banning all children's jewelry with metal components containing in excess of 600 parts per million of total lead. Once a product is found to contain an excessive amount of lead, a violation notice is issued. The notice declares all items of the same style and from the same manufacturer to be a nuisance and orders the retailer to stop sale within twenty-four hours. An owner can be charged with multiple misdemeanor offenses and fined should he or she fail to comply with the notice.

The City began the mandatory monthly testing of children's jewelry in February of this year. Out of the seven months we have tested, we have found excessive lead levels in

four of those months. Our testing has revealed that majority of the products found with excessive levels of lead are sold in discount stores that cater to a lower-income clientele. Furthermore, the majority of the samples of jewelry that are found to be poisonous are ones that are sold for a dollar or less.

For an example, in February 2007, the Health Department collected a necklace and bracelet set for testing. The set was made in China and purchased at a locally owned children's discount store for one dollar. Both the necklace and bracelet were found to contain approximately 2.4% lead by weight.

In March 2007, three rings that were manufactured in India and sold in a City vending machine operated by Cardinal Novelty tested approximately 5% lead by weight. These rings were previously subject to a product recall in July 2004 by the Consumer Product Safety Commission (CPSC).

Last month, our Health Department found that a Spiderman 3 ring, which sold for one dollar, contained 12.8% lead by weight. This ring was sold at a Dollar Tree and was imported from China.

Our experience in Baltimore City has proven that many of these imported products are not adequately regulated by the federal government. The failure of the CPSC product recall system exemplifies the federal government's failure to protect the public from imported goods.

As I previously stated, the CPSC recalled three rings in July 2004 because of high lead content. Yet, almost three years later, Baltimore City finds that these rings are still available for sale to the public. Cardinal Novelty would have been free to continue to redistribute this poisonous product had Baltimore City not enacted its regulations.

A local jurisdiction's authority can only extend so far. Federal agencies need to aggressively take the lead in preventing the sale of these contaminated products. Current federal regulations are obviously insufficient in protecting children from lead in imported products.

I would like to conclude by stating that this country has made tremendous progress in the fight to eliminate childhood lead poisoning. But even one child poisoned is one child too many. Stricter federal regulation on products for children is urgently needed.

On behalf of Baltimore City's Health Department and Mayor Sheila Dixon, I thank you for the opportunity to offer comments today.