

National Paint, Varnish and Lacquer Association

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October 6, 1954

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TO MEMBERS OF THE
EXECUTIVE COMMITTEE
REGIONAL VICE PRESIDENTS:

PRECAUTIONARY LABELING

On Monday, October 4, Mr. Richard J. Eckart, Chairman of the Subcommittee on Model Labeling, together with Mr. Clarence W. Slocum, a member of the Subcommittee, and Association staff members, met with Mr. Jerome Trichter, Assistant Commissioner of the New York City Department of Health.

Association representatives submitted our suggested labels. A copy is enclosed. There has been some revision since the original copies were furnished you because of suggestions received from Executive Committee members and our negotiations with the New York and Chicago Departments of Health. If your suggestions were not included, they were either received too late or a compromise was necessary to meet the desires of the Health Department's officials. I am sure, however, no major points have been omitted.

The labels were tentatively accepted by Mr. Trichter, who expressed his appreciation for the cooperation and assistance of our Association.

The New York City Department of Health proposes to draft a regulation prohibiting the sale of those paints described in Group II of the suggested labels unless the label bears the statements: "Contains lead or other compounds harmful if eaten. Do not apply on toys, furniture or interior surfaces which might be chewed by children." The regulation will exempt roof coatings and roof cements, marine paints, industrial product finishes (except toy enamels), industrial maintenance paints and automotive finishes from the labeling requirement.

The Association will continue to cooperate with the New York City Department of Health and will have an opportunity to study the draft of the proposed regulation and to suggest changes, if necessary, before it is submitted to the Board of Health.

We have been assured by Mr. Trichter that he will consult with us regarding the period of time necessary to use up existing labels before enforcement of the new labeling requirements is initiated. He anticipated no difficulty in this regard.

The New York City Board of Health will consider the regulation at its meeting, October 29. Industry representatives will be present and I plan to be there also.

With warm personal regards,

Sincerely yours,

Joseph F. Battle
President

JFB:me

N11706

PRECAUTIONARY LABELS RECOMMENDED BY THE NATIONAL PAINT, VARNISH
AND LACQUER ASSOCIATION FOR PAINTS CONTAINING METAL COMPOUNDS,
SOLVENTS OF SPECIFIED FLASH POINTS OR SIGNIFICANT AMOUNTS OF
OTHER MATERIALS WHICH MAY BE HARMFUL

The following precautionary labels are suggested for use
by members of the paint, varnish and lacquer industry. They
may be used in the form suggested or in words or phrases which
are the practical equivalent of the suggested labels.

The principles set forth in the suggested labels apply to
all types of containers, large or small.

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Precautionary labeling for paints containing harmful metal compounds should be applied to groups as indicated.

GROUP I - Products containing not more than 1 percent of lead, as metal (Pb), and not containing compounds of antimony, arsenic, cadmium, mercury, selenium, or barium (when soluble by stirring for 10 minutes with 5 percent hydrochloric acid at room temperature) introduced as such in the formulation of these products, and a solvent flashing below 150°F.

Flash Point
above 80°F.

CAUTION! COMBUSTIBLE

Keep away from heat and open flame. Use with adequate ventilation. Avoid prolonged or repeated contact with skin. Avoid prolonged breathing of vapor or spray mist. Keep container closed when not in use.

Flash Point
above 20°F.
to 80°F.,
inclusive

WARNING! FLAMMABLE

Keep away from heat, sparks, and open flame. Use with adequate ventilation. Avoid prolonged or repeated contact with skin. Avoid prolonged breathing of vapor or spray mist. Keep container closed when not in use.

Flash Point
20°F. or
below

DANGER! EXTREMELY FLAMMABLE

Keep away from heat, sparks, and open flame. Use with adequate ventilation. Avoid prolonged or repeated contact with skin. Avoid prolonged breathing of vapor or spray mist. Keep container closed when not in use.

- (a) "Do not take internally" may be omitted from Group I except in the case of clear liquids, such as thinners. Regardless of flash point, these clear liquids should bear appropriate Group I label plus warning "Do not take internally", because clear liquids may be attractive nuisances or mistaken for beverages.
- (b) Flash point determinations, in all cases, refer to Tag Open Cup Method, as specified in ASTM Method D 1314-54T.
- (c) Products classified in Group I which contain "odorless" solvents must be labeled with the appropriate Group I labels, but the warning words "Use with adequate ventilation" must be in type two points larger than the type used for the rest of the appropriate caution label and the label placed in a prominent position on the container.
- (d) The percent of lead is determined as lead metal (Pb) based on the total solids of the paint.

GROUP II - Products containing more than 1 percent of lead as metal (Pb) in a compound (see Note (b) below), or containing a compound of antimony, arsenic, cadmium, mercury, selenium or barium (when soluble by stirring for 10 minutes with 5 percent hydrochloric acid at room temperature) introduced as such in the formulation of these products, and containing solvents of the following flash points:

Flash Point
above 80°F.

WARNING! COMBUSTIBLE
Keep Away From Heat and Open Flame
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on toys, furniture or interior surfaces which might be chewed by children. Use with adequate ventilation. Avoid breathing vapor or spray mist. Avoid prolonged contact with skin. Wash thoroughly after handling and before eating or smoking. Keep container closed when not in use.

Flash Point
above 20°F.
to 80°F.

WARNING! FLAMMABLE
Keep Away from Heat, Sparks, and Open Flame
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on toys, furniture or interior surfaces which might be chewed by children. Use with adequate ventilation. Avoid breathing vapor or spray mist. Avoid prolonged contact with skin. Wash thoroughly after handling and before eating or smoking. Keep container closed when not in use.

Flash Point
20°F. or
below

DANGER! EXTREMELY FLAMMABLE
Keep Away from Heat, Sparks, and Open Flame
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on toys, furniture or interior surfaces which might be chewed by children. Use with adequate ventilation. Avoid breathing vapor or spray mist. Avoid prolonged contact with skin. Wash thoroughly after handling and before eating or smoking. Keep container closed when not in use.

- (a) The percent of lead is determined as lead metal (Pb) based on the total solids of the paint.
- (b) When more than 1 percent of lead is the only harmful compound used in the product, the words, "Contains lead or other compounds harmful if eaten" in the applicable Group II label may be changed to "Contains more than 1 percent lead (Pb)". Furthermore, when this wording is used, the words "Harmful if eaten" must appear in the text of the label.

GROUP III - Products other than those included in Group II containing significant amounts of materials or solvents which may be harmful.

When harmful substances, other than those included in Group II are used in paint, due to formulation variables, it is impossible to establish a general warning label. The paint manufacturer is cautioned to alert himself to such hazards and use an appropriate precautionary label.

Extra vigilance should be the rule in labeling harmful Group III products. Labeling of Group III products containing hazardous chemicals to be guided by MCA Manual I-1 Warning Labels applying to those particular chemicals.

GROUP IV - Paint and Varnish Removers

- (a) Non-Flammable Removers, such as specified in Federal Specification TT-R-251c Remover; Paint and Varnish (organic Solvent Type), Type II. Such removers containing substantial amounts of Methylene Chloride must bear labels materially as follows:

CAUTION!
Contains Methylene Chloride

Use with adequate ventilation. Avoid prolonged or repeated contact with skin. Avoid prolonged or repeated breathing of vapor. Do not take internally.

- (b) Flammable Removers, such as specified in Federal Specification TT-R-251c Remover; Paint and Varnish (organic Solvent Type), Type I. Such removers containing substantial amounts of benzol must bear labels materially as follows:

DANGER! EXTREMELY FLAMMABLE
VAPOR HARMFUL - POISON
Contains Benzol

Keep away from heat, sparks, and open flame. Keep container closed. Use only with adequate ventilation. Avoid prolonged or repeated breathing of vapor. Avoid prolonged or repeated contact with skin.