

NEWS from CPSC

U.S. Consumer Product Safety Commission

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CPSC Announces Decision On Lead-In-Paint Issue Raised By Congress

WASHINGTON, D.C. (Dec. 17) -- The U.S. Consumer Product Safety Commission (CPSC) today announced that available scientific information is insufficient to support a finding that a level of lead-in-paint above 0.06 percent is safe. The Commission was asked by Congress under the Lead-Based Paint Poisoning Prevention Act (LBPPPA) to determine if a higher level of lead-in-paint could be considered safe. The concern of Congress in passing the LBPPPA was to protect children from lead poisoning due to eating of lead-containing paint chips.

In passing the LBPPPA Congress defined lead-based paint that is manufactured after June 22, 1977, as paint with more than 0.06 percent lead unless the CPSC by December 23, 1976, was able to determine some safe level greater than 0.06 percent but not to exceed 0.5 percent. The present limit is 0.5 percent.

The Commission reviewed all information and literature available, including a study by an ad hoc committee of the National Academy of Sciences; the recommendations of the Secretary of the Department of Health, Education and Welfare, including the comments from the Center for Disease Control; testimony at a public hearing September 12, 1976; and other available information and written comments, in order to fulfill its obligation under the LBPPPA. The Commission concluded that because of the limitations of the existing available scientific data, it was unable to establish whether a level of lead in residential paint in excess of 0.06 percent, but not exceeding 0.5 percent, was safe.

Under the LBPPPA the Department of Housing and Urban Development (HUD) is instructed to prohibit lead-based paint in residential structures constructed or rehabilitated by the Federal government or with Federal assistance; the Department of Health, Education and Welfare is to take steps to ban lead-based paint from cooking, drinking or eating utensils; and the CPSC is directed to prohibit lead-based paint on any toy or furniture article.

On August 10, 1976, the Commission indicated in a Federal Register proposal that its determination of a definition of "lead-based paint" under the LBPPPA would form the basis for a banning action under the Consumer Product Safety Act. The banning action, as proposed, would cover lead-based paint on toys or furniture articles as set forth in the LBPPPA. It would also cover lead-containing paint generally.