

MINUTES OF MEETING

of

LEGISLATIVE AND LABELING COMMITTEES

National Paint, Varnish and Lacquer Association

Washington, D.C.

July 15, 1958

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Those in attendance were:

MEMBERS

Frank R. Pitt, Chairman, Legislative Committee  
T. J. McDowell, Chairman, Labeling Committee  
Neil Brady  
Dr. John H. Foulger  
Sanford J. Hill

Bruce Homer  
E. P. Hubschmitt  
E. L. O'Brien  
E. F. O'Toole  
Joseph F. Battley

STAFF

Louis Fisher  
Laurence Kiefer

D. L. Boland  
Don Lynott

The meeting was called to order at 10:30 A.M.

President Battley said there were many problems facing both Committees and felt that the two Committees were working toward the same objective. One complements the other. He proposed that the Legislative and Labeling, Product Registration and Application Regulations Committee be merged into one Committee which would include the legal, the technical and the mangement approach. He also suggested that the Committee adopt Rules of Procedure, select a chairman and set up hard hitting, strong subcommittees to work in fields where the industry has its greatest problems.

He said that 45 state legislatures will meet next year and the industry may face a surge of labeling bills, some relating to labeling of lead base paints and patterned after the New York City regulations and others after the Baltimore Ordinance. He reported on his meeting with Dr. Williams in Baltimore. Some leeway was allowed manufacturers who have the New York City precautionary wording on their labels to continue with these labels for the time being. Dr. Williams made it plain that it is his hope to have every state and city eliminate the use of paint containing lead in the interiors of buildings. He objects to the wording of the New York City regulation which states "surfaces which might be chewed by children." His campaign against lead base paints was intensified by his test of a can of paint marked for interior use which, upon analysis, showed 9 percent lead content. Dr. Williams indicated he would attempt to have the New York City health authorities adopt the Baltimore Ordinance. President Battley said he was working closely with Mr. Trichter of the New York City Health Department.

President Battley recommended that the Committee consider the preparation of a uniform labeling bill for the industry which can be used nationally and locally. When officials try to write labeling regulations for hazardous household products and include paint products therein, we face a tremendous amount of trouble.

Mr. Pitt stated that the Labeling Committee was appointed for a specific purpose and had accomplished its objective in preparing uniform precautionary statements which have been adopted by the Association, New York City and several states.

The merger of the two Committees into one to be known as the Legislative Committee was unanimously approved.

A draft of suggested Rules of Procedure was discussed and adopted. (Copy attached)

The President appointed T. J. McDowell Chairman and Frank Pitt, Vice Chairman of the new Committee. President Battley said he would promptly appoint the members of the Committee for the coming year.

Dr. Foulger stated that the Bush Bill, S-1900, should be modified. It is difficult to test paint for toxicity on an animal. There is no history of serious injury from paints.

Mr. Hubschmitt said the Committee should concentrate on preparation of a uniform labeling act, to simplify the labeling problem for the industry.

Mr. Pitt stated that a problem arises with pigmented products, as well as various clear materials such as thinning compounds. Also, he stated that since paint is sold in aerosol containers, labeling of these products must be considered.

Mr. O'Toole inquired what are the maximum dangers in paint products. Dr. Foulger stated that any labeling bill would require provisions about antidotes, but this was no problem with paints except paint and varnish removers which used Benzol and other dangerous materials. Mr. Hill suggested it would be advisable to add a section on paints with the CSMA Bill.

Motion was made by Dr. Foulger and seconded by Mr. O'Toole that the Committee go on record as favoring a Federal labeling law. The motion was adopted.

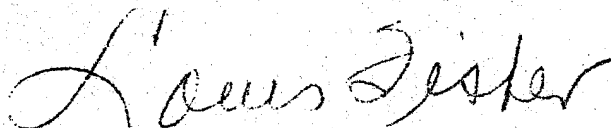
Motion was made by Dr. Foulger and seconded by Mr. O'Brien that the Committee consider present proposed legislation in the field from the point of view of determining whether they can be amplified to cover adequately the products of the industry. Motion was adopted.

Dr. Foulger moved and Mr. Pitt seconded the motion that a Subcommittee be appointed to develop and draft a bill with a recommendation to the Subcommittee that the best approach is to consider human experience rather than laboratory data of results obtained from animals. This motion was adopted unanimously.

The proposed revision of the New York City Sanitary Code was discussed. There was full agreement that the location and type size of precautionary wording should be omitted from the regulation. There was objection to the restriction of paint containing more than 1 percent lead on interior surfaces. Motion made by Mr. Hubschmitt and seconded by Mr. O'Brien that the present New York City regulation be continued. The motion was adopted.

Mr. Hill stated that the labeling law written by the American Medical Association was prepared without consulting industry and every effort will be made to have it withdrawn.

The meeting adjourned at 4:00 P.M.



LOUIS FISHER  
Secretary

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This constitutes ☐ approval of the action of the Committee  
☐ disapproval

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

LF/mt

## LEGISLATIVE COMMITTEE

### Rules of Organization and Procedure

#### I. FUNCTIONS AND PURPOSES

The Legislative Committee has been established to further the stated aim of the National Paint, Varnish and Lacquer Association to foster and promote, within the framework of a competitive, free enterprise system, the lawful and legal interests of the paint industry. It shall promote the best interests of the industry by supporting legislation relating to the sale, use or manufacture of the industry products at the National, state and local levels which is favorable to the industry and its members, and by the same token, is ever alert to see that unfavorable legislation is not enacted into law. It shall work and cooperate with related industry associations and other groups interested in the accomplishment of the Committee's purposes.

#### II. ORGANIZATION

1. Membership. Membership in the Committee shall be composed of representatives of member companies who hold special qualifications in the field of reference to the Committee. Members of the Committee are appointed by the President of the Association.

2. Officers. The Committee shall recommend to the President a chairman, and a vice-chairman. The Chairman and the Vice-Chairman shall serve for a term of not more than two years. These officers shall perform the following duties:

(a) Chairman. The Chairman shall preside at meetings and shall generally be responsible for the work of the Committee.

(b) Vice-Chairman. The Vice-Chairman shall preside at meetings in the absence of the Chairman and shall assist the Chairman in the operation of the Committee.

(c) There shall be a Secretary who shall be a member of the Association staff and responsible for the administrative work of the Committee, including the keeping of its files and minutes.

3. Sub-Committees. Sub-Committees on special subjects may be established from time to time by the Committee. The Chairman of the Committee, in collaboration with the Association President, shall appoint the Chairman of such Sub-Committee, who shall, in turn, appoint members. The Chairman and Vice-Chairman, shall be ex officio members of all sub-committees. The only function of a sub-committee is to study and report to the full Committee on the subject assigned to it, unless the Committee specifically authorizes other action.

#### III. MEETINGS AND VOTING

1. Time and Place. The Committee shall meet not less than twice each year. Additional meetings may be called by the Secretary at the request of the Chairman. All meetings shall be at the time and place specified by the Chairman.

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2. Quorum. Forty percent of the total membership of the Committee shall constitute a quorum.

3. Agenda. An agenda shall be prepared and distributed by the Secretary in advance of any meeting of the Committee or a Sub-Committee. The Committee will welcome suggestions from the membership at all times.

4. Minutes. Full and complete minutes shall be kept of each meeting of the Committee and of each Sub-Committee by the Secretary. These minutes shall show as a minimum, the following:

- (a) The time and place of the meeting;
- (b) The members of the Committee or Sub-Committee present;
- (c) Each subject discussed at the meeting;
- (d) Any official action on such subjects taken by the Committee.

Minutes of each meeting shall be sent to the members of the Committee or Sub-Committee within 10 days following each meeting.

5. Voting. Voting at each meeting of the Committee or Sub-Committee shall be conducted in accordance with Robert's Rules of Order. Questions upon which action is required between meetings of the Committee or Sub-Committee may be presented to the members for mail or telegraph vote. The question shall be determined on the basis of the majority of replies received during the period established by the Chairman and designated on the ballot.

6. The work of the Committee and of any Sub-Committee shall be conducted in accordance with the By-Laws of the National Paint, Varnish and Lacquer Association.

7. No member of the Committee shall express views in behalf of the Committee unless authorized to do so by the President of the Association. Membership on the Committee shall not preclude any member from taking independent action on any matter.

#### IV. FILES AND CORRESPONDENCE

1. Correspondence. All action by the Committee shall be taken in the name of the Association and issued in the name of the President of the Association or the Chief of a division of the Association. Correspondence from the Committee shall be in the name of the Secretary, with copies to the Chairman.

2. Files. The files maintained by the Secretary and the Chairman shall be the property of the Association. Each Chairman shall pass on to his successor his official file.

3. Reports. The Chairman and Secretary shall prepare an annual report covering the year then ending, summarizing the work of the Committee during that year.

Adopted by Legislative Committee, July 15, 1958

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