



News Release

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DTSC Investigation Finds Jewelry Distributor Selling Tainted Jewelry Attorney General Files Lawsuit

SACRAMENTO – A Department of Toxic Substances Control (DTSC) inspection has resulted in a civil complaint against a Los Angeles distributor for selling lead and cadmium-tainted jewelry. The California Attorney General's Office today filed the lawsuit against Luxy Accessory, Inc. (Luxy) and its owner for continuing to sell jewelry with dangerous levels of lead and cadmium. Many of the items were children's jewelry, and some were mislabeled as "lead free." These acts constitute a violation of California's Metal-Containing Jewelry Law. DTSC and the Attorney General's Office are seeking penalties and injunctive relief to prevent Luxy from selling its stockpiles of non-complaint jewelry.

"DTSC is working hard to ensure adherence to California's tough laws aimed at protecting consumers from toxic levels of metals in jewelry, especially children's jewelry," said DTSC Director Barbara A. Lee.

DTSC's Office of Criminal Investigations conducted an inspection at Luxy's downtown warehouse late last month. Using X-ray fluorescence machines, the inspectors identified approximately 150 boxes of jewelry items suspected to contain high levels of lead and cadmium. DTSC quarantined the boxes. Under their separate authority, the Los Angeles County Sheriff's Department simultaneously entered Luxy to execute a seizure of property for the outstanding judgment. The Sheriff's Department removed an additional 150 boxes of compliant jewelry to sell at auction on December 6, 2017.

Luxy has a history of noncompliance with state jewelry laws. DTSC inspected and discovered lead-tainted jewelry being offered for sale at Luxy in 2009 and twice in 2016. The California Attorney General's Office sued Luxy and a number of other jewelry distributors in 2012 for selling jewelry that contained excessive levels of lead. Luxy's owner and sole employee, Hyun Sook Kim, failed to respond to the lawsuit and ignored repeated attempts that were made to contact her. As a result, in 2014, DTSC obtained a default judgment against Luxy for \$145,000 in penalties and injunctive relief.

California's Metal-Containing Jewelry Law prohibits the manufacturing, shipping, sale or offering for sale of jewelry that contains excessive amounts of lead or cadmium. Retailers are required to obtain certifications from suppliers that all jewelry and its components are in compliance with the law, and suppliers are required to have documentation showing jewelry items sold in California are

in compliance with the law. Exposure to lead and cadmium can cause negative health effects ranging from behavioral problems and learning disabilities to organ failure and even death.

A copy of the complaint can be found here:

http://www.dtsc.ca.gov/upload/Signed_Luxy_Complaint.pdf

View photos of the noncompliant jewelry items here:

https://dtsc.ca.gov/upload/Jewelry_Slideshow_dec2017.pdf

[Click here](#) for Fact Sheet on California's Metal-Containing Jewelry Law.

[Click here](#) for Frequently Asked Questions.

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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The Mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.