

Toy Safety Act

Enforcement Action and Consumer Tips

November 2017

Background

Minnesota has enacted several laws that restrict and regulate toxic chemicals in children's products, including the Safe Toys Act. To enforce these laws and encourage industry compliance, the Minnesota Department of Commerce, Minnesota Department of Health and Minnesota Pollution Control Agency established the Chemicals in Products Interagency Team.

Earlier this year, under Minnesota's Safe Toys Act, the Interagency Team launched a pilot investigation to identify children's jewelry sold in Minnesota that may pose a health hazard due to toxic chemicals. The Pollution Control Agency bought 89 children's jewelry products, both in store and online. Laboratory testing identified three products with high levels of cadmium, a toxic metal. The Department of Health determined that these levels represented a hazard to children. The Commerce Department then conducted an investigation under the Safe Toys Act.

Some companies now use cadmium as a low-cost substitute for lead, which is highly restricted in children's products. But cadmium exposure has been associated with delayed brain development, kidney and bone damage, and cancer. Babies and young children are at particular risk because they often bite, chew or suck on toys and other objects — and may swallow them.

Enforcement Action

The three children's jewelry products were purchased from independent retailers on Amazon.com.

The Minnesota Commerce Department formally notified the retailers that these products posed a toxic hazard to children and violated Minnesota law. In response, the retailers voluntarily issued recalls and provided refunds to Minnesota consumers who had purchased the products. Amazon removed the online product listings and cooperated with the investigation.

The investigation is continuing to gather information about the product manufacturers and other retailers that may be selling these products in Minnesota.

Butterfly necklace

Description: Butterfly necklace with aqua and hot pink jewel wings; gold-colored metal wing frames and back, in butterfly gift box

Seller: NYBK Group

Test results: Cadmium – 89%





Ladybug charm necklace

Description: Ladybug charm on gold-colored chain with ladybug gift box

Seller: LBS International aka 1st Shop

Test results: Cadmium – 70%

Penguin charm necklace

Description: Penguin charm on gold-colored chain with penguin gift box

Seller: NYBK Group

Test results: Cadmium – 74%



Consumer Tips

Don't rely on appearances. There is no way to know if a product has high levels of cadmium, lead or other toxic metals just by looking at it.

Buy age-appropriate products. Avoid jewelry that is not labeled for children. General/adult use items may not have been tested as safe for children.

Look for product information. Look for toxic-free certification. Avoid buying jewelry when there is no information about where it was made. U.S.-made jewelry is generally safer.

Don't allow your child to put jewelry in their mouth. Toxic exposure can come from biting, chewing or sucking on a piece of jewelry. Even worse is the danger of swallowing it.

Wash hands. Toxic exposure can occur from frequent hand-to-mouth contact after handling jewelry.

If your child swallows a piece of jewelry, seek urgent medical attention.

Cadmium and Your Health

[Toxic Free Kids Act](#)

Contacts

Investigation and enforcement
Minnesota Commerce Department
consumer.protection@state.mn.us

Product testing and safer alternatives
Minnesota Pollution Control Agency
p2.pca@state.mn.us

Chemicals of high concern to children
Minnesota Department of Health
health.risk@state.mn.us