

Memo to: Robert Rogers

Date: March 10, 1972

From: Lewie Gilpin

Copies: C. Thompson

Subject: Lead Paint Hearings -- Friday, March 10, 1972

Senator Kennedy again opened the proceedings, before turning them over once more to Senator Richard Schweiker (R-Pa.).

Witnesses at this concluding session of the hearing included Dr. Merlin K. DuVal, Assistant Secretary of HEW for Health and Scientific Affairs; Dr. Stanley M. Greenfield, EPA Assistant Administrator for Research and Monitoring, and Charles Ervin, associate director for policy and programs, ACTION.

Big development of the day came with announcement in the course of Dr. DuVal's testimony -- paralleling announcement at Food and Drug Administration -- of FDA's setting new lead paint standards, to be published officially in the Federal Register tomorrow. (see excerpt attached)

Dr. DuVal was flanked by three associates, chief among them Dr. Mark Novitch, FDA associate commissioner for medical affairs.

During most of his few early minutes in the chair, Senator Kennedy pressed Dr. DuVal about "when are you going to start putting out the money we appropriated last July?" DuVal indicated FDA has been drafting regulations since March 1971 and would publish them in the Federal Register during March. With Kennedy unimpressed with this kind of progress -- "but we made the money available eight months ago" -- DuVal and Dr. Novitch insisted the government will commit all the \$7 1/2 million by June 30, 1972. How much money have you asked for 1973? \$9 1/2 million. At which point Kennedy pointed to the final paragraph of DuVal's statement, where he said ". . . we cannot support the enactment of S. 3080", and complained: "I can't see how you can ask for money and then not support the bill."

Schweiker and DuVal, with Novitch, touched on a variety of questions:

Have you looked into the idea of developing some plastic covering for walls -- this might well be the quickest and most accessible way to solve the problem? FDA is working on the idea with HUD, but bonding and adhesion is a problem, along with cost of labor -- "but we share your enthusiasm for the idea."

Can you explain your logic or reasoning for the time-frame you set for the upcoming lead paint regulations? There are really five points:

1. Inventories of paint in warehouses and stores -- they should have

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time for orderly disposition.

2. Switchover to new formulations.
3. Problems visited on the small producers of paints.
4. Problem of raw materials and water supply -- in some cases natural trace amounts could reach .06% before they ever get into the manufacturing process.
5. Finding a heavy metal substitute for dryer use.

How would you handle the local custom-blending situation, where vehicle and pigment are custom-mixed, to meet the new standards? I think that's covered, but there is always the opportunity for escape (i.e., intra-state customizing on-the-spot). But if pigment is shipped in interstate commerce, it would have to comply. What level are you setting for lead in pigment? A lead level low enough so when it is mixed with the vehicle, it would comply. The regulation (on lead level) applies to pigments as well as paints -- is that the case? "Yes, sir!" DuVal answered Schweiker.

Dr. Greenfield pointed out that EPA was content to be acting as a consultant to HEW and HUD in the lead paint matter, that it was keeping an eye on developments, that it "has considered the problem of lead in paint only from its interest in the general area of environmental lead exposures."

"EPA is concerned with the problem of reducing all unnecessary environmental lead exposures. Although clearly HEW and HUD have primary responsibility for dealing with lead based paint poisoning EPA felt obliged to respond to a request for comments regarding an FDA proposal to label as hazardous interior paint in excess of 0.5% (Federal Register, November 2, 1971). EPA scientists thus conducted a theoretical analysis based upon the best currently available data to determine the maximum safe amounts of lead in paints for interior residential surfaces. A first draft copy of this in-house technical report entitled "A Control Strategy for Lead in Paint" appeared in the February 9, 1972 Congressional Record - Extension of Remarks, pp. 1010-1011. We would like to make a copy of that draft report available to you for the record. This paper concluded that continued ingestion of only one-twentieth of a teaspoon of paint containing 0.05% lead would double average daily lead absorption from food and water in a 10 kilogram child, thus contributing significantly to increased blood lead and body burdens.

EPA defers to the views of HEW on the need to extend the Lead Based Paint Poisoning Prevention Act. We also believe that legislation to increase this Agency's involvement regarding lead based paint poisoning in the light of existing authorities in HEW and HUD is not necessary."

Greenfield's conclusion to Schweiker: Paint above .05% lead is dangerous for a child.

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ACTION'S Charles Ervin described for the committee its proposal for a 3-year demonstration program "to determine whether the problem of lead-based paint poisoning can be essentially eliminated from the lead belt areas of three medium-sized cities."

The first city invited to submit a proposal for ACTION help is Rochester, N.Y. Ervin declined to name other cities that might be considered -- although he noted New York and Chicago were too big for ACTION to handle, and Minneapolis-St. Paul did not appear to have a distinguishable "lead belt." (He told me privately Milwaukee is one city being considered.)

The ACTION program's four goals:

1. Identify children now suffering from high lead levels and treat them.
2. Identify buildings in which existing lead based paint presents a hazard.
3. Control the existing hazard.
4. Prevent new hazards from arising.

ACTION expects to begin its program this fall, in September, and hopes to have 300 of its "volunteers" at work by July, 1973. ACTION people's role is primarily as catalyst-stimulator for local volunteer service programs.

"We want an experiment of a size we can clearly manage," Ervin commented. "Three cities appears to be the right size. At least two-thirds of the volunteers we would approve would be local people. We would only bring in enough outsiders to do the job local volunteers could not handle."


L.V.G.

/dw

Excerpt from testimony of Dr. Merlin K. DuVal, Assistant Secretary for Health and Scientific Affairs, HEW -- Lead Paint Hearings, Friday, March 10, 1972.

Food and Drug Administration Regulations. The Food and Drug Administration, as an agency concerned with public health and safety, has also taken a number of steps directed at eliminating the hazard of lead-based paint in and around the home. These include publishing proposed regulations to limit lead in paints for household use, and requesting analyses of all manufacturers' paints for lead content.

On November 2, 1971, a proposal was published in the Federal Register by the Commissioner of FDA to declare paints and other surface coatings containing more than 0.5 percent lead, and specified levels of other critical elements and heavy metals, to be hazardous substances. In the same issue of the Federal Register, a notice was published on behalf of petitioners Joseph A. Page, et al., proposing that paints for household use containing more than minute traces of lead be classified as banned hazardous substances under the Federal Hazardous Substances Act.

Approximately 200 comments were received in response to these proposals. They represent the views of consumers, consumer groups, physicians, paint manufacturers and their associations, Government agencies, and the American Academy of Pediatrics.

The American Academy of Pediatrics suggested the banning of paints containing more than 0.06 percent lead for use on interior surfaces, toys, and other children's articles. Most of the 41 other physicians' comments endorsed this suggestion.

Most comments from consumer groups, government agencies, and interested citizens either supported the American Academy of Pediatrics' recommendation or the Petitioners' proposal for only "minute traces of lead."

Paint manufacturers and their trade associations have commented favorably upon the .5% limit but have raised objections both to the "minute traces" standard and the .06% limit.

The notice in question also dealt with certain other critical elements and heavy metals in addition to lead. Industry representatives argue that we do not yet have sufficient information to establish valid limits on other heavy metals in paint and coatings.

Based on information now available to us, we are satisfied that it is technologically feasible, and desirable from a health viewpoint to move toward the .06 percent standard recommended by the American Academy of Pediatrics. However, this transition cannot be accomplished immediately.

Accordingly, our position is that the 1 percent definition of lead-based paint established by the Act should continue in effect for the balance of 1972. Effective commencing January 1, 1973, the maximum permissible lead content of paint would be reduced to .5 percent and the .06 percent standard should take effect as of January 1, 1974. We are now prepared to publish in the Federal Register an order requiring an orderly reduction in the amount of lead permitted in paints and other coatings intended for household use. Briefly, this order is in accord with the recommendations of the American Academy of Pediatrics and will ban paints and other surface coating materials which are intended or packaged in a form suitable for use in the household, are involved

in interstate commerce after December 31, 1973, and contain lead in excess of 0.06 percent of the contained solids or dried paint film; between December 31, 1972 and December 31, 1973, lead in excess of 0.5 percent of the contained solids or dried paint film will be banned.

This order applying to paints shipped in interstate commerce, or otherwise falling within the scope of FDA jurisdiction through use of ingredients shipped in interstate commerce, will cover virtually all paint and coatings sold for residential use in the United States.

Our goal is to arrive at the lowest level of environmental lead hazard that is technologically feasible and economically realistic. HEW and HUD intend to continue evaluating the technological feasibility and medical implication of proposed standards taking into account practical aspects of environmental protection and production control.

FDA will give consideration to petitions for an amendment to this regulation, or for an amendment of the implementation dates of the regulation, if such petitions are supported by reasonable grounds and justification. If such petitions furnish reasonable grounds therefore, the Commissioner will publish notices in the Federal Register proposing the amendment of the regulation. Furthermore, if our evaluation of this problem indicates that the elimination of lead from paints can be accomplished sooner, we are prepared to amend the order to accomplish this.

Assistant Secretary Finger of HUD, who testified before your committee on Monday and promised a recommendation, has authorized me to advise you that HUD concurs in the approach which I have described.

With respect to the issue raised regarding other elements in paints and coatings, we are satisfied that additional study is necessary. This is actively under way within the Department, and regulations covering these other elements in paints and coatings will be published if appropriate as soon as the necessary valid basis for regulatory action can be established.

Petitioners also requested that the Commissioner obtain certified analyses from paint companies of their household products "(in) order to assist in resolution of the argument of technical incapacity that the paint industry is making...."

In consideration of this request, and in view of the numerous conflicting comments received in response to the proposals, FDA concluded that such data would be of value in implementation of the final order in the matter of lead-containing paint and in preparation of a subsequent final order on certain other elements in paints. A Federal Register announcement requesting analytical data was published on February 19; a copy is being submitted for the record.

in residential structures constructed or rehabilitated by the Federal Government or with Federal assistance. An additional margin of safety, the Commissioner proposes to reduce the exposure to lead found acceptable by Congress by establishing special labeling requirements for all household paints containing more than 0.5 percent lead.

Consideration has been given to the question of whether paints containing lead above the level specified herein should be banned from interstate commerce, or required to bear special labeling warning of the hazard involved and giving instruction for safe use. While there are numerous reports of serious injury and even death resulting from the ingestion of the dried film of old formulations of paints containing high levels of lead, the Commissioner is unaware of any similar reports as a result of ingestion of paints containing 1 percent lead or less. The Commissioner has therefore concluded that cautionary labeling will be adequate to protect the public health and safety from any potential hazards associated with the use of such paints.

Accordingly, under section 3(a) of the Federal Hazardous Substances Act, the Commissioner proposes that paints and other surface-coating materials be declared to be hazardous substances (as defined in section 2(f)(1)(A) of the Act) that require special labeling as specified herein if such paints and other surface-coating materials contain, on a dried weight basis, more than 0.5 percent lead; or a total of more than 0.05 percent antimony, arsenic, cadmium, mercury, or selenium; or soluble barium in excess of 1 percent of the total barium present. Finalization of the regulations proposed herein in conjunction with section 2(q)(1)(A) of the Federal Hazardous Substances Act, will have the additional effect of automatically banning any toy or other article intended for use by children which is produced after effective date of these regulations and which bears such paint or other surface-coating material.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (secs. 2(f)(1)(B), 2(q)(1)(A), 3(a), and 3(b), 74 Stat. 372, 374-375 as amended; 80 Stat. 1304; 15 U.S.C. 1261, 1262), and the Federal Food, Drug and Cosmetic Act (sec. 501, 52 Stat. 1055-56 as amended; 21 U.S.C. 371), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new subparagraph be added to § 191.5 (a) and that a new subparagraph be added to § 191.7(b), as follows:

§ 191.5 Products declared to be hazardous substances under section 3(a) of the act.

(a) The Commissioner finds that the following articles are hazardous substances within the meaning of the act because they are capable of causing substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use:

(2) Paint and other surface-coating materials, produced or shipped in interstate commerce after the effective date of this regulation, containing any of the heavy metals specified below at a level exceeding that which is essential under good manufacturing practices or in any event containing amounts of such heavy metals as follows:

(i) Lead compounds of which the lead content (calculated as the metal) is in excess of 0.5 percent of the total weight of the contained solids or dried paint film; or

(ii) Antimony, arsenic, cadmium, mercury, and selenium of which the metal content individually or in total (calculated as the metal) exceeds 0.05 percent of the total weight of the contained solids or dried paint film; or

(iii) Barium compounds of which the water soluble barium (calculated as the metal) exceeds 1 percent of the total barium present.

§ 191.7. Products requiring special labeling under section 3(b) of the act.

(b) The Commissioner finds that these substances present special hazards and that the labeling required by section 2(p)(1) of the act is not adequate for the protection of the public health. Under section 3(b) of the act the following specific label statements are deemed necessary to supplement the labeling required by section 2(p)(1) of the act:

(7) Paint and other surface-coating materials declared to be hazardous under § 191.5 (a)(2) shall bear on the main panel of their label, in addition to the requirements of § 191.101(a), the statement "contains -----", the blank being filled in with the name of each heavy metal present in the amount specified in § 191.5(a)(2). Such paint and other surface-coating materials shall also bear on their labeling the signal word "Warning," and the following additional statement or its practical equivalent:

"Contains -----"

Dried film of this paint may be harmful if eaten or chewed.

Do not apply on toys and other children's articles, furniture, or interior surfaces of any dwelling or facility which may be occupied or used by children.

Do not apply on those exterior surfaces of dwelling units, such as windowsills, porches, stairs, or railings, to which children may be commonly exposed.

Keep out of the reach of children."

The blank being filled in with the name of each heavy metal present in the amount specified in § 191.5(a)(2).

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-28, 5600 Fishers Lane, Rockville, Md., 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

ENVIRONMENTAL PROTECTION AGENCY,

Washington, D.C., January 26, 1972.

Reply to Attn of: EPA-AR-R.

Subject: Comments on FDA Proposal to Declare Certain Heavy Metal-Containing Paints and Other Surface-Coatings to Require Special Labeling for Child Protection.

To: Hearing Clerk, Department of Health, Education, and Welfare.

This memorandum is in response to the invitation for comments on the subject proposal published by the Commissioner of Food and Drugs in the Federal Register on November 2, 1971.

The Environmental Protection Agency is concerned about the problem of lead poisoning in children. In order to reduce the burden of lead in children, we will soon propose a program to accelerate the reduction and eventual of lead from gasoline.

Since most cases of lead poisoning in children are attributable to consumption of lead-based paint, we have undertaken to determine the maximum safe percent of lead by weight in dried paint necessary to protect the public health. These studies, described in the attached in-house technical report, indicate that lead paint in excess of 0.05% could constitute a danger to the health of children with pica. Our conclusion is similar to that

of the American Academy of Pediatrics, which strongly recommended that lead paint in excess of 0.05% should not be permitted.

We believe that cautionary labeling will not be adequate to protect the public health and safety from any potential hazards associated with the use of paints containing more than 0.05% by weight of the dry solids. Many families may occupy a dwelling after the paint can label. This problem may be prevented through banning of lead-based paint in interstate commerce and advice to local authorities when interstate commerce is not involved.

STANLEY M. GREENFIELD,

Assistant Administrator for Research and Monitoring.

Attachment.

A CONTROL STRATEGY FOR LEAD IN PAINT—IN-HOUSE TECHNICAL REPORT—FIRST DRAFT

(By K. Bridbord, C. Shy, D. Hammer, H. Goldberg, V. Newell, and W. Nelson)

BACKGROUND

Available evidence indicates that lead in human tissues serves no useful biological function. Even at low blood concentrations, lead adversely affects metabolism by inhibiting critical enzyme systems (1). At higher concentrations, lead can produce severe disease and even death. Accordingly, any increase in lead body burden is undesirable. All known sources of human lead exposure must be carefully controlled.

Clinical lead poisoning is caused primarily by childhood ingestion of lead-based paint (2). Every year hundreds of children die from lead poisoning and many thousands more receive permanent, irreversible central nervous system damage from lead ingestion. Recent proposals have advocated limiting lead content in paint as a means to prevent lead poisoning among future generations (3). However, agreement concerning how severe this restriction should be has not been reached.

Among the general adult population, food is the primary contributor to lead body burden. Air and water are additional exposure routes. For children predisposed to pica (eating nonfood objects), the primary source of lead body burden is lead-based paint. Lead in street dust and soil are additional potentially significant exposure mechanisms in this group (4).

Comprehensive programs to decrease lead exposure have advocated eliminating lead in gasoline and rehabilitating deteriorating housing containing lead-based peeling paint. However, even low lead paint used in the rehabilitation process or in new construction could become a source of lead exposure in the future. Thus, careful thought must be given to what constitutes a "safe" concentration of lead in paint. Our paper will re-examine this problem to arrive at an independent estimate of a "safe" lead level in paint.

THE CONTROL STRATEGY

The physiology of lead absorption and excretion in adults is well documented. Corresponding studies in children are limited. An "average" 70 Kg adult takes in approximately 300 µg of lead via food and water (5). Of this, up to 10% is absorbed from the gastrointestinal tract. Lead intake via the respiratory route is much more complete. Approximately one third of all inhaled lead is retained and almost all of this is absorbed (6). A figure of 30% reasonably estimates the quantity of lead absorbed from inhaled air.

Studies indicate that children aged 1-3 years (10-15 Kg) ingest, on the average, 140 µg of lead each day from food and water (7). Based upon data from adults, up to 10% of this, or 13 µg per day will be absorbed. Children this age inhale approximately 6 cubic meters of air daily. Ambient air lead

levels close to heavy traffic combusting gasoline containing lead are expected to average at least 5 ug lead per cubic meter. Assuming 30% absorption, a 1-3 year old child would absorb approximately $5 \times 0.3 = 1.5$ ug lead per day from the air.

Since significant increases in lead exposure and body burden are undesirable (especially in children prone to pica) strategies to limit lead exposure must prevent body burden increments. A maximum daily permissible intake (not absorption) of elemental lead in children of 300 ug is already established (8). Even if lead emissions from automobiles are eliminated in the future (93% of airborne lead is from gasoline combustion (9)), possible lead ingestion from peeling paint must still not be allowed to significantly exceed background lead intake from food and water. This is because lead intake of 120 ug per day in a 1-3 year old child is already nearly half his daily permissible intake.

ACCEPTABLE LEVELS

Peeling paint is significantly denser than water. When considering potential lead ingestion from specific volumes of peeling paint, assumptions that the density of paint equals that of water yield conservative estimates. On this basis the following tables can be constructed.

TABLE I*

Paint Ingestion As A Function of Volume Intake (Teaspoons).

Volume of Peeling Paint Ingested (teaspoons)	Grams of Paint Ingested
0.01	0.05
0.05	0.25
0.1	0.5
0.5	2.5
1.0	5.0

* The density of water is one gram per cubic centimeter. Since one teaspoon contains 5 cubic centimeters of water this is equivalent to 5 grams of paint with a density equal to that of water.

TABLE II.—TOTAL LEAD INGESTION FROM PAINT, MICROGRAM (DAILY AVERAGE)

Teaspoons of peeling paint ingested:	Concentration of lead in paint (in percent)				
	0.01	0.05	0.1	0.5	1.0
0.01 (0.1 cc)...	5	25	50	250	500
0.05 (0.25 cc)...	25	125	250	1,250	2,500
0.1 (0.5 cc)...	50	250	500	2,500	5,000
0.5 (2.5 cc)...	250	1,250	2,500	12,500	25,000
1.0 (5 cc)...	500	2,500	5,000	25,000	50,000

Source: Based upon assuming 10 percent of all ingested lead from the GI tract, Table III can be constructed.

TABLE III.—TOTAL LEAD ABSORPTION FROM PAINT, MICROGRAM (DAILY AVERAGE)

Teaspoons of peeling paint ingested:	Concentration of lead in paint (in percent)				
	0.01	0.05	0.1	0.5	1.0
0.01	0.5	2.5	5	25	50
0.05	2.5	12.5	25	125	250
0.1	5.0	25.0	50	250	500
0.5	25.0	125.0	250	1,250	2,500
1.0	50.0	250.0	500	2,500	5,000

Clearly, according to Table III, the only lead paint concentration that offers reasonably complete protection is 0.01%. Even at 0.05% lead in paint, ingestion of only one

twentieth of a teaspoon of paint per day (containing 12.5 ug lead) will nearly double baseline absorption from food and water (13 ug) in a 1-3 year old child (10-18 ug). Although data on children are limited, the best available evidence in adults indicates that doubling daily intake (absorption) of lead from a baseline of 40 ug per day in a 70 Kg adult raises blood lead concentration from about 20 to 35 ug/100 g, a level closely associated with significant impairment of hemoglobin synthesis (10).

Quadrupling baseline absorption in adults raises blood leads to greater than 50 ug/100 g, a level close to that occasionally associated with clinical lead poisoning in some children (11). Ingestion of only one tenth of a teaspoon of 0.1% lead paint per day more than quadruples baseline absorption of 13 ug per day in a 1-3 year old child. Thus, paint containing even 0.1% lead used in residential areas poses a significant potential danger to future generations of children.

Although the data in Table III have not been substantiated by direct experimental evidence, they certainly are a most conservative estimate of lead ingestion from paint. Most chips of peeling lead paint are significantly denser than water. Table III is based upon ingestion of lead chips that are only as dense as water. However, pertinent other factors such as dietary deficiency states (low iron and low calcium) which potentially might predispose to increased lead absorption from the gut in excess of 10% have not been considered in this analysis. Furthermore, no additional safety factor has been included in these calculations.

Although there may be room for debate regarding whether 0.05% or 0.01% lead in paint should be the upper acceptable limit, clearly a level higher than this is unacceptable. In a recent press release (12), based upon an independent method of analysis, the American Academy of Pediatrics strongly recommended that lead in paint in excess of 0.06% lead should not be permitted. Their estimate is in close agreement with ours.

EXEMPLAR

A control strategy to prevent childhood lead ingestion from paint in future generations is presented. This is based upon no significant increase of lead intake beyond baseline levels from food and water. According to our analysis, lead in paint even at 0.05% is a potential hazard to children prone to pica. A lead concentration of 0.01% would reasonably protect all children except those with extreme tendencies for paint ingestion. Independent analyses support our view that at no time should future use of paint containing lead in excess of 0.05%, and preferably not in excess of 0.01%, be permitted in residential areas.

REFERENCES

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4. Shy, C., Hammer, D., Goldstein, H., Newall, V., and Nelson, W., "Health Hazards of Environmental Lead," To be published as an OTHP Publication, Federal Environmental Protection Agency.
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8. National Inventory of Air Pollutant Emissions and Controls, Environmental Protection Agency, Durham, N.C.
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10. Shy, Carl, Acting Director, Division Health Effects Research, Environmental Protection Agency, Research Triangle Park, N.C., Table 4 & Personal communication, Oct. 12, 1971.
11. Ibid.
12. News Release, "AAP Recommends Reducing Lead Content of Paints," American Academy of Pediatrics, Evanston, Illinois, Nov. 30, 1971.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,

January 31, 1971.

To: Charles C. Edwards, M.D., Commissioner of Food and Drugs, Food and Drug Administration.

From: Jane S. Lin-Fu, M.D., Pediatric Consultant, Maternal and Child Health Service.

Subject: Lead-Based Paint, 21 CFR, Part 191, Federal Register, Volume 36, Number 211, November 2, 1971.

As one deeply concerned with the problem of lead-based paint poisoning in children, I would like to endorse the position taken by the American Academy of Pediatrics on the issue under consideration as presented in its memo addressed to the Food and Drug Administration dated November 30, 1971. In reviewing the problem of childhood lead poisoning, the following facts are obvious:

1. The 0.5 percent limit on lead content of paint set by the FDA is inadequate to deal with the health hazard of lead paint among children when such paint is used on surfaces to which children are likely to be exposed. The daily permissible intake (DPI) of lead among young children should not exceed 300 ug, of lead that can be taken from other sources before the DPI is exceeded. Ingestion of a single square centimeter of multilayered paint chips with 0.5 percent of lead content could easily provide a child with more than 150 ug, of lead. Repeated ingestion of a larger amount of paint chips over a prolonged period, easily possible among children with pica, can result in poisoning.

2. Labeling paint for lead content is ineffective in protecting the public for the following reasons:

a. The label may be totally disregarded or may be misinterpreted by the consumer.

b. Once the paint is applied on to a surface, the label loses its effect completely.

3. Today, most, if not all, communities faced with the problem of lead-based paint poisoning are unable to cope with the task of eliminating lead hazards from housing. The overwhelming number of houses with lead hazards and the expense involved have been the main deterrents in the battle against this man-made disease. The tragic mistake of painting millions of houses with paint containing hazardous amounts of lead in the past decades was made in ignorance. With our current knowledge of the health hazards of lead in paint, it is inexcusable to repeat the mistakes of the past and perpetuate a disease that is preventable.

I would therefore urge the Food and Drug Administration to reconsider its proposed regulation on the issue and make modifications as recommended by the American Academy of Pediatrics.

JANE S. LIN-FU, M.D.



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