

C O P Y

LEAD INDUSTRIES ASSOCIATION

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60 East 42nd Street

New York 17, N.Y.

October 3, 1957

A. L. Chapman, M. D.
Assistant Surgeon General
U. S. Public Health Service
Federal Security Building 8
Washington 25, D. C.

Dear Dr. Chapman:

Herewith is a copy of my letter to Dr. Mathews referred to in our telephone conversation today. You will note that copies went to Mr. Doyle and Mr. Vermulst, both of whom had telephoned me about this matter.

In view of the apparently commercially motivated and specious nature (what sense does "more than 1% is dangerous and in fact lethal when swallowed" make?) of the telegraphic release which started the furor, as well as the complete lack of epidemiological evidence of any harm to children from such toys, it seems hardly fair to those who have imported them in good faith that obstacles should be placed in the way of their sale.

On the other hand, some control of the paint of toys which may be toxically hazardous to children seems obviously desirable, and when I was asked what agency might logically set standards for this, I suggested your Division of the Public Health Service, and it was from this that Mr. Kushel's call to you stemmed.

A copy of American Standard Z66.1 is also enclosed. Having been the chief instigator of the establishment of this standard, I am in a position to assure you that it was primarily directed at interior house paints, which have been the principal and almost sole source of childhood lead poisonings, and that the mention of children's toys was really an afterthought.

As I now size up the problem, it would seem that a materially higher lead content might be allowable for the paints with which newly manufactured toys are coated.

Sincerely yours,

/s/ Manfred Bowditch

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October 2, 1957

AIR MAIL

G. F. Mathews, M. D.
Commissioner of Health
State Department of Health
3400 North Eastern
Oklahoma City 5, Oklahoma

Dear Dr. Mathews:

I am sorry to have had to defer replying to your letter of September 27th, due to the press of work engendered by the matter to which you refer. Telephone calls from health officers locally and in New Jersey, California and Washington have been supplemented by letters such as yours, and attendance at a "Japanese toy" meeting here yesterday, at which some 60 were present, has been another factor. This at least enables me to tell you more than I could have on Monday.

The Toy Guidance Council is apparently a commercial concern doing business also as Toy Guidance Exhibit. We may suppose that their interest, in issuing the release to which you refer, was to forestall competition from these imported toys. I am told that it went to the health authorities of some 60 states and municipalities.

Today, nearly two weeks later, no one appears to know just what is the lead content of the paint on these or other toys now on the market. One would think that this should have been ascertained before any such release was issued.

As we greatly prefer that no lead paint be used on articles or surfaces that may be chewed by children, it had been my initial thought that American Standard 266.1, setting a limit of 1% lead in the pigment of paints so used, might be considered to apply here. However, it is obvious that the paint film on structural surfaces may be many times as thick as that on toys, and certain statements made at yesterday's meeting have led me to revise my thinking. Among these were:

1. That the New York City Health Department, among a great number of cases of childhood lead poisoning investigated, has failed to find a single one attributable to the paint on toys as purchased at retail.

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2. That the Health Department of California and the City of Detroit have approved the sale of the Japanese toys in question.
3. That lead paints are used on both domestically manufactured and imported toys.
4. That vast numbers of imported toys have been sold here for years, one importer having sold over a million Japanese toys a year for seven years, and with no known resultant trouble.
5. That, under date of September 27th, the Toy Guidance Council has issued a second release of a rather exculpatory nature. I have secured this and a photostatic copy is herewith, the heading having been lost in the photography because it was printed in red. As I read this document, the summation might be "We are so sorry."

Late yesterday, I talked by telephone with Dr. Huntington Williams, Health Commissioner of Baltimore, who, as you surely know, is more than acutely aware of the problem of childhood lead poisoning. I think I am right in saying that he agrees that the situation has been greatly overplayed, and that, while it should not be lost sight of, there is as yet no proof of hazard calling for prohibitory action.

In the light of what I now know and believe, the best advise I can offer is that, since there is no evidence of potential harm therefrom, the sale of these toys be permitted and that a conservative statement to that effect be issued.

And, in closing, let me reiterate that, as a former state health official, I am personally opposed to any use of lead determined to be possibly harmful to the public health, and that in this I have the full support of this Association.

Sincerely yours,

Manfred Bowditch

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