

House Committee Proposes Amendments To Lead-Based Paint Poisoning Act

Washington, D.C., Oct. 19 — The National Paint and Coatings Association has filed with FDA a petition asking that the Commissioner declare certain product categories to be outside the scope of the FDA lead-in-paint order of March 11, 1972. That order classified certain paints or other similar surface coating materials as banned hazardous substances after prescribed dates.

An ad hoc group of the Association had identified those products in which the continued use of lead was considered essential and had developed justification showing that the use of lead in such products does not pose a health hazard to children.

The special-purpose coatings addressed in the petition are:

1. Automotive, agricultural, and industrial equipment refinish coatings.
2. Industrial (and commercial building) maintenance coatings, including traffic and safety marking coatings.
3. Graphic art coatings.
4. Touch-up coatings for automobiles, agricultural and industrial equipment, lawn and garden equipment, boats, outboard motors, motorized recreational vehicles, and appliances.
5. Exterior marine coatings for small craft application.
6. Exterior rubber-based roof coatings.
7. Exterior primer coatings for wood siding containing extractives.

The request for clarification was deemed necessary the Association said, because the coatings sometimes are packaged in a form suitable for use in or around the household and, as a result of their reasonably foreseeable handling or use, do find their way into the household.

Under these circumstances, it could be held that such products were subject to the Federal Hazardous Substances Act (FHSA), the Association said. However, "since no lead hazard to children had been shown to exist from the use of these special-purpose coatings and there is no danger from the build-up of multiple layers of these coatings," it was believed that confirmation should be obtained that such products were, in fact, outside the scope of the FDA Order, the Association added.

The NPCA petition stated that these special-purpose coatings, which would produce more than 0.5 per cent of lead in the dried paint film, would be labeled with the following precautionary statement:

Front Panel—

WARNING

Contains lead. Dried film of this paint may be harmful if eaten or chewed. See precautions on (side or back) panel.

Side or back panel—

Do not apply on toys and other children's articles, furniture, or interior surfaces of any dwelling or facility which may be occupied or used by children.

Do not apply on those exterior surfaces of dwelling units, such as window sills, porches, stairs, or railings, to which children may be commonly exposed.

Keep out of reach of children.

This precautionary label, the Association said, is identical to the one recommended by the Association's Labeling Committee to replace the old Label 14. It will be in the new guide.

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