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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)*

PART 3. PRODUCT SAFETY [108040 - 109052] (*Part 3 added by Stats. 1995, Ch. 415, Sec. 6.)*

CHAPTER 9. Control of Lead Release From Tableware [108850 - 108915] (*Chapter 9 added by Stats. 1995, Ch. 415, Sec. 6.)*

ARTICLE 1. Definitions [108850 - 108855] (*Article 1 added by Stats. 1995, Ch. 415, Sec. 6.)*

108850. The Legislature finds and declares all of the following:

- (a) The program maintained by the United States Food and Drug Administration to regulate the amount of lead and cadmium released from ceramic, metal, and other dishware and tableware is inadequate to protect Californians from the importation and sale of unsafe tableware in this state.
- (b) Recent inspection and sampling conducted by local and state health departments in California has demonstrated that significant amounts of unsafe tableware are in fact being imported and sold in California.
- (c) The standards established by the federal government for acceptable lead and cadmium release are likely inadequate to fully protect public health and may be inconsistent with requirements that already exist in California law governing exposure to lead and cadmium.
- (d) It is the intent of the Legislature that the department, first, establish its own program to protect the public from unsafe tableware and, second, develop standards for lead and cadmium release from tableware that are consistent with existing state law.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

108855. For purposes of this chapter the following definitions shall apply:

- (a) "Director" means the Director of Health Services.
- (b) "Department" means the State Department of Health Services.
- (c) "Distributor" means any person who brings tableware into California from another state for sale.
- (d) "Importer" means any person who brings tableware into California from another country for sale.
- (e) "Manufacturer" means any person who makes tableware sold in California.
- (f) "Small business" means any manufacturer, importer, or distributor whose gross annual revenue for the sale of tableware is thirty thousand dollars (\$30,000) or less.
- (g) "Tableware" means any glazed ceramic, enamel metalware, or pewter article, container, or utensil that may be used in the preparation, serving, or storage of food or drink.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)