

Paint Warning Labels

LEAD INDUSTRIES ASSOCIATION

420 LEXINGTON AVENUE

NEW YORK 17, N. Y.

February 7, 1955

SUBJECT: NEW YORK SENATE BILL 311
and ASSEMBLY BILL 828
(Paint Warning Labels)

To the Members of the Lead Industries Association:

Attention is called to the above named bills, which are identical. A copy of S. 311 follows:

STATE OF NEW YORK

No. 311

Int. 311

IN SENATE

January 11, 1955

Introduced by Mr. ZARETZKI--read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT

To amend the penal law, in relation to the sale of paints and enamels within the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The penal law is hereby amended by inserting therein a new section, to be section four hundred thirty-three, to read as follows:

Sect. 433. Sale of paints and enamels. After January first, nineteen hundred fifty-six, no person shall sell, offer or expose for sale within this state any paint or enamel containing lead as one of its ingredients or components, and no person, firm association or corporation shall send into this state for purposes of re-sale within this state any paint or enamel containing lead as one of its ingredients or components, unless the can, pail or other container bears a label containing a statement that one of the ingredients and components of such paint or enamel is lead, and a warning that the contents of such container are poisonous.

Section 2. This act shall take effect immediately.



February 7, 1955

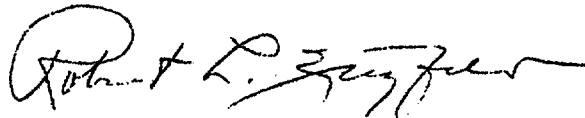
It is felt that there is no need for such legislation, that it is not in the public interest, and that its passage would impose a heavy burden on interstate commerce.

It has been found by competent scientific investigation that paints containing the small amounts of lead usual as dryers are not poisonous, even to children who may chew painted surfaces or toys, and the proposed labeling of this large category of paints would thus be false and misleading.

Regulations of the New York State and New York City Health Departments now prescribe warning labeling of hazardous substances, the New York State Labor Department adequately controls the industrial use of lead paints, a New York City regulation effective May 1, 1955 will require warning labeling of paints containing more than 1% lead, and an American Standard of like nature will be issued in the near future. It is thus obvious that the proposed legislation is essentially duplicative of regulations now or presently to be in effect.

Our members having activities within New York State are urged to protest the passage of these bills to their Senators and Representatives and all are asked to register such protest with Hon. John J. Hughes, Chairman, Senate Standing Committee on Codes, Senate Chambers, and with Hon. Malcolm Wilson, Chairman, Assembly Standing Committee on Codes, Assembly Chambers, State Capitol, Albany 1, New York.

Very truly yours,



Secretary.