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April 12, 1954

MEMORANDUM

TO: Dr. Leona Baumgartner
Commissioner
New York City Department of Health

This memorandum has been authorized by the New York Paint, Varnish and Lacquer Association and is submitted at their request for your consideration.

During the last few years an increasing amount of attention has been attracted to the problem of lead poisoning among small children. Various studies and reports on this situation have been made, particularly in the cities of Baltimore, Boston and elsewhere. The general picture that has emerged from these studies and investigations is that small children, particularly during the summer months, tend to eat the paint that flakes off railings, verandas and walls in properties that have been allowed to run down and which are occupied by the lowest income group families.

This situation causes concern to the public health authorities, particularly of our larger industrial cities. The paint industry is also thoroughly conversant with this situation, shares this concern and is anxious to cooperate in every possible way with the public health authorities in steps that may be effective in the prevention of lead poisoning among children.

The American Standards Association has appointed a subcommittee Z66 to consider labeling of coatings and it can be stated that the work of this subcommittee is being prosecuted with gratifying speed. It is expected that this committee will report at an early date on standard labels for paints suitable for interiors, furniture and toys. This will enable the paint manufacturers to submit these labels to the health authorities with the assurance that they will meet the needs of any child health situation where special labeling is indicated.

For some considerable time, lead paints have not been used by manufacturers of children's toys, cribs and other furniture designed for use by small children. The above committee, in which paint manufacturers and health authorities are represented, has as one of its objectives the elimination of more than a minimal amount of lead and other toxic ingredients from interior paints. Lead-containing paints are used for outside painting where the paint is exposed to the weather.

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As one of the basic means of prevention, it has been advocated by health authorities that containers of paint, if lead is an ingredient, be labeled with a warning label. It is apparent that such a procedure will be of no avail as far as the families are concerned who continue to live in old, run-down and decrepit properties. In this situation, other remedies must be sought.

The paint industry is strongly opposed to the enactment of varying labeling regulations by individual governmental agencies, since it is obvious that if various jurisdictions enact differing local regulations for labeling, the utmost confusion will ensue, together with inordinate expenses occasioned by the variations in labels as between localities. This would also cause extreme confusion in the handling of paint containers through jobbers and distributing houses.

The practical and effective method of labeling labels for paint containers is by a national standard. This would enable the manufacturers and distributors, as well as the retailers, to meet all health requirements without fear of contravening the law.

The paint industry is very appreciative of the assistance that it has obtained from the Department of Health in New York City and particularly from the Division of Environmental Sanitation. The Industry will keep the Department informed of progress and is always ready to welcome any suggestions that the Department may care to offer.

J. J. Lanza, M.D.
Chairman
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