



Lead Industries Association, Inc.

292 Madison Avenue • New York, N. Y. 10017 • Telephone: (212) 679-6020

January 31, 1972

SUBJECT: TESTIMONY BY LIA
ON CHICAGO PAINT ORDINANCES

TO: THE MEMBERS OF THE LEAD INDUSTRIES ASSOCIATION, INC.

On Friday, January 27, 1972, the attached testimony was presented by LIA before the Buildings and Zoning Committee of the Chicago City Council. Numerous representatives from the paint industry also presented testimony critical of certain provisions in two proposed ordinances to change the Chicago Municipal Code.

As a result of our testimony, the Assistant Corporation Counsel has indicated a very definite willingness and desire to make the changes in the two ordinances suggested by the LIA testimony.

For your information, the two ordinances were aimed at reducing the amount of lead which could be incorporated in paints sold for interior applications from a maximum allowable content of 1% to 0.5% as of June 1, 1972. Beginning January 1, 1973, this maximum would be reduced to 0.03%. Much of the paint industry testimony was aimed at elimination of the January 1, 1973 proposed change, and it was our understanding through informal discussion after the meeting, that several of the Councilmen consider this proposed change to be negotiable; that is, they are starting at 0.03% and would be willing to move upwards if the need is shown.

Sincerely,

Philip E. Robinson
Executive Vice President

JFS:ft
Enclosure

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Lead Industries Association, Inc.

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STATEMENT BY LEAD INDUSTRIES ASSOCIATION, INC.

BEFORE

BUILDINGS AND ZONING COMMITTEE OF THE

CHICAGO CITY COUNCIL

ON

ORDINANCES TO AMEND CHAPTERS 78 AND 100

OF

THE MUNICIPAL CODE OF CHICAGO

January 27, 1972

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My name is Jerome F. Smith, and I am the Secretary and Manager of the Lead Industries Association, Inc. Thank you for the opportunity to present this statement in behalf of my industry.

The Lead Industries Association represents lead producers, smelters, refiners and manufacturers throughout the United States. We endorse the objective of these two proposed amendmendments to the Municipal Code of Chicago. Our association strongly recommends, however, that certain changes be considered that will avoid undue administrative burden and the imposition of impractical requirements in an effort to achieve that objective.

Our specific recommendations for change in the proposed amendments are as follows:

I. In the proposal to amend Chapter 78, Section 78-17.2, the language used in Part 6, Section 1, defining "lead-based substances" is too broad. As it stands, enforcement of this provision would act to ban any materials whatsoever containing greater than 0.5 percent lead by weight of its non-volatile content. Strictly interpreted, this would rule out use of telephones and television sets, radios and all electronic equipment which contain soldered connections; properly glazed dinnerware, cut crystal glass, and even decorative oil paintings, among other ordinary household items. This obviously is not the intent of the proposed amendments.

We propose that the wording of this section be changed to read as follows:

"6. 'Lead-based coatings' -- shall mean any paint, lacquer, or other applied liquid surface coating, and putty, which contains a quantity of lead greater than one-half of one percent (0.5 of 1 percent) by weight of its non-volatile content."

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II. Proposed amendments to Section 100-29.3 contain language identical to that cited above, and we recommend that those portions of that amendment be changed in line with suggestions made in Point I above.

COMMENT

The intent of the proposed amendments is obviously to provide better protection to the children of Chicago against the problem of illness caused by the eating or chewing of old lead-containing paints and other surface coverings. LIA is in full accord with all measures that will reduce and eliminate this problem, and has pioneered in research and action campaigns to accomplish this.

Also, almost all cases of illness resulting from eating such old leaded paint occurs among children under five years old. Largely amongst children one to three years of age. We urge that this fact be kept in mind when referring to surfaces "readily accessible to children."

Certain metal surfaces such as fire escapes, fire doors and metal window frames in hospitals and large apartment buildings are not readily accessible to children and should, we feel, be exempted as these require anti-corrosive lead pigments.

Recently, the U.S. Food and Drug Administration proposed a reduction of the allowable concentration of lead in interior paints from 1 percent to 0.5 percent. Although there has been no experience of intoxication relating to the use of 1 percent lead in paint, the Lead Industries Association supported the FDA's proposed reduction as consistent with its goal of eliminating unnecessary exposure of lead.

Similarly, the Association supports the intent of the Chicago ordinances but urgently requests that our recommended changes be accepted.

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