

SHERWIN-WILLIAMS PAINT, VARNISH AND LACQUER LABORATORIES

ROUTINE AND POLICY

Consecutive No. 153

X258 1-35 3016 D

Supplement to R & P #153

1-5-61

COMPANY CONFIDENTIAL TO:

S. J. Carlson

SUBJECT: PRODUCT LIABILITY

Expressed and Implied Warranty
Mr. R. H. Hill's letter of 1-3-61

Please attach Mr. R. H. Hill's letter of January 3, 1961,
copy herewith, to your copy of Routine & Policy Bulletin
#153 - above subject.

HWLCotton
tos
Encl.

HWLC
Technical Coordinator

To: ESS DEH JPH SFC ATA PCN QJG RAN KRB 'AIC HWL JAA CAL DHH FHT
OKS RSG ROL

cc: HPS JC' ABH LR

P.S. - "Duplicate" copies being sent under separate cover -
HWLC

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FROM THE DIRECTOR OF SALES - CLEVELAND

January 3, 1961

COMPANY CONFIDENTIAL

Subject: Product Liability
Expressed and Implied Warranty

Important - Read Carefully

Through extensive research and product development, the Sherwin-Williams Co. manufactures and delivers to the customer the best possible product finish for the intended purpose.

While it is very important that the proper Industrial coating be recommended, there are many other factors of equal importance which affect the success or failure in performance of a product finish. This is particularly true as modern paint chemistry becomes more complex and new and unique Industrial coatings become available to industry.

As a manufacturer and supplier of Industrial coatings, we are obligated to ourselves and the customer to see that the proper product or system is recommended, and approved by the customer, and that he fully understands the proper application of the coating and the results he should expect. Too frequently we are faced with settlement of claims caused by practices beyond our control and not due to a substandard or faulty paint product.

As follows are important factors which very frequently are responsible for poor results or failures which must be carefully considered in recommending products or systems to Product Finishing accounts:

1. Wrong product selected for purpose.
2. Improper or no preparation of metal or surface.
3. Use of excessive or wrong thinners.
4. Improper application method or technique.
5. Poor drying or baking conditions.

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6. Inadequate coats or film thickness for expected wear or exposure.
7. Special requirements (chemical, moisture resistance, etc.).
8. Interchange or substitution of products within a system.
9. Where toxicity of product is a factor.

All of the above points are covered in detail, by product, in the brochures or technical data sheets contained in the Brown Label Manual. These should be studied carefully before recommendations are made.

Where special developments are involved, full and complete information on the performance of these products for the intended use should be obtained in writing from the laboratory through your Regional or Product Finishes sales office before recommendations are made to the customer.

REDACTED FOR PRIVILEGE

The selection and adoption of an Industrial coating is the joint responsibility of the supplier and the customer. In every case involving production line accounts, the coating should be applied, subjected to all of the customer's tests and end use requirements, and finally approved by the customer as suitable for his use before being put on his production line.

Occasionally a prospect asks for a guarantee on an Industrial finish. Neither we nor other reputable industrial finishes manufacturers can furnish such a guarantee for obvious reasons. After the customer has tested and approved the system recommended, we do, however, through very strict quality control make every effort to adhere to the adopted standard to insure expected performance. We can recommend a material, but under no circumstances can we guarantee results.

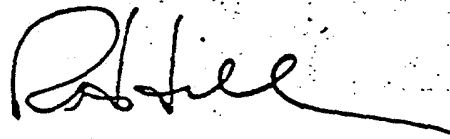
Many times we are subjected to claims because a customer has elected to change some part of an approved system in the interest of faster production, faster drying, lower material cost or other factors. This practice may and often does weaken or completely destroy durability, adhesion or other film characteristics even though the individual products involved are up to standard in every respect; and the sale of

a few gallons of finishing materials for the sake of "getting an order" can result in very substantial losses to your Branch and the Sherwin-Williams Co.

When such practices are observed by Branch Managers or Representatives, the customer should be informed, in writing if necessary, that this change is a departure from the recommended and approved system, and that such a change is not in the interest of best finishing practices and that we, therefore, cannot accept responsibility for failures which may result.

In the interest of the customer, your Branch and our Company in working with Industrial Product Finishes prospects make certain that you:

- * STUDY CAREFULLY THE CUSTOMER'S REQUIREMENTS.
- * FOLLOW THE RECOMMENDATIONS CONTAINED IN THE TECHNICAL INFORMATION AND BROCHURES AND RECORD YOUR PRODUCT OR SYSTEM RECOMMENDATION IN WRITING, SENDING A COPY TO YOUR REGIONAL INDUSTRIAL OFFICE FOR FUTURE REFERENCE.
- * HAVE YOUR CUSTOMER TEST AND APPROVE THE PRODUCT TO HIS OWN SATISFACTION BEFORE ADOPTING IT FOR USE.
- * IF THERE IS ANY DOUBT AS TO THE SOUNDNESS OF A RECOMMENDATION OR FINISHING PRACTICE, WHETHER IT BE A LISTED OR SPECIAL PRODUCT, ASK FOR HELP AND GET CONFIRMATION FROM YOUR REGIONAL OR INDUSTRIAL OFFICE BEFORE MAKING THE RECOMMENDATION.



RHH/b

Regional Directors
Assts. to Regional Directors
Area Managers
Ind. Zone Managers
Branch Ind. Supervisors
Reg. Branch Managers
Branch Dealer Reps.
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