

W. D. Kinsell, Jr.
D. Southworth

FROM W. D. Kinsell, Jr.

DATE March 24, 1972

FOR Dr. H. J. Kiefer

CITY Cleveland

ANSWERING
LETTER OF

SUBJECT COATINGS AND RESINS GROUP POLICY
--Chicago Lead Law

H. J. KIEFER
MAR 27 1972

File

Everyone should be aware that the city of Chicago has recently passed lead in paint legislation which limits lead contents in certain coatings to .06% as of July 1, 1972. All interior coatings stocked and sold within the city of Chicago must have lead contents at or below .06%. Exterior products with lead content in excess of .06% require special labeling which can be achieved through the application of a sticker for the period of July 1, 1972 to January 1, 1973 for the purpose of clearing residual field stocks. As of January 1, 1973, exterior coatings in excess of .06% lead must contain proper warning statements on the face and instruction panels and printed on the label.

To comply with the Chicago legislation, the following policy has been adopted officially by the CoR Group:

1. All shipments into Chicago of Glidden Y-line materials under the labels of Spred Lustre and Spred Gloss are to be stopped immediately to both dealers and other classes of trade. Private brand customers serviced through the Eastern Private Brands Department and Midwest Private Brands Department should immediately be notified that such products under private label should cease to be delivered to stores in Chicago.
2. The present law, as published for Chicago, does not stipulate a recall for returned goods ruling between manufacturer and dealer. It is our intent to furnish appropriate stickers to dealers for the interim period, from July 1 to January 1. If, however, any indication comes forth indicating that we, as a manufacturer, should accept the return of stocks, or if any private brand customers so stipulate, returns are to be accepted and credited against sales in the fourth quarter fiscal 1972 and no later.
3. A number of our key painter-maintenance items - solvents, flats, eggshells and Semi-Gloss - at present, do not comply with the published Chicago regulation. The research center is working on substitute formulas with alternate drier systems. We must have substitute formulas in production as of July 1 on selected key volume items where turnover of inventory is sufficiently fast enough to provide us a reasonable margin of safety for package stability.

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4. In addition to the Chicago legislation, the Food and Drug Administration has published a Federal regulation requiring .5% for a lead content as of January 1, 1973 and .06% lead content, all products, January 1, 1974. It will be our objective to seek compliance with the .06% level on as many interior and exterior products as possible by January 1, 1973. Priorities on product reformulations will be provided to the research center. At present, we do not comply at .06% on any of our house paints - latex as well as solvent. In effect, we will discontinue the marketing of house paints in the city of Chicago as of January 1, 1973 until we have formulas which comply. It will be the responsibility of the research center to adjust house paint formulas to comply with .06% during the next 12 months to permit us to supply the Chicago house paint market in the summer of 1973. The same course of action will apply for private brand lines of house paint products being offered for sale in the Chicago market.

W. D. KINSELL, JR.

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