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About Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP is a California law firm with more than 220 attorneys practicing out of seven offices in Orange County, Los Angeles, Century City, Del Mar Heights, San Diego, San Francisco and Walnut Creek. The

Cadmium Levels in Consumer Products Scrutinized

According to recent news reports, cadmium has been reported by the Consumer Product Safety Commission ("CPSC") and others as being present in many consumer products. Cadmium has been

identified by the Center for Disease Control as a human carcinogen and the Agency for Toxic Substances and Disease Registry had identified chronic exposures with damage to the kidneys. It is also listed as a California Proposition 65 carcinogen and reproductive toxin. The CPSC has issued recalls for some consumer products with reportedly high levels of cadmium and the public interest group Center for Environmental Health has announced its intent to sue several retailers for alleged non-compliance with Proposition 65's warning requirement for exposures to cadmium in jewelry. As a consequence, there is likely to be increased scrutiny on levels of cadmium in consumer products.

The information in this alert affects manufacturers and distributors of consumer products.

Cadmium is a heavy metal and often present in zinc ores. It has been used to make bright pigments, especially yellow and red, and it has been used as a plastic stabilizer, notably in polyvinyl chloride ("PVC"). The use of recycled materials such as electronics and PVC and other plastics may inadvertently introduce cadmium into new products.

Manufacturers and distributors of consumer products may want to analyze their products to determine the cadmium content where there is some basis to suspect its presence. Because of the device's ability to do non-destructive testing on a relatively rapid basis, many - including private plaintiffs and government agencies - are using XRF (x-ray fluorescent) devices. XRF can be a useful screening tool, but analytical chemists have expressed concerns about its ability to perform accurate assays. Both government agencies and the private sector have been studying appropriate standards for the use of XRF.

There are regulatory limits for cadmium in electronics and packaging, but few limits for other consumer products. Based on the concerns for lead in toys and other consumer products in the not too distant past, legislators and government agencies are likely to act swiftly. If you have any questions about your product or cadmium testing, please feel free contact us.

firm's broad based areas of focus include land use, environmental, real estate, construction, real estate finance, corporate, business litigation, employment and labor law, taxation, bankruptcy and creditors' rights and intellectual property. [more...](#)

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