

May 27, 1958

M. M. Zoller

CHEMICAL DIVISION
Cincinnati, Ohio

Dear Miles:

We are attaching Paul Whitford's reply to General Battley's letter of 16 May regarding the proposed Baltimore City Ordinance requiring warning labels on paints containing more than 1% lead pigments. After you have the opportunity to review Paul's letter, please forward to General Battley. A copy of Section 211.13 of the proposed New York sanitation code is also attached for your reference.

Very truly yours,

Harry B. Stephenson

HBS/bs

encl.

N11718

May 27, 1958

Mr. Joseph F. Battley, President
National Paint, Varnish & Lacquer Ass'n.
1500 Rhode Island Avenue, N.W.
Washington 5, D. C.

Subj: Proposed Revision of the Sanitary Code
of the City of New York

Dear General Battley:

Miles Zoller has forwarded on to us your letter of April 9 relative to the proposed revision of the sanitary code of New York and your letter of May 16 concerning a proposed Baltimore City Ordinance requiring warning labels on paints containing lead pigments.

We have carefully reviewed those sections of the proposed code relating to hazardous substances and wish to compliment you and the Association committees on the excellent job done in guiding the Department of Health toward the adoption of realistic labeling regulations. We, of course, would prefer not to have the onus placed on lead pigment but willingly acknowledge that the use of lead in interior paint products in excess of 1% is unnecessary.

We assume that the suggested warning labels drafted by the Association committee, and deemed suitable for the earlier draft of Article 211, will still be acceptable under the proposed revision of the sanitary code. We were particularly pleased to note that no significant change was made in Section 211.13 (a) Lead paint. The new sections (b, c, d) restricting the use of lead pigment in children's toys, interior enamels and wall coatings, are certainly in order and if properly enforced should remove much of the stigma and unfavorable publicity within the industry arising from the nutritional deficiencies of children.

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Mr. Joseph F. Battley
Washington, D. C.

In connection with the proposed ordinance of Baltimore City, we are unable to criticize the Baltimore Health Department for attempting to reduce the number of lead poisoning cases among children. We do not, however, subscribe to the Health Department's concern over the conservation of lead metal.

The action of the Association to have the Baltimore City Council adopt the wording of the sanitary code of New York City is commendable and we are pleased to note that you are confident of success. Certainly uniformity of labeling is essential to the industry.

If you feel it desirable, we will be pleased to have the Lead Industries Association assist you in your efforts with the Baltimore Health Department.

Very truly yours,

THE EAGLE-PICHER COMPANY

Paul Whitford, Manager
Technical Service Department

PW/bs

cc: M. M. Zoller