

AMENDMENT NO. _____ Calendar No. _____

Purpose: To exempt certain used children's products from the applicability of lead limits.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

S. 1448

To exempt off-highway vehicles from the ban on lead in children's products, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 On page 2, between lines 7 and 8, insert the fol-
2 lowing:

3 “(4) EXCEPTION FOR USED CHILDREN’S PROD-
4 UCTS.—

5 “(A) IN GENERAL.—The lead limits estab-
6 lished under this subsection shall not apply to
7 a used children’s product.

8 “(B) DEFINITIONS.—In this paragraph:

9 “(i)(I) Except as provided in sub-
10 clause (II), the term ‘used children’s prod-
11 uct’ means a children’s product that was
12 obtained by the seller for use and not for

1 the purpose of resale or was obtained by
2 the seller, either directly or indirectly, from
3 a person who obtained such children's
4 product for use and not for the purpose of
5 resale. The term includes a children's
6 product that was donated to the seller for
7 charitable distribution or resale to support
8 charitable purposes.

9 “(II) The term does not include the
10 following:

11 “(aa) Children's metal jewelry.

12 “(bb) Any children's product for
13 which the donating party or the seller
14 has actual knowledge that the product
15 is in violation of the lead limits in this
16 section.

17 “(cc) Any other children's prod-
18 uct or product category that the Com-
19 mission determines, after notice and a
20 hearing, may present an
21 endangerment to children's health.

22 “(ii) The term ‘seller’ includes a per-
23 son who lends or donates a used children's
24 product.”.