

Cleveland

Research Admin.

September 31, 1971

Ecology

As you requested at your recent meeting, the following is a summary of the several reports I have made to you on the subject of ecology. There are a number of areas where sales personnel must exercise some judgement.

Air Pollution Regulations: These are generally referred to as Rule 66 (Los Angeles) type rules. The Environmental Protection Agency has issued guide lines to the states for their guidance in establishing similar regulations. The EPA guide lines follow the Los Angeles Rule 66 fairly closely. Regulations such as these are in effect in Los Angeles and San Francisco, and are being considered by most states and municipalities, of which Philadelphia is probably the farthest along. In general, these regulations prohibit the sale of architectural (building) paints containing photoreactive solvents.

With but few exceptions, all trade painter products now being produced will comply with these regulations.

Mercury Restrictions: Several states have adopted rules regulating the amount of mercury in the effluent of any factory. Also, negotiations are underway to prohibit the use of mercury as a mildewicide in paint. For many years we have sold exterior house paints without the use of mercury as a mildewicide. Because it is practically impossible to meet the effluent restrictions if we use any mercury compounds in our plants, we have chosen to eliminate all mercury from our paints.

There should be no problem in meeting all known or proposed mercury restrictions in paints of recent manufacture.

Lead Restrictions: To date the major restriction on lead content has been the New York law which prohibits the sale of interior wall paints containing over 1% lead. In January, President Nixon signed a federal bill which would restrict the lead content of exterior house paints to a maximum of 1%. Another restriction exists which limits the lead content of paints for children's furniture and toys to a maximum of 1% lead.

To the best of our knowledge we have complied to the New York restriction on trade-painter products, as well as the limitations for children's toys.

Formulas have been developed for all exterior house paints to reduce the lead content to a maximum of 1%. Production on these new formulas is being phased in, and by the end of this calendar year all such paints should be in compliance.

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It is quite evident that the Federal Government will press for even tighter restrictions, especially on interior wall paints and children's toys. Therefore, we have adopted the policy that all of our interior wall paints and enamels, and these coatings that are apt to be used on children's furniture and toys, will be at a maximum of 1/8% lead. In fact, we hope to achieve better than this but lack actual manufacturing experience to commit ourselves to even tighter restrictions.

General: While it may be an over-simplification to say so, we have been able to cope with most of these new regulations by formula revision, there are other areas of concern which will affect sales through our Branches. There are many non-trade painter items carried in our Branches on which there are either no or different restrictions - and may carry lead or photochemically active solvent. For example, about 14 of the Kem Lustral colors contain high percentages of lead. While this is perfectly acceptable when Kem Lustral is used as an industrial finish or a factory maintenance finish, the sale of these items to a home-owner would be contrary to regulations. This is especially important with Kem Lustral since the color line is very suitable for painting children's wagons, bicycles, etc. The same would be true for many of the automotive refinish materials - Metalastic, etc.

While I know it will be extremely difficult, it seems to me the sales personnel must be educated to read and understand the label analysis and to recognize when and when not to sell a certain product.

I have indicated above that trade-painter paints produced in recent months will comply with the air pollution laws, and all exterior house paints will within the calendar year comply with the lead law, but we must recognize there are many gallons of paint on our shelves that do not comply. It becomes extremely important then that good stock rotation be practiced so that when the restrictions become effective, we will not have to destroy thousands of gallons of paint.

I trust this will be of some help to you in your fall meetings - and recognize please that in trying to be brief I have over-simplified some aspects. Where you run into specific problems, ask us for a more comprehensive evaluation.

M. E. Spitzer
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MEB:AN

To - Regional Directors
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