

**Chapter 70A.565 RCW
COOKWARE CONTAINING LEAD**

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RCW 70A.565.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Component" includes separate or distinct parts of the cookware including, but not limited to, accessories such as lids, knobs, handles and handle assemblies, rivets, fasteners, valves, and vent pipes.

(2) "Cookware" means any metal pots, pans, bakeware, rice cookers, pressure cookers, and other containers and devices intended for the preparation or storage of food.

(3) "Department" means the Washington state department of ecology.

(4) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product or is an importer or domestic distributor of a product sold or offered for sale in or into the state.

(5) "Vulnerable populations" has the same meaning as defined in RCW 70A.02.010. [2024 c 340 s 1.]

RCW 70A.565.020 Prohibition on the sale of cookware containing lead. (1) Beginning January 1, 2026, no manufacturer may manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state cookware or a cookware component containing lead or lead compounds at a level of more than five parts per million.

(2) (a) Beginning January 1, 2026, no retailer or wholesaler may knowingly sell or knowingly offer for sale for use in this state cookware or a cookware component containing lead or lead compounds at a level of more than five parts per million.

(b) Retailers or wholesalers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(c) The sale or purchase of any previously owned cookware or cookware components containing lead made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter.

(3) After December 2034, the department, in consultation with the department of health, may lower the five part per million limit established in subsection (1) of this section by rule if it determines that the lower limit is:

(a) Feasible for cookware and cookware component manufacturers to achieve; and

(b) Necessary to protect human health, including the health of vulnerable populations. [2024 c 340 s 2.]

RCW 70A.565.030 Adoption of rules—Penalty. (1) The department may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

(2) A person violating a requirement of this chapter, a rule adopted under this chapter, or an order issued under this chapter, is subject to a civil penalty not to exceed \$5,000 for each violation in the case of a first offense. Repeat violations are subject to a civil penalty not to exceed \$10,000 for each repeat offense.

(3) Any penalty provided for in this section, and any order issued by the department under this chapter, may be appealed to the pollution control hearings board.

(4) All penalties collected under this chapter shall be deposited in the model toxics control operating account created in RCW 70A.305.180. [2024 c 340 s 3.]