

INTERNATIONAL LABOUR CONFERENCE

SEVENTEENTH SESSION

GENEVA, 1933

REPORT
OF THE GOVERNING BODY OF THE INTERNATIONAL LABOUR
OFFICE UPON THE WORKING OF THE CONVENTION
CONCERNING THE USE OF WHITE LEAD IN PAINTING



Report¹ of the Governing Body of the International Labour Office upon the Working of the Convention concerning the Use of White Lead in Painting

Text of the Convention.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Third Session on 25 October 1921, and

Having decided upon the adoption of certain proposals with regard to the prohibition of the use of white lead in painting, which is the sixth item of the agenda of the Session, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace :

ARTICLE 1.

Each Member of the International Labour Organisation ratifying the present Convention undertakes to prohibit, with the exceptions provided for in Article 2, the use of white lead and sulphate of lead and of all products containing these pigments, in the internal painting of buildings, except where the use of white lead or sulphate of lead or products containing these pigments is considered necessary for railway stations or industrial establishments by the competent authority after consultation with the employers' and workers' organisations concerned.

It shall nevertheless be permissible to use white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead.

ARTICLE 2.

The provisions of Article 1 shall not apply to artistic painting or fine lining

The Governments shall define the limits of such forms of painting, and shall regulate the use of white lead, sulphate of lead, and all products containing these pigments, for these purposes in conformity with the provisions of Articles 5, 6 and 7 of the present Convention.

ARTICLE 3.

The employment of males under eighteen years of age and of all females shall be prohibit-

ed in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.

The competent authorities shall have power, after consulting the employers' and workers' organisations concerned, to permit the employment of painters' apprentices in the work prohibited by the preceding paragraph, with a view to their education in their trade.

ARTICLE 4.

The prohibitions prescribed in Articles 1 and 3 shall come into force six years from the date of the closure of the Third Session of the International Labour Conference.

ARTICLE 5.

Each Member of the International Labour Organisation ratifying the present Convention undertakes to regulate the use of white lead, sulphate of lead and of all products containing these pigments, in operations for which their use is not prohibited, on the following principles:

- I. (a) White lead, sulphate of lead, or products containing these pigments shall not be used in painting operations except in the form of paste or of paint ready for use.
- (b) Measures shall be taken in order to prevent danger arising from the application of paint in the form of spray.
- (c) Measures shall be taken, wherever practicable, to prevent danger arising from dust caused by dry rubbing down and scraping.
- II. (a) Adequate facilities shall be provided to enable working painters to wash during and on cessation of work.
- (b) Overalls shall be worn by working painters during the whole of the working period.
- (c) Suitable arrangements shall be made to prevent clothing put off during working hours being soiled by painting material.
- III. (a) Cases of lead poisoning and of suspected lead poisoning shall be notified, and shall be subsequently verified by a medical man appointed by the competent authority.
- (b) The competent authority may require, when necessary, a medical examination of workers.
- IV. Instructions with regard to the special hygienic precautions to

¹ This report, the preparation of which was completed

steps as it considers necessary to ensure the observance of the regulations prescribed by virtue of the foregoing Articles, after consultation with the employers' and workers' organisations concerned.

ARTICLE 7.

Statistics with regard to lead poisoning among working painters shall be obtained:

(a) As to morbidity — by notification and certification of all cases of lead poisoning.

(b) As to mortality — by a method approved by the official statistical authority in each country.

ARTICLE 8.

The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace, shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 9.

This Convention shall come into force at the date on which the ratifications of two Members of the International Labour Organisation have been registered by the Secretary-General.

It shall be binding only upon those Members whose ratifications have been registered with the Secretariat.

Thereafter, the Convention shall come into force for any Member at the date on which its ratification has been registered with the Secretariat.

ARTICLE 10.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

ARTICLE 11.

Each Member which ratifies this Convention agrees to bring the provisions of Articles 1, 2, 3, 4, 5, 6 and 7 into operation not later than 1 January 1924 and to take such action as may be necessary to make these provisions effective.

ARTICLE 12.

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding Articles of the other Treaties of Peace.

ARTICLE 13.

A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Body of the International Labour Organisation shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing it on the agenda of the Conference for the purpose of its revision or modification.

ARTICLE 15.

The French and English texts of this Convention shall both be authentic.

This report, which is prepared in accordance with Article 14 of the Convention, is divided into three parts:

- I. Situation in the countries which have ratified the Convention and have been required to submit annual reports.
- II. Situation in the countries which have not yet ratified the Convention or which having ratified it have not yet been required to submit an annual report.
- III. Questions relating to various provisions of the Convention.

Situation in the countries which have ratified the Convention and have been required to submit annual reports.

I.

The Convention has been ratified without conditions by the following Members:

Members	Date of Registration of Ratification
Austria	12 June 1924
Belgium	19 July 1923
Bulgaria	6 March 1923
Chile	15 September 1923
Cuba	7 July 1923
Czechoslovakia	31 August 1923
Estonia	3 September 1923
Finland	7 April 1923
France	15 February 1923
Greece	22 December 1923
Latvia	9 September 1924
Luxemburg	16 April 1923
Norway	11 June 1923
Poland	21 June 1923
Rumania	4 December 1923
Spain	20 June 1923
Sweden	27 November 1923
Yugoslavia	27 September 1923

In accordance with its Article 1, the Convention came into force at the date on which the Secretary-General of the League of Nations registered the second ratification, namely that of Czechoslovakia, the first ratification being that of Estonia. The date of coming into force for these two countries was 31 August 1923. Thereafter the Convention came into force for the other Members in accordance with it on the date of registration of their ratification. It must however be noted that, in the terms of Article 11 of the Convention, the application of Articles 1, 2, 3, 4, 5, 6 and 7 was postponed till 1 January 1924. Finally

¹ The information contained in Part I is based upon that given in the annual reports submitted under Article 40s of the Treaty of Versailles and in the corresponding Articles of the other Treaties of Peace to the Secretary-General.

Article 4 of the Convention provides that the prohibitions prescribed in Articles 1 and 3 shall come into force six years from the date of the closure of the Third Session of the International Labour Conference (i.e. on 19 November 1927).

One State Member — viz. Hungary — ratified the Convention on 4 January 1928, on condition that it should not come into force for Hungary until the ratifications of France, Germany and Great Britain had been registered by the Secretary-General of the League of Nations. This ratification has not yet become effective. The situation in this country will be examined under the heading "II. Situation in the countries which have not yet ratified the Convention, or which, having ratified it, have not yet been required to submit an annual report."

This part of the report will therefore deal with the following countries: Austria, Belgium, Bulgaria, Chile, Cuba, Czechoslovakia, Estonia, Finland, France, Greece, Latvia, Luxemburg, Norway, Poland, Rumania, Spain, Sweden and Yugoslavia. It will show for each of these countries:

- (a) The situation as regards the application of the Convention as shown in the annual reports submitted by the Governments under Article 408 of the Treaty¹.
- (b) The difficulties of application, if any, shown in the said reports and the points in the reports upon which the Committee of Experts appointed by the Governing Body for the purpose of examining the annual reports, or the Conference Committee on Article 408, considered that supplementary information was desirable, together with the additional information supplied by the Governments.

The information regarding the application of the Convention is given under (a) in the form of a relatively short summary of the annual reports and of the legislation mentioned therein. A full comparative analysis of the provisions of the national law in relation to the provisions of the Convention has been thought unnecessary, as a complete summary of the reports, grouped under the several Articles of the Convention, is available in the second part of the Director's Report to the Fifteenth Session of the Conference².

Under (b) reference is made to difficulties of application to which the States themselves have specifically drawn attention in the annual reports or in the letters covering the trans-

mission of the reports to the Office. Further, in order to supplement this information regarding difficulties of application, it has been thought useful to give under (b) the points upon which the Committee of Experts or the Committee on Article 408 set up by the Conference considered that supplementary information was desirable, and the information furnished upon these points by the Governments concerned.

AUSTRIA.

(a) Situation shown in Article 408 reports.

The Convention was ratified on 12 June 1924 and came officially into force for Austria on the same date. The first annual report related to the year 1924; subsequent reports have been regularly received by the Office.

The Convention is applied by: Order of 8 March 1923 issued under § 74 (a) of the Industrial Code and issuing regulations for the protection of the life and health of persons employed in painting, varnishing and decorating carried on by way of trade¹; Order of 4 February 1928 of the Minister of Social Affairs respecting the notification of cases of lead poisoning due to painting work in buildings, varnishing and artistic painting².

§ 5 (1) of the Order of 8 March 1923 lays down that white lead, lead sulphate and products of which substances containing lead are ingredients shall not be used in the interior painting of buildings. Railway stations and industrial undertakings where the use of white lead, lead sulphate or products containing these colouring matters is certified as necessary by the competent authorities are an exception thereto. § 5 (2) specifies that the use of white lead and other colours containing lead is permitted for external painting only when necessary for protection against the influence of weather and water. The general administrative authorities of the State decide, after consultation with the Chamber of Commerce and Industry and the Chambers of Workers and Employees, to what undertakings permission may be granted to use white lead, sulphate of lead and any products containing lead. No statistics of the cases in question are available. The Order of 8 March 1923 prohibits by § 6 the employment of young persons under 18 years and women in painting, varnishing and decorating work in which, in accordance with § 5, the use of white lead or other compounds containing lead has been authorised. Further, young persons under 18 years of age may not be employed in cleaning workrooms or working clothes. In § 8 (1) and (2) of the Order the grinding of white lead and lead sulphate is authorised only in establishments certified by the competent industrial authorities as suitable. These lead compounds must not be introduced into other undertakings until they have been ground with oil or varnish. In all undertakings, white lead, lead sulphate and products containing these colours may be used only in a damp condition or as paint ready for use. In the absence of any specific legislation, protective measures are ordered as required by the factory inspectors. In particular, it is required that when paint is applied in the form of spray, effective means of ventilation must be installed. §§ 9 and 10 of the Order provide

¹ The text of Article 408 is as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of the Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference."

Up to the year 1929 inclusive, States were first asked to render an annual report in respect of the calendar year following that during which the Convention came officially into force for the State concerned. For the year 1930 a report was required in all cases where a Convention came into force before 1 October of that year.

² F.R. 1931, vol. II.

The following abbreviations are used in the footnotes: L.S.=Legislative Series of the International Labour Office; B.B.=Bulletin of the International

much dust is raised. § 9 (2) lays down that dry paint containing lead or putty must not be scraped down or pumiced until it has been damped. The scraped-off substance and the fragments falling during the process of scraping must be removed while still damp. § 9 (2) provides that every occupier of an undertaking shall furnish the persons working with white lead, other compounds containing lead or other poisonous substances, with a fresh supply of good water for drinking and washing, wash bowls, brushes, soap and towels. §§ 9 (1) and 10 (2) of the Order lay down that the occupier of the undertaking must see that the workers use special working clothes and head coverings, which must be properly cleansed. In establishments where more than 20 workers are employed, the occupier of the undertaking is required to furnish the workers in question with suitable working clothes and head coverings and to see that these are cleansed regularly by a wet process. § 3 lays down that in establishments employing more than 20 workers the employer is obliged to provide the workers with special lavatories and cloak-rooms and a mess room. Under § 1 of the Order of 4 February 1928 all actual or suspected cases of lead poisoning must be immediately notified. § 2 of this Order enumerates the persons responsible for making such notification. The district political authorities to whom such notification must be made must ensure that the necessary enquiries are undertaken, and must report the results of these enquiries to the Governor of the province and to the Minister for Social Affairs. § 11 (4) of the Order of 8 March 1923 provides that the occupier of the undertaking is to see that the workers employed on work with white lead, other compounds containing lead or other poisonous substances are examined by a medical practitioner at least once every three months for signs of illness due to lead or other poisoning, and that they are referred to the medical practitioner of the sick fund forthwith on the appearance of the first signs of such illness. The medical examination is held outside working hours and each examination, together with its results, is entered in the register kept in virtue of § 11 (2). This register must be submitted to the State supervising officials on request. § 11 (1) of the Order provides that the Order shall be affixed in an easily accessible place and kept at all times in a legible condition. It is further provided that a copy of the notice which is printed as an appendix to the Order and which contains instructions relating to the special hygienic precautions that should be taken, must be supplied on engagement to every worker. The observance of the provisions of Article 6 of the Convention is ensured by the supervision of the factory inspectors. In addition, § 11 (3) of the Order of 8 March 1923 provides that in every undertaking a particular person familiar with the risks involved in work with poisonous substances must supervise the observance of the prescribed precautions. Full provision is made for obtaining statistics with regard to lead poisoning in accordance with Article 7 of the Convention.

(b) *Difficulties of application.*

No difficulties have been mentioned in the annual reports. In 1927 the Committee of Experts noted that the report for 1925 stated that Austria did not possess the statistics

of lead poisoning compulsory. The 1926 report made no reference to this matter. The Committee suggested that the Office might be asked to enquire whether such an Order had been issued or was to be issued. In 1928 the Government informed the Office of the promulgation on 30 March 1928 of an Order issued on 4 February 1928 and relating to the notification of cases of lead poisoning caused by painting, varnishing and lacquer work. It was, however, stated that the statistics prescribed by Articles 7 of the Convention and dealing with cases of death by lead poisoning would be dealt with by means of a Decree.

BELGIUM

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 19 July 1926 and came officially into force for Belgium on the same date. The first annual report was submitted for the year 1927; subsequent reports have been regularly received by the Office.

The Convention is applied by: Act of 30 March 1926 concerning the use of white lead and other white pigments containing lead¹; Act of 24 July 1927 concerning compensation for injury caused by occupational diseases²; Royal and Ministerial Orders published from 1926 to 1930.

§ 2 of the Act of 30 March 1926 prohibits the use of white lead and other white pigments containing lead, as well as colours ready for use containing these pigments, whether for the interior painting of buildings or the painting of any object for the furnishing of buildings. White pigments other than those mentioned above are allowed only if they do not contain more than 2 per cent. lead weight in the metallic state. Further, § 3 provides that § 2 is not to apply "(a) to white lead pigments contained in tubes weighing less than 500 grammes. . . (c) to work in parts of industrial buildings where the processes give rise to sulphuric acid fumes". The Royal Order of 31 October 1928 issued after consultation with the organisations contemplated by the Act of 2 July 1899, prohibits the employment of young persons under 18 years and women in painting work involving the use of white lead and other white pigments with a lead basis. The Royal Order of 17 September 1926 provides, in § 2, that the use in painting is prohibited of white lead, other white pigments containing lead and white pigments the lead content of which in the metallic state exceeds 2 per cent., except in the form of a paste ground or kneaded with oil. The same § prohibits the application of lead colours by means of spraying apparatus. The use of sprays has, however, become customary, more particularly in carriage-painting. It therefore became necessary to remove the prohibition and to regulate the use of such apparatus by laying down certain conditions, which are specified in the Royal Order of 14 April 1930, and which are calculated to prevent any danger to the workers from the application of paint by means of the compressed air spraying gun. The Act of 30 March 1926 prohibits in § 4

¹ L.S. 1926, Belg. 2(A).

² L.S. 1927, Belg. 7.

³ L.S. 1926, Belg. 3(B), 2(C) and 2(D); 1927, Belg. 9; 1928, Belg. 6; 1930, Belg. 3.

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the dry rubbing down and scraping of surfaces painted with white lead. § 6 of the Royal Order of 17 September 1926 provides that the employers or heads of undertakings must put at the disposal of their employees, both at the place where they are working and in the workshops, soap and clean water. § 9 provides that before eating or drinking and before leaving the workshop or place of work, the workers shall be required to rinse their mouths and to wash their hands and faces with soap. § 5 of the Order provides that employers must see that the workmen wear clothing and head-dress kept exclusively for work. § 8 requires the workmen to wear such clothing and head-dress, which must be kept in a clean condition and taken off before the workmen leave the workshops or place of work. § 5 requires the employers to keep the clothing which the workmen take off before work away from poisonous dust, and § 8 imposes the same requirement on the workers. Under the provisions of the Act of 24 July 1927, a declaration is made, in any case of lead poisoning or suspected lead poisoning, by the parties concerned and confirmed by a medical certificate issued by the doctor in charge of the case. The doctor of the Occupational Diseases Insurance Fund or the doctors of the medical Labour Inspection Service are responsible for subsequent medical verification. § 7 of the Royal Order of 17 September 1926 provides for medical inspection by the labour medical officers. Under the Royal Order of 14 April 1930, workers employed in painting with the spraying gun involving the use of injurious substances, especially those with a lead basis, must undergo a medical inspection by a labour medical officer every six months. The measures laid down to protect the health of working painters are supplemented by various methods of propaganda. All the regulations cited above were considered by a joint committee upon which the employers' and workers' organisations were represented by their delegates. Industries subject to regulation are regularly inspected by the industrial medical officers. The Technical Committee of the Occupational Diseases Insurance Fund, set up under § 5 of the Act of 24 July 1927, records and reports on claims for compensation in respect of lead poisoning.

The annual report states that the provisions of this Convention do not apply to the Belgian Congo nor to the mandated territories, since local conditions do not at present permit of their application.

(b) *Difficulties of application.*

No difficulties have been mentioned in the annual reports. In 1928 the Committee of Experts noted that regulations concerning the employment of young persons under 18 years of age and of women were in preparation and that it would be desirable that the Office should be kept informed of the measures taken or contemplated on this subject. In reply to this observation the Belgian Government stated, by letter dated 11 April 1928, that the question of the regulation of the employment of young persons under 18 years of age and of women had not been lost sight of by the department concerned. It was preparing to consult the various bodies specified in the Act of 2 July 1899, in virtue of which such regulations would be made. These regulations were established by Royal Order of 31 October

ment stated in respect of Article 5, paragraph IV of the Convention that "Leaflets have been distributed to the workers and this form of propaganda will be continued". It appeared doubtful to the Committee whether this practice was in agreement with the terms of the Convention, which stipulate that "instructions with regard to the special hygienic precautions to be taken in the painting trade shall be distributed to working painters". The Committee considered that the Government might perhaps furnish supplementary information on this point. The report for 1930 stated that the Government intended to resume the publication of special instructions on the subject).

BULGARIA

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 16 March 1925 and came into force for Bulgaria on the same date. The first annual report related to the year 1925; subsequent reports have been regularly received by the Office up to the year 1929 inclusive, but no annual report was received for the year 1930.

The application of the Convention is ensured by: Act of 1917 respecting the healthy and safety of workers¹; Social Insurance Act of 6 March 1924².

The Act of 1917 does not provide for the prohibition of the use of white lead in the internal painting of buildings. The report for the year 1929 states, however, that in Bulgaria the use of white lead in painting is unknown. The Minister of Commerce, Industry and Labour may propose, after consultation with the Superior Labour Council, and it may be ordered by Royal Decree in virtue of § 16 of the Health and Safety of Workers Act of 1917, that the employment of males under 18 years of age and of all females shall be prohibited in work recognised to be of a dangerous or unhealthy character. Under the general provisions of the Act, workers whose work brings them into contact with machines, apparatus, liquids, gases etc. which are dangerous to health or life, must be provided with special clothing and every possible protective device, masks, gloves, glasses, etc., which the nature of the work permits (§ 8). In § 9 it is stipulated that the necessary provision is to be made for drinking and washing water, disposal of clothing, etc. In the report for 1927 it was stated that lead poisoning is held to be an occupational disease for the purposes of the Social Insurance Act. As regards medical examination of workers, § 22 of the Health and Safety of the Workers Act provides that every undertaking employing more than 10 workers must have a medical officer, chosen and paid by the employer, but appointed and dismissible by the Ministry of Commerce, Industry and Labour. It is the duty of the medical officer to supervise the health of the workers in the undertaking and to keep a health register. § 24 lays down that special municipal workers' doctors shall be appointed by communes in which there are more than 1,000 workers.

(b) *Difficulties of application.*

In 1929, in reply to observations made by the Committee of Experts in 1927 and 1928, the Government stated in its annual report that the bill for amending the Health and Safety of

reason Article 1 of the Convention remained in force as law, but as in Bulgaria white lead was not used in painting this text remained as an indication of principle without having any practical importance. Only the general provisions with regard to work with lead and its alloys, indicated as the basis for regulations in the Act concerning the health and safety of workers, had practical importance. In the same year the Conference Committee was informed by the representative of the Government that, as a result of instructions given to the factory inspectors, the Convention was being strictly applied. He referred the Committee to the observations in the report on the extent of the practical importance of the Convention for Bulgaria. In 1930 the Committee of Experts noted that the report of the Bulgarian Government mentioned that young persons under 18 and women of any age were not permitted to manufacture articles containing lead or its alloys or to work in mines or quarries or on masonry, including painting, etc. The Committee was of opinion that it would be useful to know what kind of painting was referred to, and if it was painting in which lead colours were used, what were the substances employed. Further, the Committee of Experts noted the statement of the report that regulations exist for the collection of statistics of lead poisoning, but that the information received up to the present was very scanty. The Committee considered this statement rather indefinite, especially since the report immediately afterwards stated that during the year 1929 no case of lead poisoning was reported. The Committee considered that it would be desirable to request the Bulgarian Government to supply additional information on this point also. In a letter of 10 May 1930 the Bulgarian Government indicated that by the term "scanty" which occurred in the report with reference to the collection of statistics, should be understood "nil", since the statistics showed that no genuine case of lead poisoning had been reported.

CHILE.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 15 September 1925 and came officially into force for Chile on the same date. The first annual report submitted related to the year 1928. Subsequent reports have been regularly received.

The Convention was approved by Legislative Decree No. 470 of 10 August 1925. The legislation on the subject is: § 12 (17) of the Regulations respecting industrial hygiene and safety approved by Decree No. 217 of 30 April 1926¹; § 31 of Act No. 4,053 of 8 September 1924 relating to contracts of employment²; § 8 (2) of the Regulations of 21 April 1927 concerning occupational diseases³. See also under (b) below.

§ 12 (17) of the Regulations respecting industrial hygiene and safety includes the manufacture and application of white lead (oxide of lead) among the industries or processes that are specially dangerous or liable to cause occupational diseases. § 31 of the Act of

unhealthy, a provision which involves the prohibition of the employment of such young persons in occupations in which white lead is used. The Regulations of 21 April 1927, in § 8 (2), enumerate white lead poisoning among the forms of poisoning regarded as occupational diseases giving a right to compensation.

(b) *Difficulties of application.*

The Conference Committee on Article 408 noted in 1931 that the Government of Chile admitted the existence of certain divergencies between Chilean legislation and the provisions of the Convention. The representative of the Chilean Government informed the Committee that on 28 May 1931 a Draft Code had been promulgated establishing complete harmony between Chilean legislation and the Conventions already ratified.

CUBA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 7 July 1928 and came officially into force for Cuba on the same date. The first annual report was due in respect of the year 1929.

In 1930 the Committee on Article 408 set up by the Conference made the following observation:

"In pursuance of Article 408 the Cuban Government is under obligation to furnish for the year 1929 the first annual reports on the 16 Conventions ratified by Cuba during the year 1928. The Cuban Government has not furnished such reports, but in a communication to the International Labour Office, dated 21 April 1930, it stated that 'the Secretary of State for Agriculture, Commerce and Labour is taking the necessary measures for forwarding the information requested. I have to inform you, however, that the information required is dependent on legislation by the Congress of the Republic and that the latter will pass legislation on the subject as speedily as possible'.

"The representative of the Cuban Government informed the Committee that immediately on its ratification of the International Labour Conventions the Cuban Government had drafted legislation for the purpose of giving full effect to their provisions and had referred the draft bills to the International Labour Office for observation. The Office had communicated its observations and the necessary preparatory work had now been completed, both by the Senate and by the Chamber of Deputies. He was confident that the bills would have become law by next year."

In 1931 the Conference Committee, after noting that the Cuban Government had again failed to supply any annual reports, added the following observation:

"The Committee feels bound to express its deep regret that the Cuban Government has for the second time failed to fulfil its obligations under Article 405 (7) which lays down that on ratifying a Convention each Member will take such action as may be necessary to make effective the provisions of such Convention and under Article 408 (to supply annual reports). It can only reiterate the conclusion of last year's Conference Committee, as paraphrased by the Committee of Experts this year, that although ratifications of principle might have been explicable at a time when the Inter-

¹ L.S., 1926, Chil. 2.

² L.S., 1924, Chil. 2.

³ L.S., 1927, Chil. 2.

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national Labour Organisation had only just begun to work, they can no longer be contemplated at the present time, since experience already unduly prolonged has shown that adhesion which is not followed by concrete application is an ineffectual gesture the only result of which is to perpetuate an illusion. . . . It is now time to return to normal conditions and to ensure that ratified Conventions are followed by the necessary measures."

(b) *Difficulties of application.*

No information (see under (a)).

CZECHOSLOVAKIA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 31 August 1923 and came officially into force for Czechoslovakia on the same date. The first annual report related to the year 1924; subsequent reports have been regularly received by the Office.

The Convention is applied by the Act of 12 June 1924 issuing regulations for the protection of the health and life of persons employed in painting, varnishing and decorating.

§ 1 of the Act prohibits the use of white lead and other pigments and putty containing lead in internal painting, varnishing and decorating work. Internal painting is defined as all painting which, on account of the use to which it is put, is not exposed directly to the influence of the weather either permanently or during the greater part of the time. It is provided in § 2 that this prohibition is not to apply to (a) railway stations, vehicle works and other industrial undertakings where the use of white lead and other pigments and putty containing lead is certified as necessary by the competent industrial inspection office after consultation with the organisations of employers and workers; (b) painting in places where the paint is much exposed to the effects of steam or other vapours; (c) work in the application of the first coat in cases of mere touching-up of old white paint containing lead. Permits to use white lead are granted by the industrial inspectorate, which notifies permits granted to the competent industrial authority (this body being entitled to reverse the decision of the inspectorate) and refers to this authority for decision applications which it considers should be refused (§ 12). § 2 (1) of the Act permits the use of white paints containing not more than 2 per cent. of lead expressed in terms of metallic lead. In virtue of § 2 (2) of the Act the prohibition of the use of white lead does not apply to decoration and sign-painting and fine lining. By § 3 (1) of the Act the employment of young persons under 18 years of age and of women is prohibited in work where the use of white lead and other pigments and putty containing lead is permitted. The competent industrial inspection offices are empowered under § 3 (2), after consulting the organisations of employers and workers, to permit the employment of apprentices under 18 years of age on work otherwise prohibited for them by the provisions of the Act, with a view to their training in their trade, in so far as such work is necessary for the full achievement of the purposes of their apprenticeship, provided that they shall not be so employed for more than six weeks. Permits for the purpose of § 3 (2), if granted, must be notified to the competent authority, which is entitled to reverse the decision taken by the inspector-

ate, and must be referred to this authority for decision in cases where the inspectorate considers the application should be refused (§ 12). § 5 (2) of the Act prescribes that white lead and other pigments and putty containing lead shall not be used except in the form of paste or of paint ready for use. The application of paint in the form of spray must take place in suitable chambers provided with a strong ventilating apparatus. Where such a system cannot be employed respiratory masks must be used. § 5 (4) of the Act provides that dry paint or putty containing lead shall not be scraped or rubbed down until it has been damped. The scraped-off substance and the fragments falling during the process of scraping shall be removed while still damp. § 4 (2) of the Act provides that in industrial undertakings usually employing not less than 15 workers a separate lavatory capable of being heated must be supplied, while § 4 (4) lays down that workers using white lead or other pigments, putty and similar substances containing lead must be provided by the employer with suitable wash-bowls (as a rule at least one for every five workers), with water laid on (hot water wherever possible), soap, nail brushes and a towel for each worker, to be changed at least once a week. § 7 (2) provides that the workers must cleanse their faces, mouths and hands thoroughly before meals and when work is over. § 4 (4) prescribes that the employers shall see that the workers using white lead or other pigments, putty and similar substances containing lead, wear special working clothes and head coverings, and that in undertakings usually employing not less than 15 workers they shall provide the working clothes and provide for their cleaning at their own expense. § 7 (1) of the Act obliges the said workers to wear such clothes and head coverings. § 4 (2) of the Act provides that in undertakings usually employing not less than 15 workers a separate cloakroom capable of being heated must be provided, with suitable arrangements for storing working clothes and outdoor clothes separately, while § 4 (3) lays down that in establishments with a small number of workers, the workers shall be provided at least with clothes-lockers which can be securely closed and which are arranged so that working clothes and outdoor clothes can be kept apart. It is provided in § 8 (2, 5 and 6) of the Act that a worker who shows signs of lead poisoning must be sent at once by the employer to the sick fund medical officer; that if a worker is certified as suffering from lead poisoning the employer must submit to the competent authority without delay a copy of the relevant particulars contained in the register of workers provided for in § 8 (1), and that the district or communal medical officer must, at the request of the factory inspectorate, examine any worker known or suspected to be suffering from lead poisoning and report his observations to the industrial authority and to the Industrial Inspection Office. Under § 8 (3-4), the employer is required to see that workers usually engaged in handling white lead, etc., are medically examined at least once in six months. The result of each such examination must be entered in the register provided for in § 8 (1). § 11 provides that a copy of the White Lead Act is to be posted in a conspicuous place in workrooms where white lead, etc., is used and that every worker employed on work involving the use of these products must, on

shall be kept of the cases of lead poisoning observed and of the amount of sickness and mortality among workers employed where lead or substances containing lead are used. The Ministry of Social Welfare prepares statistics of morbidity and mortality from the reports which are submitted to it by the administrative authorities of second instance. The report for 1930 adds that more detailed provisions concerning the keeping of these statistics will be contained in the Government Order which will be promulgated under § 10 of the Act.

(b) *Difficulties of application*

In 1931 the Conference Committee on Article 408 noted that the Czechoslovak Act of 12 June 1924 lays down in § 2 that the general prohibition of the use of white lead, sulphate of lead and other products containing these pigments does not apply to painting in places where the paint is much exposed to the effect of steam or other vapours, or to work in the application of the first coat in cases of mere touching up of old white paint containing lead. The Committee pointed out that these two exceptions are not provided for in the Convention, and, although the Czechoslovak Government stated that these exceptions were in practice of no great importance, the Committee considered nevertheless that they were not in complete conformity with the Convention. (In 1929 the Conference Committee had noted the statement of the Czechoslovak Government that the exception for the application of the first coat in cases of mere touching up of old white paint containing lead was in present practice so unimportant that it constituted only an insignificant and theoretical departure from the Convention.) The Committee further considered that it would be desirable to know whether the provisions to be issued by the Czechoslovak Government concerning statistics of cases of lead poisoning had yet been promulgated.

ESTONIA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 8 September 1922 and came officially into force for Estonia on 31 August 1923, the date of the second ratification of the Convention. The first annual report related to the year 1924; subsequent reports have been regularly received by the Office.

The Convention is applied by : Act of 25 May 1928 respecting the use of white lead in painting¹; Ministerial Orders of 12 April 1930 concerning the use of white lead in painting², and of 30 July 1930³ amending the previous Order.

§ 1 of the Act of 25 May 1928 provides that the use of white lead and sulphate of lead and of all products containing these pigments in the internal painting of buildings is prohibited, with the exception of railway stations and industrial undertakings in which the use of white lead and sulphate of lead and all products containing these pigments is certified to be necessary by the Minister of Public Instruction and Social Affairs in agreement with the Minister of Communications, or, where neces-

this Article of the Convention for industrial undertakings have yet been granted. § 2 of the Act provides that the use of white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead is permitted. § 3 of the Act provides that the provisions of § 1 are not applicable to artistic painting or fine lining, which are defined in § 2 of the Order of 12 April 1930. § 4 of the Act of 25 May 1928 provides that the employment of women and young persons under 18 years of age is prohibited in painting work of an industrial character involving the use of white lead, sulphate of lead and all products containing these pigments. The Ministry of Public Instruction and Social Affairs may, after consultation with the employers' and workers' organisations, permit the employment of apprentices on work prohibited by this §, with a view to their education in their trade. No use has yet been made of this power. § 6 of the Ministerial Order of 12 April 1930 prohibits the use of white lead, sulphate of lead and products containing these pigments in painting operations where their use is permitted except in the form of paste or paint ready for use. The pounding or grinding of the substances mentioned above, as well as their mixing with oil or varnish, may only be effected by mechanical means and in such a way that while the substances are being put into the mechanical apparatus the workers are protected against the dust, and that the dust cannot penetrate into the working premises. Under § 6 the scraping of paint containing white lead and lead compounds may only be carried out after the paint has been damped. The paint which is scraped off must be removed in a damp condition. Under § 7 of the Order the employer must provide the workers with a sufficient quantity of hot water, soap and towels. § 9 states that workers shall be required to wash their faces, mouths and hands and clean their teeth carefully after their work is over and before rest periods. § 5 lays down that workers who handle white lead, sulphate of lead and products containing those pigments shall be provided with special working clothes and head coverings which must be washed at least once a week. Supplementary measures on this point have been laid down by an Order of 20 May 1931. The Ministerial Order of 30 July 1930 lays down that the employer must see that workers who regularly handle white lead or lead compounds undergo a medical examination at least once in six months. The doctor must note the date and the result of the examination on the register provided for in § 1 of the Order. If the doctor discovers a case of lead poisoning, the employer is required to forward to the competent factory inspection authority a copy of the page of the register which relates to the worker who shows signs of lead poisoning. § 10 of the Order of 12 April 1930 lays down that the instructions published as an appendix to that Order dealing with lead poisoning, its causes and the methods of preventing it, are to be posted up in a place accessible to the workers in working premises where white lead, sulphate of lead and other products containing those pigments are used. The employer must give a copy of these instructions to any worker who is to carry out work in connection with the substances in question at the time when he is engaged. § 7 of the Act of 25 May 1928 provides for

¹ L.S. 1928, Est. 2.

² L.S. 1930, L.S. 1.A.

³ L.S. 1930, Est. 1.B.

fining up to 300 crowns in case of infractions of the provisions of this Act and of the Regulations issued under the Act. § 5 of the Act provides that doctors are required to notify to the Directorate for Assistance and Public Health cases of illness or death due to lead poisoning among working painters. The Order of 30 July 1930 lays down in § 5 that a doctor who has medically examined workers must fill up the declaration, a form for which is appended to the Order, and must send it to the district medical officer, who will forward it to the Assistance and Public Health Directorate.

(b) *Difficulties of application.*

In response to requests by the Experts in 1927 and 1928 for information concerning the Bill for giving effect to the Convention, the Government stated in a letter of 30 May 1928 that the State Assembly had adopted on 25 May 1928 a Bill to give effect to the provisions of the Convention. In 1929 the Conference Committee noted that the report of the Estonian Government stated that the regulations relating to the use of white lead provided for in the Act of 25 May 1928 had not yet been issued and considered that it would be useful to know when the Government anticipated that these regulations would be issued. In reply to this observation the Government stated, by letter dated 10 May 1930, that the Minister of Education and Social Affairs had issued on 12 April 1930 regulations relating to the use of white lead in painting provided for in § 10 of the Act of 25 May 1928 and defining the limits of the different forms of painting and laying down rules for the application of the Act. Regulations concerning the supervision of the general health of persons employed in painting work and their medical examination on the premises where the use of white lead etc. was not prohibited had also been drawn up and submitted to the Public Health Council, which would examine them at its next Session in June 1930.

In 1931 the Committee of Experts noted that the report of the Estonian Government contained no indications as to the measures adopted to comply with the provisions of Article 5, II c ("Suitable arrangements shall be made to prevent clothing put off during working hours being soiled by painting material"). The Committee considered that the Government might be asked for supplementary information on this point. In reply to this observation the Minister of Public Instruction and Social Affairs, in a letter dated 15 May 1931, indicated that the problem of the use of white lead in painting hardly arose in Estonia, as the use of white lead was very rare in the country. Further, painting work was 'only performed during the warm season when the workers were lightly clothed, so that they did not take off clothes during their work but put their working clothes (a long overall) on over their ordinary clothes. The Minister announced, however, that appropriate measures would be taken to carry into effect as strictly as possible the provisions of the Convention. By a further letter of 1 June 1931 the Minister communicated a copy of an Order of 20 May 1931, amending the Order of 12 April 1930, and providing that the clothes put aside during work shall be kept in a place where they are not soiled by the substances used in painting.

The Conference Committee on Article 408

tion to show that the provisions of the law met the requirements of Article 6 of the Convention, which requires the consultation of the employers' and workers' organisations concerned¹.

FINLAND.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 5 April 1929 and came officially into force for Finland on the same date. The first annual report was submitted for the year 1930.

The Convention is applied by : Act of 1 March 1929 prohibiting the use of white lead and sulphate of lead in certain kinds of painting²; Decision of the Ministry of Social Affairs dated 22 June 1929³; Order of 1 March 1929; Sanitary Regulations of 24 September 1929; Resolution of the Council of State dated 14 March 1919 specifying the trades and branches thereof which must be deemed to be specially dangerous and issuing detailed regulations concerning the employments liable to injure the health of children and young persons or hinder their physical development⁴.

§ 1 of the Act of 1 March 1929 lays down that the use of white lead, sulphate of lead and all products containing these pigments is prohibited in internal painting, with the exceptions specified by the Act. In doubtful cases the Ministry for Social Affairs decides what is to be understood by "internal painting". The use of white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead is allowed. Under § 2 of the Act the above prohibition does not apply to cases in which the factory inspection authorities consider, after consultation with the employers' and workers' organisations concerned, that the use of the pigments in question is necessary for painting carried out in railway stations and industrial undertakings. Further, the prohibition does not apply to artistic painting or fine lining. § 1 of the Decision of the Ministry of Social Affairs dated 22 June 1929 states that "artistic painting" and "fine lining" are to be understood to mean respectively decoration by means of the painting of pictures or similar painting, and internal fine lining. § 1 of the Resolution of 14 March 1919 lays down that employments involving the mixing or handling of pigments containing lead and other poisonous pigments are to be regarded as dangerous trades or branches of trades in which children and young persons must not be employed. In addition, § 3 of the Act of 1 March 1929 lays down that males under 18 years of age and women may not be employed in painting work of an industrial character involving the use of white lead, sulphate of lead or other products containing these pigments. The Minister for Social Affairs may nevertheless, after consultation with the employers' and workers' organisations concerned, permit the employment of painters' apprentices in the work mentioned above with a view to their education in the trade. The annual report states that no requests for such permits have been received. § 2 of the Decision of 22 June 1929 lays down that where white lead, etc., are used in painting operations for which their use is not prohibited, the employer must observe the following rules :

¹ The report for 1 January - 30 September 1931 supplies further details on this point.

not supplied to the workers except in the form of paste or of paint ready for use; (b) he must see that the necessary precautions are taken in the application of paint in the form of spray; (c) he must see that in dry rubbing down and scraping the painted surface is sufficiently moistened before the work is begun and that the production of dust in the course of the work is prevented as far as possible; (d) he must see that suitable washing accommodation, soap and towels are available at the place of work so that the workers may make use of them during and after their work. If water is not laid on at the place of work he must supply sufficient fresh water in closed containers; (e) he must supply workers employed on the work in question with special clothing made of smooth and impermeable material covering the neck and arms if possible. He must also supply head coverings and must make arrangements for the washing of such clothing; (f) he must arrange for accommodation in which the clothes which the workers take off before working are not liable to be soiled by paint, and other accommodation fulfilling the same conditions for the food brought by the workers if the factory inspection authorities have not considered it necessary for a special dressing room or dining room to be installed. § 4 of the Decision of 22 June 1929 lays down that if a working painter becomes ill and it is found that his illness is due to lead poisoning or suspected lead poisoning, the employer or his representative must be informed at once and must immediately report the matter to the competent factory inspector. The report must be made on special forms prepared by the Ministry for Social Affairs and supplied free of charge by the factory inspection authorities. If a worker becomes ill under the conditions mentioned above, the employer must see that he is at once taken to a doctor to be medically examined. § 4 of the Act of 1 March 1929 lays down that the Minister for Social Affairs may, after consultation with the health authorities, give orders that workers employed in work covered by the Act are to be medically examined. § 2 of the Decision of 22 June 1929 lays down that the employer is required to give working painters such instructions relating to lead poisoning and its prevention as may be prescribed by the factory inspection authorities. § 5 of the same Decision lays down that the Act of 1 March 1929 prohibiting the use of white lead, etc., in painting, the Decision issued under that Act and the sanitary regulations mentioned above shall be brought to the knowledge of the workers. For this purpose they are to be posted up in the dining room of the place of work if a dining room is provided, otherwise it must be possible to consult them at the place of work or in the office of the person responsible for the work, whichever is the most convenient. § 5 of the Act of 1 March 1929 lays down that the Ministry for Social Affairs may, after consultation with the employers' and workers' organisations concerned, take such steps as it considers necessary to ensure the observance of the provisions of the Act and the regulations issued in application of those provisions. § 6 of the Act fixes special penalties to be imposed on the employer or his representatives in case of violation of the Act. § 4 of the Act states that statistics with regard to lead poisoning are to be compiled in accordance with instructions given by the Ministry for Social

affairs, as the case of lead poisoning occurred.

(b) Difficulties of application.

No difficulties were mentioned in the annual report, nor have the Committee of Experts or the Conference Committee on Article 408 drawn attention to any point upon which further information seemed desirable.

FRANCE.

(a) Situation shown in Article 408 reports.

The Convention was ratified on 19 February 1926 and came officially into force for France on the same date. The first annual report related to the year 1926; subsequent reports have been regularly received.

The Convention is applied by the following provisions: Code of Labour and Social Welfare, Book II, §§ 78, 79 and 80, as amended by the Act of 31 January 1926¹; Decree of 8 August 1930²; Decree of 21 March 1914³, amended by the Decrees of 24 September 1926⁴ and 8 August 1930⁵; § 12 of the Act of 25 October 1919⁶; Decree of 6 November 1929⁷ respecting the application of § 12 of the Act of 25 October 1919.

§§ 78-80 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 31 January 1926, provide that, in all workshops, yards, buildings under construction or repair, and generally in any workplace where work in connection with the painting of buildings is carried on, the heads of the undertakings, directors or managers must observe the following provisions: the use of white lead, sulphate of lead and linseed oil containing lead, and of any specially prepared product containing lead or lead sulphate is prohibited in all painting work, irrespective of its nature, carried out on the exterior and interior of buildings. Public administrative regulations are to lay down, if necessary, the special work for which exceptions may be permitted. No such regulations have yet been made. The Decree of 8 August 1930, amending the Decree of 21 March 1914, prohibits the employment of males under 18 years of age and all females in painting work of any kind involving the use of white lead, sulphate of lead and all products containing these pigments. § 2 of the Decree of 8 August 1930 provides that, whenever the use of white lead or sulphate of lead is not prohibited, these pigments shall only be used in the form of paste. § 4 of the Decree prohibits dry rubbing down and scraping. § 5 lays down that respiratory masks shall be provided for workers in cases where such paint is applied in the form of spray. Further, the same § prescribes that cloakrooms and lavatories must be installed outside the premises in which lead dust or fumes are produced. A sufficient number of taps must be provided as well as a given supply of water, soap and a towel for each worker, which must be changed at least once a week. § 11 provides that workshop regulations shall impose on the workers the duty of making use of these facilities. § 5 states in addition that for all painting work

¹ L.S. 1926, Fr. 1.

² L.S. 1930, Fr. 13 B.

³ B.B. 1915, Vol. X, p. 103.

⁴ L.S. 1926, Fr. 10 A.

⁵ L.S. 1930, Fr. 13 A.

⁶ L.S. 1920, Fr. 7.

⁷ L.S. 1929, Fr. 9.

GREECE.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 22 December 1926 and came officially into force for Greece on the same date. The first annual report was submitted for the year 1927; subsequent reports have been regularly received by the Office.

The Convention is applied by: Act of 6 August 1921 respecting the prohibition of the use of white lead, red lead and litharge in the building industry and in other work¹; Royal Decree of 17 December 1921 respecting the prohibition of the use of white lead, red lead and litharge and of all other compounds of these oxides in the painting of buildings, shops, etc.²; Order of 28 January 1922 of the Commission appointed in pursuance of § 3 of the above Decree³; Act No. 2994 of 3 August 1922 for the ratification of the Convention.

The use of white lead, red lead, litharge and other special products which contain lead in any form whatever is prohibited in the painting of buildings or ships by § 1 of the Act of 6 August 1921. Under the Order of 28 January 1922, lead colours may be used for the painting of objects exposed to the weather, for the painting of enclosed places where much steam is evolved, and for the painting and maintenance of the rolling stock of railways and tramways. A new Decree is to be issued bringing these provisions into full harmony with the Convention. Where the use of lead colours is prohibited, they must be replaced by colours not containing more than 2 per cent. of metallic lead calculated according to the dry weight. The prohibition of the use of white lead, red lead and litharge and of all other compounds of these oxides is not to apply to the production of oil lacquers and varnishes for vehicles, driers and enamels. The employment of young persons under 18 years of age and women in painting work of an industrial character involving the use of white lead, sulphate of lead and all products containing these pigments is prohibited. § 5 of the Decree of 17 December 1921 provides that in industrial operations in which the use of white lead, red lead, litharge or compounds thereof cannot be dispensed with entirely, grinding in linseed oil or other substances with the bare hand is prohibited. The Order of 28 January 1922 provides that raw materials containing lead may not be directly sold for the manufacture of putty, and that putty may not be dealt in except in a state completely ready for use. § 7 of the Decree of 17 December 1921 prescribes that workers engaged in the preparation of paste or colours of a dusty nature shall wear respirators and also gloves if the preparation is in the form of paste or contains water. § 2 of the Decree forbids the dry rubbing down of surfaces painted with white lead, etc. except in so far as suitable precautions are taken for the protection of workers against the inhalation of dust. The Order of 28 January 1922 further prescribes that old lead colours may not be rubbed down before they have been damped in such a way as to prevent the generation of dust. § 9 of the Decree provides that any worker who uses compounds of lead oxides shall wash his hands, face, nose and mouth with soap. § 8 of the Decree makes it compulsory for workers

in which white lead or sulphate of lead is used, the employer must provide overalls to be used for work only, and by § 11 it is laid down that the duty of using such overalls must be included in the workshop regulations. § 8 of the Decree of 10 July 1913 relating to general rules for protection and cleanliness makes the provision of cloakrooms compulsory. Under the final paragraph of § 5 of the Decree of 8 August 1930 the cloakrooms and lavatories must be provided with cupboards or lockers furnished with keys or padlocks, and so arranged that the workers' ordinary clothes are kept separate from their overalls. Cases of lead poisoning among working painters are compulsorily notifiable under § 12 of the Act of 25 October 1919 respecting industrial diseases, and the Decree of 4 May 1921, as amended by the Decree of 6 November 1929. The Decree of 8 August 1930 provides for the institution of medical inspection for the painting of buildings in a form analogous to that laid down by Decrees of 1 October 1913 for the lead industry and other industries. § 11 of the Decree of 8 August 1930 provides that the text of the Decree must be posted up in the room in which workers are taken on and paid. The same § further requires employers to post up and distribute to their workers a notice drawing attention to the dangers of lead poisoning and to the precautions to be taken to avoid them. The Factory Inspection Service has been instructed by circular to request the employers' organisations concerned to assist in securing the strict observance of the provisions prohibiting the use of white lead in the painting of buildings, and the regulations concerning the use of white lead and sulphate of lead in painting. The authorities have two sources of information for compiling statistics of lead poisoning among working painters. In the first place, § 5 of the Act of 25 October 1919 provides that a worker who claims compensation under the Act must send in a declaration, a copy of which must be forwarded to the factory inspector or the responsible mining engineer. Secondly, § 12 of the same Act provides that medical practitioners or health officers must notify all cases of occupational diseases diagnosed by them. In 1929 the total number of cases of lead poisoning reported was 1846, of which 37, or 2 per cent., were working painters. These cases are stated to be probably attributable to minium (red lead).

Owing to local conditions it has not been possible to apply the Convention in all French overseas possessions. In Algeria, the prohibition of the use of white lead in the painting of buildings was made applicable by a Decree of 21 March 1913 and in Morocco, by an Order dated 13 July 1926.

(b) *Difficulties of application.*

In 1928 the Committee of Experts suggested that it would be desirable that the Office should be kept informed of the results of the enquiries relating to the prohibition of the employment of young persons under 18 years of age and of women, and of the extension to sulphate of lead of the regulations concerning white lead. In reply to this observation the French Government stated by letter dated 7 April 1928, that on both points raised by the Experts draft regulations were in prepara-

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be left at the workplace and that they may not be washed with household linen. § 4 of the Decree provides that industrial undertakings where the use of compounds of lead oxides in colours, paste or any other form is allowed in specific cases and under specified conditions, shall on application be granted a permit by the labour inspection service, or, in default of a labour inspection official or overseer, by the competent police authority. By § 11, colour dealers may supply white lead, red lead, litharge and their compounds only to persons in possession of such a permit, and § 12 provides that employers and all persons carrying out painting work, either by way of trade or occasionally, may use the compounds in question only in virtue of such a permit. These measures were taken after consultation with the organisations concerned. Measures for the collection of statistics with regard to lead poisoning will be included in the new draft Social Insurance Code.

(b) *Difficulties of application.*

In 1931 the Committee of Experts noted that the report of the Greek Government indicated that a new Decree was in preparation which would bring the provisions of the Decree of 17 December 1921 into full harmony with the provisions of the Convention. The Committee suggested that the Greek Government should be asked for further information concerning the issue of the above-mentioned Decree. Further, the Committee noted that the report for 1930 indicated that the new Social Insurance Bill contained provisions to ensure the application of the provisions of Article 5, III and Article 7 of the Convention. The Committee considered that on this point also the Greek Government might be asked to inform the Office on what date it expected to be able to apply these provisions. No reply has yet been received to these observations.

LATVIA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 9 September 1924 and came officially into force for Latvia on the same date. The first annual report related to the year 1925; subsequent reports, except for the year 1929, have been regularly received by the Office.

The Convention is applied by the Act of 13 June 1930 concerning the trade in white lead and the use of white lead in painting¹.

Under § 2 of the Act it is forbidden to use white lead, sulphate of lead and all products containing these pigments in the internal painting of buildings, except in railway stations or industrial establishments in which the use of these pigments is considered necessary by the Ministry of Social Welfare in agreement with the employers' and workers' organisations. The use of lead pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead is however allowed. § 4 of the Act lays down that the prohibition of the use of white lead, etc., does not apply to artistic painting or fine lining. § 3 of the Act lays down that the employment of males under 18 years of age and of all females is prohibited in any painting work involving the use of white lead or sulphate of lead or other products

prohibited by this § of the Act, with a view to their education in their trade. § 5 of the Act lays down that the use of white lead, sulphate of lead and all products containing these pigments in operations for which their use is not prohibited is subject to the following conditions: (a) white lead, sulphate of lead and products containing these pigments may not be used in painting operations except in the form of paste or paint ready for use; (b) working painters must wear special working clothes during the whole of the working period; (c) cases or suspected cases of lead poisoning must be reported to the Department of Health and must subsequently be verified by medical inspection. § 6 of the Act states that the Ministry of Social Welfare is required to lay down rules to eliminate the danger arising from the application of paint in the form of spray, and also the danger arising from dust caused by dry rubbing down and scraping. The Ministry will also issue rules in order to provide that working painters are able to take the necessary precautions of cleanliness during and after their work, and to prevent clothing put off during working hours being soiled by painting material. The Ministry of Social Welfare may require a medical examination of working painters and may issue instructions with regard to the special hygienic precautions to be taken in the painting trade. The enforcement of the Act and the issue of instructions are entrusted to the Ministry of Social Welfare (§ 7). The report for 1930 states that as the Act of 13 June 1930 has only recently come into force it has not been possible to compile definite statistics, and that very little information is at present available.

(b) *Difficulties of application.*

In the years 1927-1930 the Committees noted that legislation to give effect to the Convention had not yet been passed. In 1931 the Conference Committee on Article 408 took note of the coming into force of the Act of 13 June 1930, concerning the trade in white lead and the use of white lead in painting. It observed, however, that the rules required in order to eliminate the danger arising from the application of paint in the form of spray and also the danger arising from dust caused by dry rubbing down and scraping had not yet been issued. Further, the Committee noted that the report did not clearly show that the provisions of the law complied with the requirements of Article 6, which provides for the consultation of the employers' and workers' organisations concerned. No reply has yet been received to these observations.

LUXEMBURG.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 16 April 1928 and came officially into force for Luxembourg on the same date. The first annual report was submitted for the year 1929; a further report was submitted for 1930.

The Convention is applied by the Act of 5 March 1928 ratifying the Convention. This Act gives the provisions of the Convention the force of national law. Penalties for violation of the prohibition of the use of white lead are provided by the penal clause of the Act,

¹ L.S. 1939, Lat. 5.

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§ 2 of which states that any contravention of the provisions of the Convention shall be punished by a fine of from 51 to 3,000 francs without prejudice to heavier penalties provided for in other laws. The report for 1930 states that executive regulations are being drafted.

(b) *Difficulties of application.*

In 1931 the Committee of Experts noted that the Act of 5 March 1928 had given effective legal force to the provisions of the Convention, and that regulations for its application were in preparation. As the provisions of the Convention, and particularly of Articles 5 and 7, can hardly be applied without such regulations the Committee suggested that the Government should be asked to keep the Office informed of any further action taken. In reply to this observation the Luxemburg Government stated, by letter dated 28 May 1931, that the Government had drawn up a draft Grand Ducal Decree concerning the application of the Convention, which would be submitted without delay to the Council of State and to the Industrial Chambers. The steps to be taken in order to carry out the provisions of Articles 5 and 7 of the Convention were covered by a special chapter in the draft Decree.

NORWAY.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 11 June 1929 and came officially into force for Norway on the same date. The first annual report was submitted for the year 1930.

The Convention is applied by : Act of 24 May 1929 partially prohibiting the use of white lead, etc., in painting¹; Royal Decree of 6 December 1929 concerning the putting into force of the above Act; Regulations concerning the use of white lead, etc., in painting issued under § 6 of the same Act.

The Act of 24 May 1929 lays down in § 1 that the use of white lead, sulphate of lead and all products containing these pigments is prohibited in the internal painting of buildings. It is nevertheless permissible to use white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead. The factory inspection authorities may allow exceptions to this prohibition when they consider that the use of white lead, etc., is necessary for railway stations or industrial establishments. In such cases the factory inspection authorities must consult the employers' and workers' organisations concerned. Under § 2 of the Act the prohibition of the use of white lead etc. does not apply to artistic painting or fine lining. Under § 6, the definition of the limits of the different kinds of painting is entrusted to the factory inspection authorities. § 3 of the Act lays down that the employment of males under 18 years of age and of all females is prohibited in the industrial painting of buildings involving the use of white lead etc. The factory inspection authorities may permit the employment of male young persons on such work with a view to their education in their trade. The employers' and workers' organisations concerned are asked to state their views before such authorisations are given. When white lead, sulphate of lead or products containing these pigments are used in painting operations, the employer must see that they are not used except in the form of

applied in the form of spray (painting with the spraying gun) measures must be taken to avoid the paint coming into contact with the worker and to prevent him breathing in particles of paint. In the absence of some other practicable system, a suitably disinfected respirator must be supplied to the worker. The dry rubbing down and scraping of oil paint or dry putty which is liable to contain white lead may not be effected until the materials in question have been sufficiently damped. The paint scraped off must be removed before it becomes dry. The employer must see that the workers have facilities for washing in the neighbourhood of their place of work and must supply them with soap, nail-brushes and towels. Working painters must wear overalls and head coverings while they are at work. The employer must make suitable arrangements to prevent clothing put off during working hours being soiled by paint. If a working painter suffers from lead poisoning or suspected lead poisoning, his employer must report the case to the factory inspection authorities in writing as soon as it comes to his knowledge. Any doctor who discovers a case of lead poisoning must report it to the factory inspection authorities in accordance with a form established by them and approved by the Director of the Medical Service who, by a circular dated 17 March 1930, has drawn the attention of Norwegian medical practitioners to this provision of the Act. The factory inspection authorities may, when they think it necessary, require an employer to have the workers in his undertakings medically examined by a doctor selected with the approval of the factory inspection authorities. The employer must distribute to each worker instructions with regard to the special hygienic precautions to be taken in order to prevent lead poisoning. Instructions for this purpose have been prepared by the factory inspection authorities in agreement with the Director of the Medical Service. The factory inspectors have free right of access at all times to all places where there is reason to suppose that the pigments in question are used for painting. As regards the establishment of regulations to be observed for the enforcement of the Act of 24 May 1929, the factory inspectors are to consult the employers' and workers' organisations concerned (§ 4, 5 and 6 of the Act). § 7 of the Act lays down that the factory inspectors are to collect statistics of lead poisoning among working painters: (a) number of cases of illness, as shown by the notification and verification of all cases of lead poisoning; (b) statistics of fatal cases, compiled according to the method approved by the Central Statistical Office. These figures, like those for occupational diseases in general, are published in the annual report of the "Labour Council and Factory Inspection Department."

(b) *Difficulties of application.*

No difficulties were mentioned in the annual report, not have the Committee of Experts or the Conference Committee on Article 408 drawn attention to any point upon which further information seemed desirable.

POLAND.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 26 June 1924 Officially into force for Poland on the

20 September 1920 concerning the notification of cases of poisoning by lead, zinc, phosphorus, arsenic and mercury in industrial undertakings, factories and workshops¹; Decree of the President of the Republic of 30 June 1927 concerning the manufacture, importation and use of white lead, sulphate of lead and all other lead compounds²; Decree of the President of the Republic of 22 August 1927 respecting the prevention of occupational diseases and the fight against these diseases³; Decree of the President of the Republic of 16 March 1928 concerning industrial safety and hygiene⁴; Ministerial Order of 17 December 1928⁵ concerning the application of certain provisions of the Presidential Decree of 22 August 1927; Ministerial Decree of 13 September 1930 concerning the health and safety measures which are obligatory in the preparation of paints and pastes containing white lead, etc., and in painting work involving the use of such paints and pastes⁶.

Under § 3 of the Decree of 30 June 1927 the use of white lead, sulphate of lead and all other products containing these lead compounds is prohibited in the internal painting of buildings. This prohibition does not apply either to the internal painting of railway stations and of industrial establishments in which the employment of these products is certified necessary, or to the use of white pigments containing a maximum of 2 per cent. of pure lead. The labour inspector may authorise the above-mentioned exceptions in agreement with the competent sanitary authority and after consultation with the representatives of the professional organisations of employers and workers concerned. The use of white lead, sulphate of lead and all other products containing lead compounds is authorised in artistic and decorative painting (§ 3 (3)). § 4 of the Decree and § 12 of the Order of 13 September 1930 prohibit the employment of young persons under 18 years and of women in painting work of an industrial character involving the use of white lead and sulphate of lead. The regional labour inspector may authorise, in agreement with the Voievode and after consulting the employers' and workers' organisations, the employment of persons under 18 years of age with a view to their education in the trade. § 5 of the Decree of 30 June 1927 provides that white lead, sulphate of lead and other lead compounds may be used exclusively in the form of paste or of paint ready for use. Under § 9 of the Decree of 13 September 1930, the application of paint by spraying involving the use of white lead etc. is prohibited unless the workers are protected by suitable respiratory masks, goggles and gloves. § 10 prohibits the dry rubbing down and scraping of surfaces painted with products containing white lead and sulphate of lead. § 3 lays down that lavatories with hot and cold water must be installed in premises adjacent to working premises in which paints and pastes containing white lead are prepared, or in which painting work involving the use of these products is executed. Under § 5, the employer must supply the workers with a sufficient quantity

and must see that they use them. The clothing must be washed at least once a week at the employer's expense, and must be kept in a state fit for use. Under §§ 3 and 4 the employer is bound to instal a cloakroom, which must be heated in winter, and in which the workers can keep their ordinary clothes and their working clothes separately. §§ 5, 6 and 7 of the Decree of 22 August 1927 provide that the doctor who examines the patient must communicate in writing cases of lead poisoning to the general administrative authorities of the district and to the labour inspector. The district medical officer and the factory inspector are required jointly to conduct an enquiry with a view to diagnosing the disease and to ascertain its causes and origin. § 8 of the Decree of 30 June 1927 provides that in establishments which, by reason of the employment of workers, are exposed to occupational diseases, the examination of the health of the workers as well as the examination and enquiries provided for by legislation, must be carried out independently of the notification of occupational diseases within limits and at intervals which depend upon the degree to which the work is injurious to health, but, if possible, at least once a year. § 14 of the Order of 13 September 1930 lays down that workers covered by the Order must submit to the management of the undertakings, at least once in three months, a certificate issued by the doctor of the sickness insurance fund stating that they are in a good state of health. The certificates must be kept by the management of the undertakings, and if a worker fails to present a certificate, the employer must inform the factory inspector and the district medical officer. § 15 of the Order lays down that the management of the undertaking must distribute to the workers the health instructions which appear as an appendix to the Order. In the preparation of the Decree of 30 June 1927, the competent authority consulted the employers' and workers' organisations concerned. The Order of 13 September 1930 was submitted in advance to the Council for the Protection of Labour. This Council is composed of 45 members, 30 of whom represent in equal number employers' and workers' organisations. With a view to ensuring the application of the Decree of 30 June 1927, § 8 and 9 provide for penalties extending to the confiscation of the products and the materials. The notification of cases of lead poisoning is provided for by § 7 of the Decree of 30 June 1927 and by §§ 1, 5, 6 and 7 of the Decree of 22 August 1927. Under the Order of 17 December 1928, lead poisoning is one of the occupational diseases of which notification is compulsory.

(b) *Difficulties of application.*

In 1927 the Committee of Experts noted that the regulations in force were not uniform or fully in agreement with the Convention in all the territories of the Republic, though the report stated that an Order of the President of the Republic would shortly be issued to make provision for uniform application. In 1928 the annual report stated that an Order of the President of the Republic respecting the manufacture, importation and use of white lead, sulphate of lead, and other lead compounds was issued on 30 June 1927. The object of this Order was to apply the provisions of the Convention in a uniform manner throughout

¹ L.S. 1920, Pol. 2.

² L.S. 1927, Pol. 7.

³ L.S. 1927, Pol. 9.

⁴ L.S. 1928, Pol. 4.

⁵ L.S. 1928, Pol. 8.

⁶ L.S. 1930, Pol. 6.

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Poland; it came into force on 8 March 1928. Further, an Order of the President of the Republic of 22 August 1927 relating to the prevention and combatting of occupational diseases which came into force six months from the date of promulgation, contained provisions bearing on the application of Articles 5 and 7 of the Convention. The regulations to be issued in application of the Order of 30 June 1927 would be submitted in advance to the Council for the Protection of Labour. In 1929 the Conference Committee took note of the statement in the Polish report that draft uniform regulations for the whole of Poland were submitted in 1928 to the Council for the Protection of Labour. The representative of the Government informed the Committee that these regulations would shortly be issued. In 1930 the Polish Government representative informed the Conference Committee that no permits had been granted in the past year under Article 3 of the Convention. The regulations for securing the uniform application of Article 5 of the Convention would be issued shortly. (For the present position, see under (a) above).

RUMANIA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 4 December 1925 and came officially into force for Rumania on the same date. The first annual report was submitted for the year 1926; subsequent reports have been regularly received by the Office.

The Convention is applied by a Ministerial decision No. 43676 of 23 May 1930, which reproduces the text of the Convention and is based on the provisions of the Health Act and the Regulations for unhealthy trades. The report for 1930 added that a special committee was at present engaged in drafting special regulations for unhealthy trades, in which the principles of the Convention concerning the use of white lead in painting would be incorporated and amplified.

(b) *Difficulties of application.*

By letter dated 2 June 1930 the Rumanian Government, in reply to observations made in the years 1927-1930 by the two Committees, stated that the Bill which had been drafted with a view to giving effect to the Convention not being ready to be submitted and adopted by Parliament before the end of the session (10 June), the Government, desiring to fulfil the obligations undertaken through ratification, had recently examined the measures by which effect might as soon as possible be given to its provisions. For this reason it had been decided to publish a Ministerial Decision taken by the Minister of Labour, Public Health and Social Welfare, in pursuance of the provisions of the Health Act in force and the regulations under it relating to unhealthy industries. This decision reproduced *in extenso* the provisions of the Convention and would remain in force until the Bill referred to above had been adopted. In 1931 the Committee of Experts took note of the situation as shown in the annual report of the Rumanian Government for 1930, and recalled the fact that observations had been made in the past on the fact that adequate measures had not been taken for the application

vention, and particularly those of Articles 5 and 7, were in fact applied¹.

SPAIN.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 20 June 1924 and came officially into force for Spain on the same date. The first annual report related to the year 1924; subsequent reports have been regularly received by the Office.

The Convention is applied by: Royal Decree of 19 February 1926 to provide that the use of white lead, sulphate of lead and all products containing these pigments, shall be prohibited in Spain in the interior painting of buildings as from 1 November 1928, subject to the exceptions laid down in this Decree²; Royal Order of 5 December 1928 for giving application to the provisions of the above Royal Decree.

The Royal Decree of 19 February 1926 provides in § 1 that the use of white lead, sulphate of lead and all products containing these pigments is prohibited from 1 November 1928 in the interior painting of buildings. By § 2, work on railway stations and industrial establishments in which the use of white lead, etc. is certified as necessary by the Ministry of Labour, after enquiry as provided for in § 4, shall be excepted. By the Royal Order of 5 December 1928 the enquiry in question has been entrusted to the Labour Council. In the course of this enquiry facilities must be afforded in order that all employers' and workers' organisations may notify the cases in which the use of white lead, etc., should be permitted in the interior painting of industrial establishments. § 2 of the Royal Decree of 19 February 1926 provides that the prohibition is not to apply to artistic painting and fine lining. The use of white lead in these processes is however regulated by §§ 4, 5 and 7 of the Decree. § 3 of the same Decree provides that on and after 1 November 1928 the employment of young persons under the age of 18 years and women is prohibited in painting work of an industrial character involving the use of white lead etc. The employment of painters' apprentices in such work may be authorised by way of exception by a Royal Order of the Ministry of Labour, Commerce and Industry, issued after making the enquiry provided for in § 4. The Royal Order of 5 December 1928 instructs the Labour Council to undertake this enquiry; it is to give all employers' and workers' organisations the opportunity of stating their opinion on the rules to be adopted for the employment of painters' apprentices in prohibited work. § 5 of the Royal Decree of 19 February 1926 provides that, as from the date of promulgation of the Decree, the use of white lead, sulphate of lead and all products containing these pigments shall be regulated. The general principles of such regulation are laid down in the same § and § 9 further provides that the Ministry of Labour, Commerce and Industry shall issue the necessary regulations for the administration of the Decree within six months. § 5 (1) provides that white lead, etc., may only be used in the form of paste or of paint ready for use, and § 5 (2) lays down that all receptacles containing white lead, etc., shall be conspicuously labelled as containing poison. § 5 (3) provides that measures shall be taken to prevent danger arising from the

not be scraped or rubbed down dry, and the burning off of layers of old paint containing white lead, etc., is also prohibited. § 5 (6) provides that rules are to be laid down regarding the measures of cleanliness to be taken by working painters who handle white lead, etc. By § 6, cases of lead poisoning and of suspected lead poisoning must be subsequently verified by a medical practitioner appointed by the chief officer of the provincial public health authority concerned, and the said authority may require the workers to be medically examined whenever it considers this necessary. Medical practitioners must at once notify the provincial public health inspector of cases of lead poisoning or of suspected lead poisoning which come to their notice. § 7 provides that the labour inspectorate is to distribute to working painters instructions having the force of regulations respecting the special hygienic precautions to be observed in the painting trade. The Royal Order of 5 December 1928 instructs the Labour Council to undertake an enquiry with a view to the preparation of regulations for application, provided for in the Royal Decree of 19 February 1926. The Order recommends that the Joint Committees and the employers' and workers' associations in the industries concerned should give their advice with regard to the means of ensuring the application of the regulations. § 8 of the Royal Decree of 19 February 1926 provides that statistics with regard to lead poisoning among working painters shall be compiled and that the health inspectors are to communicate the relevant data to the Ministry of Labour, Commerce and Industry.

The Royal Decree of 19 February 1926 does not contain any exceptions applicable to territories subject to the sovereignty of Spain.

(b) *Difficulties of application.*

In 1931 the Committee of Experts noted that the report of the Spanish Government of 1928 indicated that the Council of Labour had been instructed to open an enquiry with a view to the drawing up of regulations for the application of the Royal Decree of 19 February 1926 concerning white lead. The report for 1929 stated that the enquiry mentioned above had taken place and that the Council of Labour had approved draft regulations on which the Government would take a decision at an early date. The report for 1930 carried the matter no further but simply stated that there was reason to hope that a decision on this question might be obtained from the Government. The Committee of Experts suggested, therefore, that the Government should be asked for further information on the steps which it intended to take in order fully to apply the Convention¹.

SWEDEN.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 27 November 1923 and came officially into force for Sweden on the same date. The first annual report related to the year 1924; subsequent reports have been regularly received by the Office.

¹ The report for 1 January - 30 September 1931 announces the issue of a Decree, containing regulations for the application of the Convention, dated 28 May 1931.

in which lead colours are used¹; Decree of the Royal Department of Labour and Social Welfare of 30 June 1926; Royal Decree of 10 December 1926; Workers' Protection Act of 29 June 1912².

The Act of 19 February 1926 applies to all painting work which is not exempted from the application of the Act of 29 June 1912 respecting the protection of workers. This latter Act applies to every occupation, industrial or otherwise, in which workpeople are employed for work for an employer. The Act does not apply to work which is undertaken in the worker's dwelling or elsewhere under such conditions that it cannot be considered as the employer's responsibility to supervise the arrangements for such work, or to work which is undertaken by a member of the employer's family. The Act of 19 February 1926 lays down in § 1 that "lead colours" shall be deemed to mean lead carbonate (white lead), lead sulphate and other pigments containing lead carbonate or lead sulphate. § 2 of the Act lays down that male workers under the age of 18 and women shall not be employed in painting work in which lead colours are used. Male workers who have attained the age of 18 years may not be employed in the interior painting of buildings with lead colours, unless the quantity of lead carbonate or lead sulphate in the lead colours used is such that they do not contain more than 2 per cent. of lead. § 3 provides that the chief industrial inspection authority, after hearing the employers' and workers' organisations concerned, may authorise exceptions to the prohibition of the employment of white lead in the interior painting of buildings connected with railway stations or industrial establishments where such exceptions are considered necessary. § 2 lays down that the prohibitions under the Act shall not apply to artistic painting or fine lining. § 3 provides that the chief inspection authority, after hearing the employers' and workers' organisations concerned, may authorise the employment of male workers under the age of 18 years in painting work where this is necessary for their trade training. § 4 lays down that colours containing lead pigments shall not be used by the workers except in the form of paste or of paint ready for use. The same section provides that measures shall be taken as far as possible to prevent poisoning through the application of paint in the form of spray and in dry scraping and dry rubbing down. As regards the special precautions to be taken in the application of paint by means of spraying, the Department of Labour and Social Welfare has issued a pamphlet containing instructions and advice for protecting the workers against the occupational risks of such work. § 4 also lays down that adequate washing facilities shall be provided for the use of the workers, both during and after work, and that the workers shall wear special working clothes during the whole of the working period. Further, the necessary arrangements shall be made to prevent the clothes taken off by the workers during work from being soiled by lead colours. § 5 of the Act lays down that cases of lead poisoning or of suspected lead poisoning shall be notified in writing by the employer to the chief indus-

¹ L.S. 1926, Swe. 1.

² B.B. 1913, Vol. VIII, p. 84.

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rial inspection authority as soon as they come to his notice. Medical practitioners in State or communal employment who attend working painters suffering from the above-mentioned disease are similarly bound to notify such cases. The form for such notification has been drawn up by the Royal Department of Labour and Social Welfare. In § 6 the Act provides that when a notification as specified in § 5 has been made, and also in other cases where it is considered necessary, the chief industrial inspection authority shall propose to the competent provincial authority that all or some of the working painters at a particular workplace or in the employment of a particular employer be medically examined. If such a proposal is made, the provincial authority must at once order a medical examination to be made in conformity with the proposal. § 7 provides that a medical practitioner who makes an examination as provided in § 6 may lay down special conditions for the employment of workers who are suffering from lead poisoning, in work in which lead colours are used, or prohibit altogether their employment in such work, or may even issue special rules for the continuation of such work at the workplace. § 4 of the Act lays down that the instructions drawn up by the chief industrial inspection authority for the prevention of illness as a result of the use of lead colours in painting work shall be distributed by the employer to every worker whom he employs in work in which such colours are used. In accordance with this provision, instructions were issued by the Royal Department of Labour and Social Welfare on 1 July 1926.

(b) *Difficulties of application.*

In 1927 the Committee of Experts pointed out that the Act of 19 February 1926 raised questions of interpretation of some importance. It provided in § 1 that it applies to all painting work which is not exempted from the application of the Act of 29 June 1912. This Act, however, did not apply to (a) work in the labourer's dwelling or elsewhere under such conditions that it cannot be considered as the employer's responsibility to supervise the arrangement for such work; (b) work undertaken by a member of the employer's own family; (c) work done by sailors or in connection with nautical service, whether the work is done on board ship or otherwise. It would appear to be very doubtful whether these exceptions were permissible under a strict interpretation of the Convention, and the Committee suggested that the Office should be invited to study the question and communicate with the Government on the matter. In reply to this observation the Swedish Government delegate to the Conference informed the Conference Committee that, as far as it was possible to ascertain at the time when the reply was given to the questionnaire sent out by the Office when preparing this Convention, white lead was only used in Sweden to a very small extent and usually exclusively for quite special purposes. The Act of 19 February 1926 which incorporated in the national legislation the provisions of the Convention had therefore only an extremely limited field of application. In the circumstances it appeared to be evident that the exceptions mentioned by the Experts had no practical importance as far as the information of the Delegates went.

adapted to the fundamental and very extensive Act relating to the protection of the workers. Thus it had been provided that the application of the Act should be supervised by factory inspectors. The exceptional cases mentioned above were evidently not of a kind to justify the establishment of a special inspection service.

YUGOSLAVIA.

(a) *Situation shown in Article 408 reports.*

The Convention was ratified on 30 September 1929 and came officially into force for Yugoslavia on the same date. The first annual report was submitted for the year 1930.

The Convention is applied by: Regulations of 7 May 1931 concerning the use of white lead in painting; § 12 of the Act of 20 December 1921 concerning factory inspection¹; § 184 of the Act of 14 May 1922 concerning social insurance².

§ 1 of the Regulations prohibits the use of white lead, sulphate of lead and all products containing these pigments in the internal painting of buildings. Internal painting is defined as painting which, in view of its purpose, is not permanently or usually exposed to atmospheric influences. § 2 provides that it is still permissible to use white lead pigments containing a maximum of 2 per cent. of lead. § 3 provides that the prohibition of the use of white lead does not apply to railway stations, railway carriage factories and other industrial establishments in which the use of white lead and other products containing these pigments is certified as necessary by the competent labour inspectorate, after consultation with the employers' and workers' organisations. Permission to use white lead, in virtue of § 3, is granted by the competent labour inspectors. The procedure is governed by the general provisions of the Act of 26 November 1930, concerning the procedure to be followed before the public administrative authorities. § 3 (2) and (3) provides that the prohibition of the use of white lead shall not apply to artistic painting or fine lining. § 5 of the Regulations prohibits the employment of young persons under 18 years of age and of women in painting work involving the use of white lead and other lead pigments. The competent labour inspector may, however, after consultation with the employers' and workers' organisations, authorise the employment of persons under 18 years of age with a view to their vocational training, provided that such employment does not exceed six weeks in all. § 7 of the Regulations lays down that white lead and other lead pigments may be used in painting work only in the form of paste or of paint ready for use. The crushing and grinding of white lead or other lead pigments, as well as the mixing of these substances with oil or varnish, shall not be done by hand but only by mechanical means and in such a manner that during these operations, as well as during the filling of the containers with lead substances or the pouring of such substances from one vessel into another, the workers are sufficiently protected against dust which might be raised, and that the dust does not enter the work premises. In the case of work which involves the raising of a considerable amount of dust, the head of the undertaking shall supply to the workers suitable respirators, and under § 8 the workers are required to use them. § 7 further provides

has been previously mentioned. The scrapings must be removed while still moist. § 6 provides that in industrial undertakings regularly employing more than 15 workers a separate place for washing must be provided, which must be kept clean and heated. The head of the undertaking shall supply to workers who handle white lead or other lead pigments wash basins with water, if possible, heated, soap, nail brushes and towels. § 8 provides that before the rest period allowed for meals and after the end of work the workers shall carefully wash their faces, mouths and hands. § 6 further provides that the head of the undertaking shall furnish the workers with working clothes and caps and shall have them washed at his expense. § 8 requires the workers to make use of such working clothes and caps. § 6 provides that in industrial undertakings employing regularly more than 15 workers, separate accommodation must be provided, fitted up in such a manner that the working clothes and the ordinary clothes can be kept separate. In undertakings which employ a smaller number of workers there should be placed at the disposal of the workers a wardrobe which closes properly, fitted up in such a manner that the working clothes and the ordinary clothes can be kept separate. § 9 provides that the employer shall send any worker who shows symptoms of lead poisoning at once to the medical officer of the insurance fund. If the medical officer detects lead poisoning in a worker, the chief of the undertaking is required to submit immediately to the labour inspectorate a copy of all the particulars mentioned in the register provided for in § 9 (1). The employer must ensure that workers who work with white lead or other lead pigments are examined at least once every six months by a doctor, who is required to record his visit and its results in the register. § 11 provides that a copy of the regulations shall be posted up in an easily accessible place in the works premises. Under § 12 of the Act of 20 December 1921 concerning factory inspection, and § 184 of the Act of 14 May 1922 concerning social insurance, the labour inspectors and the Central Social Insurance Institute are required to compile statistical information.

(b) *Difficulties of application.*

The Committee of Experts and the Conference Committee on Article 408 have not yet been able to pronounce an opinion on the measures taken in Yugoslavia for ensuring the application of the Convention, since the regulations giving effect to the Convention did not come into force until 7 May 1931.

II.

Situation in the Countries which have not yet ratified the Convention or which, having ratified it, have not yet had to submit an Annual Report.

It is proposed in this part of the report to give for each country concerned :

- (a) a statement of the existing law and practice relating to the use of white lead in painting;
- (b) a statement on the situation as regards ratification.

Once, statements made in the Commissions of the Governing Body by representatives of Governments and statements in the national Parliaments or in Parliamentary documents of which the Office has knowledge.

UNION OF SOUTH AFRICA.

(a) *Law and practice.*

The Office is not aware of the existence of any legislation concerning the use of white lead in painting.

(b) *Situation as regards ratification.*

The Convention was submitted to Parliament in 1923. The Prime Minister, in a letter of 14 January 1926, stated that the legislation of the Union did not meet the requirements of the Convention and that the Government did not see its way clear to amend it.

ALBANIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

In a letter of 7 February 1931, the President of the Council and Minister of Foreign Affairs informed the Office that the Albanian Government had submitted the Convention to Parliament with the proposal that ratification should be reserved.

ARGENTINE REPUBLIC.

(a) *Law and practice.*

A municipal Order of the City of Buenos Aires dated 30 December 1924 prohibits the manufacture, sale or use of pigments with a lead basis as from 1 January 1926.

(b) *Situation as regards ratification.*

The Convention was submitted to the National Congress for approval by a message of the Executive Power of 18 May 1925. The Minister of External Relations and Public Worship informed the Office in a letter of 19 February 1931 that this proposal had not lapsed and might be examined by the Legislative Chambers at any moment.

AUSTRALIA.

(a) *Law and practice.*

In *New South Wales* § 34 (2) of the Factories and Shops (Amendment) Act, 1927¹ enables special regulations to be issued for the protection of workers employed in dangerous trades, though painting work is not mentioned by name. In *Western Australia* spray painting is regulated by an Order in Council dated 21 December 1928², issued under the Factories and Shops Act, 1920.

(b) *Situation as regards ratification.*

In a letter of 3 April 1930, the Commonwealth Government stated that the Convention fell within both Federal and State competence. It was, therefore, submitted to the Commonwealth Parliament on 13 June 1924 and brought to the attention of the State Governments. The Commonwealth Government informed the

¹ L.S. 1927, Austral. 1.

² L.S. 1928, Austral. 6.

States that it would be prepared to ratify any Conventions to the provisions of which the States had given effect under their domestic legislation, and in respect to which the States had also given an assurance that they would not modify such legislation so as to make it inconsistent with the provisions of the Conventions without previous discussion with the Commonwealth. The States were also informed by the Commonwealth Government that before the Commonwealth Government could ratify a Convention they must all give effect to its provisions.

BOLIVIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

BRAZIL.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

In a letter of 25 March 1931, the Minister of Labour, Industry and Commerce informed the Office that by letter of 7 December 1922 he had communicated the authentic text of the Convention to the President of the Chamber. In a message of 31 March 1930, the President of the Republic resubmitted the Convention for examination to the National Congress.

CANADA.

(a) *Law and practice.*

Since 1909 special regulations have been in force in the Province of Quebec concerning the use of white lead in painting.

(b) *Situation as regards ratification.*

The Convention was submitted to the House of Commons on 23 March 1923.

The subject matter of the Convention is within the competence of the Provincial Governments.

The Conference of Representatives of the Dominion and Provincial Governments held in September 1923 resolved that the Provinces should take steps to make a survey concerning the use of white lead in painting. It was also agreed that the Federal Department of Labour should undertake to make enquiries and to secure the co-operation of the Provinces in following this up.

CHINA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

On 21 June 1923 the Chinese Legation in Berne informed the Office that the Convention had been submitted to the competent authorities. The Government of the Republic stated at the same time that, owing to its importance from the point of view of public health, the Convention had been submitted to the Minister of the Interior, who was to take the necessary action for its application.

COLOMBIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

At its sitting on 8 September 1931, the Chamber of Representatives approved the Convention, which was afterwards approved by the Senate.

DENMARK.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

A Bill for ratification was submitted to Parliament on 3 December 1924. This Bill has lapsed. In a letter of 6 March 1931, the Department for International Social-Political Co-operation informed the Office that no new Bill had been submitted to the Rigsdag.

DOMINICAN REPUBLIC.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Secretary of State for Agriculture, Labour and Communications informed the Office, in a letter of 7 March 1931, that he had examined the provisions of the Convention with interest and had noted that they corresponded in general to the principles laid down in the draft Labour Code prepared by his Department, which was shortly to be submitted to the Legislative Chambers.

ETHIOPIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

GERMANY.

(a) *Law and practice.*

The protection of painting workers against lead poisoning is dealt with by an Order dated 27 May 1930, which embodies provisions corresponding generally speaking to those of the Convention (under § 15 of the Order, however, a 5 per cent. content of metallic lead is permitted until the end of 1938). Two further proclamations were issued on 31 May 1931, one of which embodies general regulations concerning the steps to be taken to combat the danger of lead poisoning, whilst the other institutes a system of medical inspection. A proclamation dated 21 November 1930 allows certain exceptions from the application of the existing legal provisions.

(b) *Situation as regards ratification.*

A Bill for the ratification of the Convention was approved by the Reichsrat in 1923, but could not be submitted to the Reichstag owing to its dissolution.

National legislation was brought into accordance with the Convention by a Decree of 27 May 1930. Exceptions are allowed, however, up

The Women and Young Persons (Employment in Lead Processes) Act, 1920¹, provides for the protection of women and young persons against lead poisoning. The Vehicle Painting Regulations, 1926², issued under § 79 of the Factory and Workshop Act, 1901, lays down protective measures to be adopted in the painting of vehicles. The provisions of these regulations correspond, generally speaking, to those embodied in Article 5 of the Convention. The Lead Paint (Protection Against Poisoning) Act, 1926³, makes provision for the protection against lead poisoning of persons employed in painting buildings. It empowers the Secretary of State to make regulations similar in character to those laid down in Article 6 of the Convention⁴. § 2 of the Act prohibits the employment of any woman or young person in painting any part of a building with lead paint. This prohibition does not apply to persons employed as apprentices in the building trade or to women or young persons in such special non-industrial, decorative or other work as may be excepted by an Order of the Secretary of State. § 3 provides for the notification of cases of lead poisoning. A Rule dated 24 December 1926⁵ lays down the method of treatment of materials used in painting for the purpose of ascertaining the quantity of lead compound (calculated as lead monoxide) in such materials (material containing a quantity of soluble lead compound not exceeding 5 per cent. of the dry weight being exempted from the scope of the Act).

(b) *Situation as regards ratification.*

The Convention was submitted to the House of Commons on 9 May 1923. The House of Commons adopted a resolution approving the policy of the Government, namely, that ratification of the Convention should be subjected to further consideration. In 1926, during the passage of the Lead Paint (Protection against Poisoning) Bill, which became law in that year and lays down regulations governing the use of lead paints, the Home Secretary undertook that, if regulations did not succeed in very largely reducing the death rate from lead poisoning, the Government would bring in another and far more drastic Bill which would have prohibition as its essence. In reply to a question in the House of Commons on 17 July 1929, the Home Secretary stated that the ratification of the Convention would have to be preceded by legislation for the amendment of the present law but that the matter would be considered with other questions in connection with the proposed Factories Bill. On 19 November 1929, in a written answer to a question, the Minister of Labour stated that the Convention was still under consideration.

¹ L.S. 1920, G.B. 10.

² L.S. 1926, G.B. 1.

³ L.S. 1926, G.B. 11 A.

⁴ The regulations provided for under § 1 of the Lead Paint (Protection against Poisoning) Act, 1926, were made in 1927 and (*inter alia*) completely prohibit any rubbing down or scraping of painted surfaces by a drying process (except in the case of iron or steel work where the prohibition is limited to the dry sand papering process) unless the employer can prove that the painted surface contained no lead paint. L.S. 1927, G. 5, 4.

⁵ L.S. 1926, G.B. 11 C.

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

HAITI.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Convention has been submitted to the Department of Labour for examination.

HONDURAS.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

HUNGARY.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

On 4 January 1928 the Convention was ratified conditional upon ratification by France, Germany and Great Britain.

INDIA.

(a) *Law and practice.*

Provisions concerning the protection of workers against lead poisoning somewhat similar to those embodied in Article 5 of the Convention are contained in § 23 of the Bengal Factories Rules, 1923¹. Further, the Indian Ports Act, 1908, as amended², provides, in Chapter 2, § 6 (o) that rules may be made for regulating the employment of persons engaged in painting vessels, though no indication is given as to the nature of the rules to be made.

(b) *Situation as regards ratification.*

The Convention was placed before the Standing Committee of the Indian Legislature in 1923. The Standing Committee was of opinion that further consideration of the Convention would be necessary before any definite proposals as to the action to be taken could be made. On 3 June 1924, the India Office informed the Office that as the result of this further consideration it had been decided not to ratify the Convention.

IRISH FREE STATE.

(a) *Law and practice.*

The protection of women and young persons against lead poisoning is provided for by the Women and Young Persons (Employment in Lead Processes) Act, 1920 (see under *Great Britain*). Regulations were issued on 8 January 1929³, under § 79 of the Factory and Workshop Act, 1901, concerning the protective measures to be adopted in the painting of vehicles.

(b) *Situation as regards ratification.*

On 30 April 1925, the Minister for Industry and Commerce stated in the Dail on the subject

¹ L.S. 1923, Ind. 2 B.

² L.S. 1923, Ind. 3.

³ L.S. 1929, I.F.S. 3.

of this Convention that there was a *prima facie* case for prohibition. In a letter of 17 February 1931, the Government stated that it was still prosecuting enquiries as to the best method of obviating the industrial evil for the remedying of which the Convention was framed.

ITALY.

(a) *Law and practice.*

Regulations dated 25 September 1905, approved by a Presidential Decree of the autonomous Consortium of the City of Genoa, concerns painting work on vessels in the port of Genoa. No other special legislative measures have been adopted, but it may be noted that even before the war a number of the main administrative departments required contractors to refrain from using white lead in internal painting.

(b) *Situation as regards ratification.*

A Legislative Decree of 20 March 1924 authorised the Government to give "full and complete effect" to the Convention.

Before ratification a general regulation on industrial hygiene will have to be promulgated.

In a letter of 20 March 1931, the Italian Government representative on the Governing Body of the International Labour Office stated that the Italian Government was not yet able to take a decision on the Convention.

JAPAN.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Privy Council decided on 27 June 1923 not to ratify the Convention immediately. The Japanese Government informed the Office that although there was on the whole no objection to the principle laid down in the Convention it could not immediately agree to a minimum age of 18 years for young persons employed in painting. It added that if the abolition of the use of white lead was proposed, the manufacture of white lead, which was the more dangerous process, must be restricted. Legislation with this object, however, would require time for preparation, and it would consequently be difficult to adopt the Convention at present.

LIBERIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

LITHUANIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Minister of Foreign Affairs informed the Office on 27 November 1922 that the Convention had been submitted to the Council of Ministers and that if they came to a favourable conclusion it would also be submitted to Parliament for approval.

Ministry of the Interior and, if necessary, to the other Ministries concerned, so that if they considered it desirable they could take all the administrative action required to give effect to its provisions. The decisions taken would be communicated, if necessary, to the Council of Ministers for the taking of the necessary legislative action.

NETHERLANDS.

(a) *Law and practice.*

Hygienic measures, more particularly for the protection of women and children against the risk of industrial poisoning, are contained in a Decree of 21 August 1916¹ and in a Decree of 10 August 1920² issuing regulations under the Labour Act, 1919.

(b) *Situation as regards ratification.*

An Act of 10 June 1926 reserved to the Crown the right to ratify the Convention. A Bill was submitted on 25 November 1931 to the Second Chamber of the States General concerning measures for the protection of workers during working hours in general, and particularly during hours of presence in factories and workshops. This Bill is intended to replace the existing Safety Act. § 7 of the Bill contains the provisions necessary to adapt Netherlands legislation to the Convention.

NEW ZEALAND.

(a) *Law and practice.*

Provision is made in the Health Act 1920 and the Factory Act 1921 for the protection of painting workers against lead poisoning. Under the provisions of these Acts the Lead Process Regulations 1925 were issued on 27 July 1925. These regulations provide for: the labelling of receptacles containing lead colours; the prevention of danger arising out of dust; the utilisation of closed apparatus; exhaust draughts; prohibition of the employment of women and young persons under 16 years of age; provision of cloak rooms, dining-rooms, overalls, respirators; baths and lavatory basins, medical examination, prevention of lead poisoning and declaration of cases of lead poisoning. The regulations also contain provisions prohibiting the use of lead colours in the dry state and dry rubbing down. The lead colours, the use of which is regulated, are defined as lead products containing 5 per cent or more of soluble lead.

(b) *Situation as regards ratification.*

The British Secretary of State for Foreign Affairs informed the Secretary-General of the League of Nations by letter of 5 January 1923 that the Convention had been presented to both Houses of Parliament.

NICARAGUA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

The Office possesses no information.

(b) *Situation as regards ratification.*

Preparatory work on the Convention has been carried out by the Secretariat of State for External Relations.

PARAGUAY.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

PERSIA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

PERU.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

PORTUGAL.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Convention was submitted to the competent administrative authorities on 9 December 1926.

SALVADOR.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

No information has been received.

SIAM.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

The Convention was submitted in 1922 to the competent authorities who decided that they could not recommend adherence. In a letter of 21 August 1922, the Minister of Foreign Affairs informed the Secretary-General of the League of Nations that the investigations made by the competent authorities indicated that the Convention would have no utility in Siam, as there seemed to be a complete absence of lead poisoning in the country. If, owing to a change in the kind of paint used, or in the methods of its use, dangerous results to the persons so employed became evident, the Government would consider most sympathetically the advisability of ratification.

SWITZERLAND.

(a) *Law and practice.*

The use of white lead in internal painting work is prohibited in the case of painting work carried out on behalf of administrative departments of the Confederation by a Resolution

ing is dealt with in Order No. 111 respecting accident insurance, dated 2 March, 1928². § 2 of this Order contains provisions similar to those embodied in Article 5 of the Convention

(b) *Situation as regards ratification.*

The Convention was submitted to the Federal Chambers by a message of 4 May 1923.

In this message, the Federal Council reminded the Chambers that the Convention represented a compromise and that the Swiss delegates had voted for it. It stated that it could support the principle of the Convention so far as it was at present able to give an opinion on the question, but that Switzerland should create the necessary legal basis before it could adhere to it. The Federal Council stated that it would give its opinion in detail on the whole question of the prohibition of the use of white lead when it submitted to the Federal Assembly a Bill to bring Swiss legislation into accordance with the Convention. It proposed meanwhile that the Federal Assembly should note this statement and should postpone any decision on the ratification of the Convention until it had dealt with the Bill in question.

The Federal Council's proposals were adopted by the Federal Chambers on 21 June 1924.

On 2 March 1928, the Federal Council submitted to the Federal Assembly a detailed report upon the enquiries which had been made into the use of white lead in painting since 1924. The Federal Council stated in this report, among other matters, that in accordance with a unanimous recommendation of the joint Committee to which the enquiry had been entrusted, it had adopted a Decree respecting accident insurance (protection against lead poisoning of employees and workers employed in painting undertakings). This Decree extended compulsory accident insurance to all painting undertakings and in particular to undertakings other than the painting of buildings. It also introduced uniform protective measures. The Federal Council stated that as regarded protective measures this Decree gave effect to the International Convention. It proposed at the same time not to deal with the question of the legal prohibition of the use of white lead in interior painting, nor with the ratification of the Convention, and to instruct the Swiss National Accident Insurance Fund to continue the examination of the question.

The National Council noted the Federal Council's report on 6 June 1929, but asked that a final report drawn up from the enquiry carried out by the Accident Insurance Fund and containing proposals should be presented to the Federal Assembly before 31 December 1931. The Council of States supported this decision of the National Council on 17 December 1929.

URUGUAY.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

Ratification of the Convention was recommended to Parliament in a message of 11 September 1925. The Chamber of Deputies approved of the ratification of the Convention on 6 September 1928. The Senate also approved

¹ B.B. 1908, Vol. III, p. 222.

² L.S. 1928, Switz. 1.

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ed of the ratification of the Convention as well as of all the Conventions adopted by the Conference at its first three sessions excepting, however, those relating to the protection of women. Since this vote involved an amendment to the Ratification Bill approved by the Chamber of Deputies, a new Bill will have to be submitted to the Chamber.

VENEZUELA.

(a) *Law and practice.*

The Office possesses no information.

(b) *Situation as regards ratification.*

In a letter addressed on 13 July 1925 to the Minister of External Relations, who communicated it to the Office on 23 July 1925, the President of the Senate stated that the Senate had postponed consideration of the Conventions adopted by the Conference at its first three sessions pending the submission to the Senate of a Bill relating to the conditions of labour in general.

In 1928 the Congress adopted a Labour Act but in a letter of 10 June 1929 the Minister of External Relations informed the Office that the subject matter of the Convention came within the sphere of ordinary law.

III.

Questions relating to the provisions of the Convention.

ARTICLE 1.

(1) The Office was asked whether the use in interior painting of chrome yellow and of products containing chrome yellow in the manufacture of which sulphate of lead was formed, was or was not prohibited by Article 1.

The Office pointed out that the Convention uses the word "products" which in its opinion applied to compounds and to paints placed upon the market generally under fancy names to which it was usual to add lead compounds such as white lead or sulphate of lead. The object of Article 1 of the Convention was to prohibit such artificial mixtures. A clear distinction should be drawn between these "products" and "compounds" which could be chemically defined and identified. Now chrome yellow, which has a well-established chemical character, is a compound. In the opinion of the Office, the use of chrome yellow does not therefore come under the application of the Convention and is not prohibited by it.

(2) The Office was asked whether in exceptional cases and for a transitional period the use of oxide of zinc could be authorised, containing more than 2 per cent. of lead but less than 5 per cent.

The Office replied that under the terms of Article 1 paragraph 2 of the Convention such a provision would be contrary to the Convention.

(3) The Office was asked whether and to what extent the Convention covered work carried out in potteries where glazes and enamels containing lead compounds were employed.

The Office replied by pointing out that Article 1 referred entirely, apart from a certain number of exceptions, including in particular

and therefore prohibition of the use of white lead did not apply to such work.

(4) The Office was asked whether the prohibition of the use of white lead in the Convention applied only to workers and their employers, other persons, such as private persons carrying out painting work on their own account, being exempt from the prohibition.

The Office replied in the affirmative. It pointed out that in general the subject of Conventions was especially to establish measures for the protection of workers, as was laid down by the Preamble to Part XIII of the Treaty of Versailles and the general principles in Article 427. The whole effort of the International Labour Organisation is directed towards regulating conditions of labour with the object of safeguarding and increasing the physical, moral and intellectual wellbeing of the wage-earners.

ARTICLES 1 AND 2.

The Office was asked whether the Convention did not require the Members which ratified it to take into account the limitations, exceptions and reservations made in its text, in particular the exception made for railway stations and certain industrial establishments (Article 1, paragraph 1); the lead content of 2 per cent. permitted (Article 1, paragraph 2); the reservation relating to artistic painting and fine lining (Article 2, paragraph 1).

The Office called attention to the provisions of the last paragraph of Article 405 of the Treaty of Versailles and emphasised that no difficulty could arise, given this formal text, as regards legislation already existing; limitations, exceptions and reservations as to the prohibition of the use of white lead could not be imposed upon the Members so as to cause them to revoke existing protective measures which were more advanced.

As regards national legislation, which might be adopted after the ratification of a Convention, it seemed clear that the Members of the Organisation were always free to adopt more advanced protective measures than those laid down in the Convention. Provisions adopted were intended to ensure a uniform minimum legislation; a Member which put into force in its territory more advanced legislation than the provisions of the Convention was therefore conforming legally to the Convention.

ARTICLE 2.

It was pointed out that in paragraph 1 of Article 2 there seemed to be a discrepancy between the French and English texts.

The French text ran: "Les dispositions de l'article premier ne seront applicables ni à la peinture décorative ni aux travaux de filage et de réchampissage." The English text ran: "The provisions of Article 1 shall not apply to artistic painting or fine lining."

Thus, the French text did not seem to refer to artistic painting, while the English text referred to "fine lining" instead of simply "lining".

The Office replied that there did not seem to be a real difference between the terms "peinture décorative" and "artistic painting". The term "artistic painting" was very comprehensive; it covered all forms of artistic paint-

If it had been intended to limit the exception to that form of painting, the English expression used would have been "painting as a fine art".

The French term "peinture décorative" is also very wide and includes all kinds of ornamental painting, whether the ornamentation of buildings or of manufactured articles (coach-building, furniture, pottery, etc.).

As regards the terms "travaux de filage et de réchappissage" and "fine lining", the Office pointed out that the text which it had prepared for submission to the Conference contained only the word "filage"; the word "réchappissage" was added at the request of the workers' representatives by the Drafting Committee in order to make it clear that the operation of detaching from the background by marking the contours was also included in the exception. A similar alteration in the English term "fine lining" was not necessary because this term is comprehensive and expresses exactly the same thing as the French text.

ARTICLE 3.

(1) The office was asked whether the employment of women and young persons in painting work involving the use of white lead extended under the terms of the Convention to all industrial painting in general or only to the painting of buildings.

After consulting some of the experts who had been present at the sittings of the Drafting Committee of the 1921 Conference, the Office replied that the Chairman and Reporter of the Conference Committee, as well as all the experts who had been present at the sittings of the Drafting Committee, with one exception,

used, embodied in Article 3, referred only to the painting of buildings.

(2) The Office was asked whether the Convention applied to work carried out in potteries which use glazes and enamels containing lead compounds.

The Office considered that the prohibition laid down in Article 3 could scarcely be considered applicable to work carried out in potteries.

ARTICLE 5.

The Office was asked whether the Convention covered work carried out in potteries which use glazes and enamels containing lead compounds.

The Office pointed out that Article 5 lays down in almost every one of its paragraphs that the principles apply either to "painting operations" or to "working painters." This seems to show that the only work which the Convention was intended to regulate is painting work.

The Office did not endeavour to examine all the various operations which may be carried on in potteries in the different countries. If it were possible to draw up a complete list of these operations, some no doubt might be found to which Article 5 might be argued to apply. But if the matter were limited to the question raised, namely, the use of glazes for enamels containing lead compounds, it would be difficult to consider glazing and enamelling as painting operations within the meaning of Article 5 of the Convention. It does not seem therefore that the regulation required by this Article should apply to the operations in question.