

THE ASSOCIATED ETHYL COMPANY LIMITED

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OUR REF. SG/13.

YOUR REF.

DATE 24th March 1953.

Dr. R.A. Kehoe,
University of Cincinnati,
The Kettering Laboratory,
College of Medicine,
Eden Avenue,
Cincinnati 19,
Ohio, U.S.A.

Dear Bob,

I recently received from Mac Murdock a copy of a letter which you wrote to him under date of March 3rd on the subject of the marking, or rather lack of marking, of containers of leaded gasoline in Addis Ababa. Philip Boyd has also shown me the letter which he received from you on the same subject, and I agreed with him that I would write you.

The lead warning notice has been very much in our thoughts in recent months in view of the re-introduction of premium and branded gasoline in England.

You will recall that, in 1928/30, the "Ethyl" Committee in this country made the following recommendations in connection with the marketing of gasoline containing tetra-ethyl lead:-

- 1) That the maximum content of tetraethyllead in gasoline should not exceed one part in 1300;
- 2) That all leaded gasoline should be distinctively coloured;
- 3) That containers through which leaded gasoline was dispensed should be clearly marked to indicate the presence of lead.

These recommendations were not made statutory, but the then Ethyl Gasoline Corporation gave an undertaking to the Home Office to incorporate them in its contracts for the sale of anti-knock compounds.

Up to the outbreak of War in 1939, all containers of leaded gasoline carried a warning notice, although I must admit that, in the case of cans, the notice was frequently

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defaced or accidentally torn off before the contents were used.

With the outbreak of War, the Oil Companies in England pooled their resources and, from then until the 1st February this year, only one grade of gasoline of low quality and known as "Pool" has been marketed. At the outset, "Pool" gasoline contained little if any lead, and it was not until 1942, when the decision was taken to standardise on one grade (M.T.80) for both military and civilian use, that all motor gasoline became leaded. The T.E.L. content of this grade was close to the maximum of 3 c.c.'s per U.S. gallon.

The decision to standardise on one grade was a military one and no consideration was given at the time to the marking of pumps and containers with a lead warning notice. This state of affairs continued throughout the War and thereafter, except that the T.E.L. content was reduced to approximately 1 c.c. per U.S. gallon immediately after the cessation of hostilities.

It was not until the decision was taken in October last to re-introduce premium and branded gasoline with effect from the 1st February 1953 that the question of a lead warning notice received serious consideration. The matter was then discussed at some length with the Oil Companies, and it was eventually agreed that, in view of the position which had existed since 1939, an approach should be made to the Home Office to obtain a re-affirmation of their views. This we did in October last. Dr. Watts, replying on behalf of the Home Office in a letter dated the 14th November, a copy of which is attached, stated: "I have now consulted the authorities here and they do not expect your Corporation to include this term (the marking of containers) in your contracts".

In verbal discussions with the Home Office, it was made clear that, if at any time it was felt that a lead warning notice was desirable, then the marking of pumps and containers would be made a statutory regulation.

In informing the Oil Companies of the Home Office decision, we took the opportunity to bring to their attention that, whereas at present there are no statutory regulations specifically requiring the display of lead warning notices, nevertheless lead is a known toxic material and, in considering any action in relation to the decision of the Home Office, they would doubtless have regard to their position at Common Law.

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Only one of the Companies concerned, - a newcomer to this market, - has decided to continue the practice of displaying lead warning notices on pumps, the others all being of the opinion that, leaded gasoline having been distributed without such a notice for more than ten years, there was no justification for reverting to the pre-War practice.

The position in the United Kingdom as of this date is, therefore, as follows: All motor gasoline contains tetra-ethyl lead in a concentration varying between 0.75/1.5 c.c.'s per U.S. gallon. With the one exception mentioned above, which represents an infinitesimal fraction of the distribution facilities, no pumps and containers display the lead warning notice.

I appreciate that this is a significant departure from established practice; possibly it might have been wiser had we not approached the Home Office. On the other hand, we were in a weak position to insist on the re-establishment of a practice which had been in abeyance for more than ten years unless there was reason to believe that the competent authorities considered it desirable.

As regards other countries in which leaded gasoline is distributed at the present time, the requirement still stands in our Sales contracts that all containers shall display a lead warning notice. However, we have known for a long time that, in a number of areas, this requirement was not being complied with. In a very few countries, the display of a lead warning notice is a statutory regulation and, in consequence, is rigidly adhered to; in others, where no such law exists, the tendency is to ignore it.

For our part, we have not attempted to enforce the requirement, and in this we may have been at fault. However, there are serious practical difficulties and this fact, coupled with the doubt that exists regarding the efficacy of such a notice in a number of the countries concerned, has tended to colour our thinking.

For example, in the Middle East, India, Asia, etc., to have any meaning, the lead warning notice would have to be displayed in several languages or dialects. Even if this were done, it is still doubtful whether the notice would be intelligible to a large section of the community. While this does not affect the principle involved, I am sure you will agree that there is little point to the notice unless it can be read and understood by the people for whom it is intended.

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Dr. R.A. Kehoe

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Unless you are of the opinion that it is essential that such a notice be displayed, we would prefer not to be placed in a position where we had to attempt to enforce it.

I should add that this is the only one of the safety recommendations referred to earlier in this letter that has been consistently ignored; the others always have been and still are rigidly adhered to.

In the light of the information contained in this letter, perhaps you would be good enough to let me have your views on this matter.

With kind regards,

Sincerely yours,

T.R.A. Bevan

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