

Questions to be explored at meeting of National. 3/28/72
Paint and Coatings Assoc. (formerly NPVLA)

TO: The File
FROM:

DIVISION OR BRANCH

J. P. Stetson

1. The effective date of the Federal Hazardous Substances Act is January 1, 1971? (July 12, 1960)

2. What substances have been declared "Banned Hazardous Substances" under the act to date?

3. Was repurchasing required for those Banned Hazardous Substances¹¹ listed in two (2)?

4. Is repurchasing mandatory under the act (see Sec. 15 "such article or substance shall, in accordance with regulations of the Secretary, be repurchased."

5. Does the regulation apply to paints manufactured prior to its effective date?

6. In the case of repurchasing from dealers, would NLI have to refund price the dealer paid NLI or the price the dealer charged the customer (assuming dealer refunded to customer)? e.g. dealer pays NLI \$5.00; sells to customer for \$8.00; do we pay dealer \$8.00 or \$5.00?

7. Discussion will also be directed toward whether the Assoc. should challenge the regulation for lack of valid supporting evidence (scientific) necessary to support .5 lead level (Dec.'72) and the .06 level (Dec.'73)

8. One final point should be as to what happens on Dec. 31, 1972 and Dec. 31, 1973, as to paint sold prior to those dates. For ex. If on Dec. 31, 1972 NLI sold a batch of paint with the .5 lead level would it then have to recall all that paint on January 1, 1973 when the .06 level goes into effect?

JPS:vb
cc: T. P. Mesick

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