



Re: Lead Requirements for Jewelry

Dear Jewelry Supplier:

This letter conveys important information concerning the content of lead in jewelry that you sell to Macy's, Macys.com, Bloomingdale's, Bloomingdales.com, or any other division of Macy's, Inc. (collectively "Macy's"). Lead in jewelry is subject to regulation under several laws, including California Proposition 65, California and Minnesota legislation, and the Consumer Product Safety Improvement Act of 2008 (CPSIA), which prohibits lead in children's products above certain amounts.¹

As a supplier of jewelry to one or more Macy's entity, your jewelry must comply with the lead content limits identified in this letter. **Even if you are not a party to a settlement, and regardless of whether your company may be exempt from Proposition 65, your products must comply with the lead content standards in order to sell Covered Products to any Macy's entity.** Please note that Macy's is requiring you to comply with these provisions for all Covered Products that you sell to Macy's, Bloomingdale's, and their affiliated website businesses, and will not segregate goods sold in California from those sold elsewhere.

The attached chart of lead content standards reflect a combination of requirements imposed in a court-approved settlement of a lawsuit brought under Proposition 65 by the California Attorney General against numerous distributors and retailers, including Macy's (*People v. Burlington Coat Factory Warehouse Corp., et al.*, Alameda Superior Court No. RG04162075),² and CPSIA's lead content standards for children's jewelry. These standards apply to all jewelry that you sell to Macy's including: (a) the following ornaments worn by a person: an anklet, arm cuff, bracelet, brooch, chain, crown, cuff link, decorated hair accessories, earring, necklace, pin, ring, and Body Piercing Jewelry, or (b) any bead, chain, link, pendant, or other component of such an ornament.

The requirements are based on the type of jewelry, and the type of component.

- Adult jewelry may be made of any Class 1 Component, any Class 2 Component that meets the lead content standards, and any other (unlisted) component – a Class 3 Component – that contains no more than 600 ppm lead.

¹ Additionally, any adult jewelry sold in Illinois that contains more than 600 ppm lead and children's jewelry that contains more than 40 ppm must contain a warning as prescribed by Illinois law.

² You may obtain a copy of the Amended Consent Judgment incorporating this settlement from the Attorney General's website at <http://ag.ca.gov/prop65/litigation.htm>.

- Children's jewelry (which is designed or intended primarily for children 12 and younger) must contain no more than 300 ppm lead* in any component, except for certain components specified on the attached chart. Under CPSIA, children's metal jewelry is also currently subject to the third-party testing requirement for lead content of Class 1 Components (generally, materials that are identified in 16 C.F.R. § 1500.91). Information regarding Macy's CPSIA requirements can be found at <http://macysnet.com/VS/standards/gcc.pdf>, and Macy's GCC Submission Form can be completed online at <http://www.macysnet.com/vs/gcc/gccForm.htm>.

***WARNING:** As of the summer of 2010, the CPSC is considering reviewing the feasibility of lowering the lead content in substrates of children's products – such as children's metal jewelry – to 100 ppm lead to be effective August 14, 2011. All suppliers are expected to monitor these developments and produce compliant products and saleable as of August 14, 2011.

If the jewelry you provide does not meet the lead content standards required under the Proposition 65 and CPSIA, you risk further legal action by the California Attorney General, CPSC, or others, in which monetary penalties will be sought. You also risk legal action by Macy's for breach of the applicable terms and conditions of the Purchase Order and/or other agreements under which the Covered Products are purchased.

Private Label

To the extent that the requirements for private label products made for Macy's Merchandising Group ("MMG") or Bloomingdale's vary from the requirements in this letter, the stricter requirement will apply. For questions, contact the private label product manager at MMG or Bloomingdale's.

Please note that any items labeled improperly will be subject to immediate removal from the selling floor and will be Returned to Vendor with appropriate expense offsets.

If you have questions, you may contact the following at the Macy's Law Department:

- Christine Brandt (415) 954-6078
- Alice Au (646) 429-7500

ADULT JEWELRY (13 AND OLDER) SPECIFICATIONS

CLASS 1 COMPONENTS
No Lead Content Restrictions
Stainless and surgical steels
Karat gold
Sterling silver
Platinum, palladium, iridium, ruthenium, rhodium, or osmium (“platinum group metals”)
Natural and cultured pearls
Glass, ceramic, and crystal decorative components (e.g., cat’s eye, cubic zirconia (sometimes called cubic zirconium, CZ), glass, rhinestones, cloisonne).
Any gemstone that is cut and polished for ornamental purposes except the following: aragonite, bayldonite, boleite, cerussite, crocoite, ekanite, linarite, mimetite, phosgenite, samarskite, vanadinite, and wulfenite
Elastic, fabric, ribbon, rope, and string with no intentional lead and not otherwise listed as a Class 2 Component
Natural decorative materials (e.g., amber, bone, coral, feathers, fur, horn, leather, shell, wood) if treated in a way that does not add lead
Adhesives

CLASS 2 COMPONENTS	
Component	Lead Content Limit
Electroplated metal substrates (must be plated using the Best Management Practices described below).	Metal alloys with less than 6% lead by weight (i.e., with a lead content equal to or less than “92 metal”)
Unplated metal not defined as Class 1 Components	1.5% (15,000 ppm)
Plastic/Rubber (e.g., acrylic, polystyrene, plastic beads/stones, polyvinyl chloride (PVC))	0.02% (200 ppm)
Dyes and Surface Coatings	0.06% (600 ppm)
Printing inks or ceramic glazes used in Children’s Products	0.06% (600 ppm)

CLASS 3 COMPONENTS	
Component	Lead Content Limit
Any part of Jewelry that is not a Class 1 or Class 2 Component	0.06% (600 ppm)

**CHILDREN’S JEWELRY (12 AND YOUNGER) SPECIFICATIONS (PROP 65 AND
CPSIA COMPLIANCE STANDARDS)**

CLASS 1 COMPONENTS
No Testing Required but Must Meet 300 ppm Lead Content Restrictions
Surgical steels
Gold 10 Karat or greater
Silver at least 925/1000 pure
Platinum, palladium, iridium, ruthenium, rhodium, or osmium (“platinum group metals”)
Natural and cultured pearls
Any gemstone that is cut and polished for ornamental purposes except the following: aragonite, bayldonite, boleite, cerussite, crocoite, ekanite, linarite, mimetite, phosgenite, samarskite, vanadinite, and wulfenite
Dyed and undyed yarn and textiles with no intentional lead
Natural decorative materials (e.g., amber, bone, coral, feathers, fur, horn, leather, shell, wood) if treated in a way that does not add lead

CLASS 2 COMPONENTS	
Third Party Testing and Certification Required for Metal Components and Surface Coatings (and for all components after 2/14/10)	
Component	Lead Content Limit
Metal (plated and unplated)	0.03% (300 ppm),
Plastic/Rubber (e.g., acrylic, polystyrene, plastic beads/stones, polyvinyl chloride (PVC))	0.02% (200 ppm)
Dyes and Surface Coatings	0.009% (90 ppm)
Glass or crystal decorative components, including rhinestones	0.02% (200 ppm) [note: Under CPSIA may be at 300 ppm if less than 1 gram total weight. Under consent judgment must be < 200 ppm if more than 1 gram total weight]

CLASS 3 COMPONENTS	
Component	Lead Content Limit
Any part of Jewelry that is not a Class 1 or Class 2 Component	0.02% (200 ppm)

Best Management Practices for Plating Facilities

Pre-Plating Procedure:

- The pieces must be cleaned. Any polishing compound must be removed before plating by cleaning with aqueous cleaning solution or solvent and rinsed with water.
- The pieces must be activated.
- The pieces must be rinsed in clean water before plating.

Plating Bath Maintenance:

- The temperature of each plating bath must be controlled to the appropriate temperature in accordance with the recommendations of the equipment and plating chemical suppliers.
- The nickel and nickel-substitute tanks must be agitated or aerated in accordance with the chemical suppliers' recommendations.
- All baths must be filtered continuously during plating and filters changed at least than monthly.
- pH must be measured each day of plating and adjusted within the chemical supplier's recommendations.
- All plating employees must be trained on the use of the equipment in accordance with recommendation of equipment manufacturer and plating chemical suppliers.
- The plating baths must be maintained in accordance with the plating chemical suppliers recommendations.
- Plating tanks must be swept at least weekly.
- Anodes must be inspected monthly in accordance with the anode supplier's recommendations.
- Racks must be stripped at least annually.
- The electrical equipment must be sized appropriately for each tank in accordance with equipment manufacturer's recommendations and calibrated annually.

Plating Procedures:

Substantial pieces such as pendants, drops, and rings without prongs or other such feature shall be plated with at least 15 minutes combined plating with copper (copper strike and/or acid copper), nickel or nickel substitute, and/or finish coat. The pieces will also be rinsed between plating tanks. Finish decorative coatings include brass, bronze, copper, gold, gun metal, hematite, imitation rhodium, matt finish, palladium, platinum, rhodium, or silver. If desired, plated pieces can be treated to produce other finishes such as matt, oxidized, or smut black finishes.

Mechanical, functional (e.g., lobster claws, spacers, mechanical closures, connectors), or fine pieces such as prongs and fine chains may be plated to cover the exposed surface consistent with good manufacturing practices for appearance and function. Components that articulate closely together such as snake chain and tight hinges or that need to be manipulated into position will be plated to prevent binding, stiffness, and cracking of plating.