

National Paint, Varnish and Lacquer Association

I N C O R P O R A T E D

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February 23, 1961

TO ALL MEMBERS:-

Inspections Under Federal Labeling Law

Since February 1, the effective date for penal provisions of the Federal Hazardous Substances Labeling Law for "highly toxic," "flammable" and "extremely flammable" substances, Food and Drug Administration inspectors have been visiting the plants of many of our members. We are advised by the Food and Drug Administration that these visits are being made primarily to collect data for use in administration of the law.

The Food and Drug Administration will soon publish proposed administrative rules and regulations. All interested parties will be given a reasonable time, not less than 30 days, to comment on or object to any provisions of the proposed rules. The Food and Drug Administration and this Association have been working in close cooperation on this matter.

Our Recommended Precautionary Labels of April 12, 1960, for products that are "flammable," "extremely flammable" and "highly toxic," will meet the present requirements of the law for such substances. (A copy of the Recommended Labels is enclosed.) As reported in my letter of January 27, the law was not extended for these 3 types of substances and is now in full force and effect for them. For other substances covered by the Act, however, the effective date of the penal provisions of the law has been extended six months to August 1, 1961. During the interim, we will recommend to our members newly revised labels which will meet all technical requirements of the new law and regulations.

Meanwhile, when your plant is visited by Federal inspectors, you should cooperate wholeheartedly in supplying all information requested. If any problems arise, or if you need explanation for any action, communicate with the District Director or the Resident Inspector nearest you. Enclosed is a list of those officials. If you are unable to get the information you need, please write me promptly and we will take up your problems with the Washington supervisory officials.

The law requires the Food and Drug Administration "to conduct examinations, inspections and investigations for the purpose of this Act". All manufacturers are required by law to permit inspections at reasonable times and to furnish pertinent information when requested.

It is emphasized by Food and Drug Administration officials that current inspections are being made primarily to collect material for a study of conditions in the field. Of course, while these inspections are not part of a special enforcement campaign, we may expect corrective action to be insisted upon whenever flagrant violations or substantial disregard of the labeling requirements of the law are discovered.

Sincerely

Joseph F. Battle

JFB:rw

PROGRESS THROUGH COOPERATION

NCA 00 00681

April 12, 1960

NATIONAL PAINT, VARNISH AND LACQUER ASSOCIATION

1960 Revision

Precautionary labels for paints containing metal compounds, solvents of specified flash points or significant amounts of other materials which may be harmful.

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The following precautionary labels have been approved by the Executive Committee of the National Paint, Varnish and Lacquer Association for the use of industry members.

These labels should be used for all types of containers, large and small, where applicable.

The members of this Association have always been the leaders in adopting progressive measures in the public interest. Therefore, these revised labels are recommended for use by all to assure nationwide uniformity and to comply with existing laws and regulations.

NCA 00 00682

N 4170.01

PRECAUTIONARY LABELING SHOULD BE APPLIED TO GROUPS AS INDICATED.

GROUP I - Products containing not more than 1 per cent of lead, as metal (Pb), and not containing compounds of antimony, arsenic, cadmium, mercury, selenium, or barium (when said barium is soluble by stirring for 10 minutes with 5 per cent hydrochloric acid at room temperature) introduced as such in the formulation of these products, and a solvent flashing below 150°F.

Flash Point
above 30°F.

CAUTION! COMBUSTIBLE

Keep away from heat and open flame. Keep out of reach of children. Avoid breathing of vapor or spray mist and prolonged contact with skin. Keep container closed when not in use. Use with adequate ventilation.

Flash Point
above 20°F,
to 80°F.,
inclusive

WARNING! FLAMMABLE

Keep away from heat, sparks, and open flame. Keep out of reach of children. Avoid breathing vapor or spray mist and prolonged contact with skin. Keep container closed when not in use. Use with adequate ventilation.

Flash Point
20°F. or
below

DANGER! EXTREMELY FLAMMABLE

Keep away from heat, sparks, and open flame. Keep out of reach of children. Avoid breathing vapor or spray mist and prolonged contact with skin. Keep container closed when not in use. Use with adequate ventilation.

NCA 00 00683

- (a) Regardless of flash point, clear liquids such as thinners or paint removers should bear appropriate Group I label plus warning "Do not take internally", because clear liquids may be attractive nuisances or mistaken for beverages.
- (b) Flash point determinations, in all cases, refer to Tagliabue Open Cup Method, as specified in ASTM Method D 1314-54T.
- (c) The warning words "Use with adequate ventilation" should be in type two points larger than the type used for the rest of the appropriate caution label.
- (d) The per cent of lead is determined as lead metal (Pb) based on the total solids of the paint.

GROUP II - Products containing more than 1 per cent of lead as metal (Pb) in a compound (see (b) below), or containing a compound of antimony, arsenic, cadmium, mercury, selenium or barium (when said barium is soluble by stirring for 10 minutes with 5 per cent hydrochloric acid at room temperature) introduced as such in the formulation of these products, and containing solvents of the following flash points:

CAUTION! COMBUSTIBLE

Flash Point Keep Away from Heat and Open Flame
above 80°F. CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on any interior surfaces of a dwelling, or a place used for the care of children, or on window sills, toys, cribs and other furniture which might be chewed by children. Avoid breathing vapor or spray mist and prolonged contact with skin. Wash thoroughly after handling and before eating or smoking. Keep container closed when not in use. Keep out of reach of children. Use with adequate ventilation.

NCA 00 00664

Flash Point
above 20°F.,
to 80°F.

WARNING! FLAMMABLE

Keep Away from Heat, Sparks, and Open Flame
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on any interior surfaces of a dwelling,
or a place used for the care of children, or on
window sills, toys, cribs and other furniture which
might be chewed by children. Avoid breathing vapor
or spray mist and prolonged contact with skin.
Wash thoroughly after handling and before eating or
smoking. Keep container closed when not in use.
Keep out of reach of children. Use with adequate
ventilation.

Flash Point
20°F. or
below

DANGER! EXTREMELY FLAMMABLE

Keep Away from Heat, Sparks, and Open Flame
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on any interior surfaces of a dwelling,
or a place used for the care of children, or on
window sills, toys, cribs and other furniture which
might be chewed by children. Avoid breathing vapor
or spray mist and prolonged contact with skin.
Wash thoroughly after handling and before eating or
smoking. Keep container closed when not in use.
Keep out of reach of children. Use with adequate
ventilation.

- (a) The presence of lead is determined as lead metal (Pb) based on the total solids of paint.
- (b) When more than 1 per cent of lead is the only harmful compound used in the product, the words, "Contains lead or other compounds harmful if eaten" in the applicable Group II label may be changed to "Contains more than 1 per cent lead (Pb)". Furthermore, when this wording is used, the words "Harmful if eaten" must appear in the text of the label.

NCA 00 00685

- (c) For products having a flash point above 150°F. or no flash point the following labeling may be used:

CAUTION
CONTAINS LEAD OR OTHER COMPOUNDS HARMFUL IF EATEN

Do not apply on toys, furniture or interior
surfaces which might be chewed by children.

Keep out of reach of children.

- (d) The warning words "Use with adequate ventilation" should be in type two points larger than the type used for the rest of the appropriate caution label and the label placed in a prominent position on the container.
- (e) Latex paints containing the specified harmful compounds are covered by the above provisions.

GROUP III - Products other than those included in Group II containing significant amounts of materials or solvents which may be harmful.

When harmful substances, other than those included in Group II are used in paint, in quantities which are deleterious, it is impossible, due to formulation variables, to establish a general warning label.

The paint manufacturer is cautioned to alert himself to such hazards and use an appropriate precautionary label. Extra vigilance should be the rule in labeling Group III products.

Labeling of Group III products containing hazardous chemicals should be guided by MCA Manual L-1 Warning Labels applying to those particular chemicals. The warning "Keep out of reach of children" should appear prominently on all labels, as well as the phrase "Use with Adequate Ventilation" in type two points larger than the body of the warning.

Group IV - Paint and Varnish Removers

- (a) Non-Flammable Removers, such as specified in Federal Specification TT-R-251C Remover; Paint and Varnish (organic Solvent Type), Type II. Such removers containing substantial amounts of Methylene Chloride must bear labels materially as follows:

CAUTION!

Contains Methylene Chloride

Keep out of reach of children. Avoid breathing of vapor and prolonged contact with skin. Do not take internally. Use with adequate ventilation.

- (b) Flammable Removers, such as specified in Federal Specification TT-R-251C Remover; Paint and Varnish (organic Solvent Type), Type I. Such removers containing substantial amounts of benzol must bear labels materially as follows:

**DANGER! EXTREMELY FLAMMABLE
VAPOR HARMFUL - POISON
Contains Benzol**

Keep away from heat, sparks, and open flame.
Keep container closed. Keep out of reach of children. Avoid breathing of vapor and prolonged contact with skin. Use only with adequate ventilation.

NOTE: In both (a) and (b) above, the warning "Use with adequate ventilation" should be in type two points larger than the body of the warning.

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NCA 00 00687

ROSTER OF DISTRICT DIRECTORS AND RESIDENT INSPECTORS
FCCD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

<u>City, Zone and State</u>	<u>District Directors Resident Inspectors & Mailing Addresses</u>	<u>Telephone Numbers</u>
ATLANTA 23, GA	*JOHN W. SANDERS, JR. 60 Eighth St., N.E.	Trinity 6-3311
Charlotte 1, N.C.	Kelvin H. Keath Room 231, U.S. PO & Courthouse Bldg., PO Box 1513	Edison 2-8407
Jacksonville 1, Fla.	Billy B. Ashcraft Rm. 408, Customhouse & PO Bldg. PO Box 4937	Elgin 4-7111 Ext. 333
Miami 32, Fla.	Ronald C. Fischer Rm. 701, Huntington Bldg., 133 S.E. 1st St., PO Box 2018	Franklin 3-8990
Tampa 1, Fla.	Alvis G. Cosby Rm. 117, U.S. Appraisers Stores Bldg., Platt & Water Sts., PO Box 1166	Tampa 2-2094
BALTIMORE 2, MD.	RICHARD E. WILLIAMS Rm. 800, U.S. Appraisers Stores Bldg., 103 S. Gay St.	Plaza 2-3460 Ext. 507
Charleston 23, W. Va.	Mervin H. Shumate Rm. 319, Federal Bldg., Capitol St., PO Box 641	Dickens 4-1331 Ext 6
Norfolk 10, Va.	Frank Thompson, Jr. Rm. 217, Franklin Bldg., Duke & Brambleton Sts.	Madison 7-7362
Raleigh, N.C.	James W. Swanson Rm. 3, American Legion Hdqts. Bldg., 201 New Bern Ave., PO Box 1310	Vance 8-5341
Washington 25, D.C.	Taylor M. Quinn Rm. 203, 600 Independence Ave., S.W.	Worth 3-5324
BOSTON 10, MASS.	NEVIS E. COOK Rm. 805, U.S. Appraisers Stores Bldg., 408 Atlantic Ave.	Capitol 3-7781
Hartford 1, Conn.	Dominic Ziccardi Rm. 201, U.S. Post Office Bldg. 135 High St., PO Box 396	Jackson 7-3281 Ext. 259
Providence 3, R.I.	Alfonso D. Dominguez Rm. 401, Main Post Office Bldg.	Jackson 1-5050 Ext. 330

*District Directors' names
are all in capitals

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OVER

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<u>City, Zone and State</u>	<u>Dist. Dr., Res. Insp., Addresses</u>	<u>Telephone</u>
BUFFALO 3, N.Y.	ALLEN T. RETZLAFF Rm. 415, Post Office Bldg.	Madison 6332
Albany 1, N.Y.	Milton J. Schulz Rm. 217, Old Post Office Bldg.	Hobart Ext 3-5581 261
Pittsburgh 19, Pa.	Faul Lankford Rm. 303, Old Post Office Bldg.	Grant Ext. 1-0800 629
Rochester, N. Y.	Robert N. Palmer Rm. 417, Federal Bldg.	Locust 2-4752
CHICAGO 7, ILL.	JOHN H. GUILL, JR. Rm. 1222, Main Post Office Bldg. Van Buren & Canal Sts.	Wabash 2-9200 Ext. 436
Milwaukee 2, Wis.	William E. Braunig Rm. 305, U.S. Customhouse Bldg. 628 E. Michigan St., P.O. Box 850	Broadway 2-8600 Ext. 294
CINCINNATI 2, OHIO	THEO. C. MARAVIGLIER Rm. 501, U.S. Post Office & Courthouse Bldg.	Dunbar 1-2200 Ext. 377
Columbus 15, Ohio	John J. McAuliffe Rm. 322, Old Post Office Bldg.	Capitol-Ext 1-6411 489
Indianapolis 7, Ind.	Donald R. Martin Rm. 241, State Board of Health Bldg. 1330 W. Michigan St.	Melrose-Ext 4-8433 226
Louisville 2, Ky.	Henry P. Roberts Rm. 313, Francis Bldg. 4th & Chestnut Sts.	Juniper 4-1361 Ext. 412
Nashville 3, Tenn.	Charles A. Pyatt Rm. 762, U.S. Courthouse 801 Broadway	Chapel 2-9351 Ext. 467
DENVER 2, COLORADO	SAM ALFEND Rm. 573, New Customhouse Bldg.	Keystone 4-4151 Ext. 588
Salt Lake City 1, Utah	Willis H. Lightfoot Rm. 103-K, Terminal Bldg. 232 S. W. Temple St.	Empire 4-2552 Ext. 414
DETROIT 7, MICH.	GEORGE T. DAUGHTERS 1560 E. Jefferson Ave.	Woodward 2-7495
Cleveland 13, Ohio.	Morton J. Fromer Rm. 1236, Standard Bldg.	Cherry 1-0336
DALLAS 4, TEXAS	SAM D. FINE 3032 Bryan St.	Riverside 8-5611 Ext. 2951

NCA 00 00689

<u>City, Zone and State</u>	<u>Dist. Dr., Res. Insp., Addresses</u>	<u>Telephone</u>
KANSAS CITY 6, MO.	ALFRED BARNARD Rm. 330, U.S. Courthouse Bldg.	Baltimore 1-7000 Ext. 245
Oklahoma City, Okla.	Elwood C. Harkins Rm. 104, Municipal Bldg.	Central-Ext. 2-4477 211
Omaha, Nebr.	Thomas M. Rice Rm. 413, Federal Office Bldg.	Jackson-Ext. 7900 419
LOS ANGELES 15, CALIF.	GORDON R. WOOD Rm. 514, 1401 So. Hope St.	Richmond-Ext. 9-4711 238
Long Beach, Calif.	Albert A. Wausat Pier A, Berth 5	Hemlock 2-2503
Phoenix, Ariz.	Fred R. Shallit Rm. 100-A, Ellis Bldg. 4408 No. 35th St.	Alpine Ext. 8-5851 280
MINNEAPOLIS 1, MINN.	A. HARRIS KENYON Rm. 201, Federal Bldg. Washington & Third Ave., So.	Federal 2-3211 Ext. 121
Des Moines 9, Iowa	John E. Bogle Rm. 220, Old Federal Bldg.	Cherry Ext. 3-2171 529
NEW ORLEANS 13, LA.	EDWIN C. BOURDREAUX Rm. 224, U.S. Customhouse Bldg. 423 Canal St.	Express 2411 Ext. 6341
Birmingham 1, Ala.	Harold D. Lee Rm. 241, Post Office Bldg., 5th Ave. & 19th St., No., PO Box 1649	Fairfax 3-3421 Ext. 278
Houston 14, Tex.	Eugene P. Smith, Jr. Rm. 103, Veterans Adm. Bldg. 1424 Hadley St., PO Box 4240	Fairfax 3-4076
NEW YORK 14, N.Y.	CHARLES A. HERRMANN Rm. 1200, 201 Varick St.	Watkins 4-9353
Newark 1, N.J.	Stuart E. Schoonover Rm. B-93, Post Office Bldg. P.O. Box 204	Mitchell 2-2020 Ext. 329

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<u>City, Zone and State</u>	<u>Dist. Dr., Res. Insp., Addresses</u>	<u>Telephone</u>
PHILADELPHIA 3, PA.	FRED L. TOPWOLD Rm. 1204, U.S. Customhouse Bldg. 2nd & Chestnut Sts.	Market 7-6000 Ext. 556
Harrisburg, Pa.	Thomas H. Kingsley Rm. 213, 100 N. Cameron St. P. O. Box 527	Cedar 4-5701
ST. LOUIS 1, MO.	ROY S. PRUITT Rm. 1007, New Federal Bldg. 1114 Market St.	Main 1-8100 Ext. 2135
Little Rock, Ark.	Hayward E. Mayfield Rm. 541, Post Office Bldg. P. O. Box 1658	Franklin 2-4361 Ext. 257
Memphis 3, Tenn.	Charles A. Armstrong Rm. 209, Hickman Bldg., 248 Madison Ave., P.O. Box 1161	Jackson 6-7280
Peoria, Ill.	Stanley Glassner Rm. 51, Post Office Bldg. 100 No. Munroe St., P.O. Box 217	6-5413
Springfield, Mo.	Benjamin C. Vaughan, Jr. Rm. 240-42 Post Office Bldg. P. O. Box 267	University 2-2305
SAN FRANCISCO 2, CALIF	McKAY McKINNON, JR. Rm. 518, Federal Office Bldg.	Klondike 2-2350 Ext. 6975
Fresno, Calif.	Edward R. Melton Rm. 304, Post Office Bldg. P. O. Box 169	Amherst 8-8069
SEATTLE 4, WASH	KENNETH E. MONFORD Rm. 501, Federal Office Bldg.	Mutual 2-3800 Ext. 421
Portland 9, Ore.	Clifford G. Shane Rm. 406, U.S. Customhouse Bldg.	Capital 6-3661 Ext. 363
Spokane 1, Wash.	Theodore E. Herman Rm. 321, Federal Bldg.	Madison 4-2403