

THE SHERWIN-WILLIAMS Co.



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W E SPITZER
TECHNICAL SERVICES
DIVISION

February 17, 1972

Honorable C. C. Edwards, Jr.
Commissioner of the Food and Drug Administration
Department Health, Education and Welfare
5600 Fishers Lane
Rockville, Maryland 20852

Dear Sir:

At a meeting last week with representatives of FDA at the National Paint and Coatings Association headquarters in Washington, it was evident the paint industry had not communicated adequately the reasons why it in general was not capable of reducing lead levels to some of the presently proposed percentages. Hopefully in the following paragraphs I can convey to you some of these reasons.

The passage of PL 91-605 (January 13, 1972) clearly indicated to us that no lead pigments in paints could be allowed and, accordingly, we eliminated all lead pigments in residential type coatings.

Lead, however, is used also in smaller quantities as a drier or catalyst which causes paint to dry, and smaller amounts are introduced as impurities from some raw materials. Based on existing technology, we were able to reduce the lead drier content to levels below 1% in all residential type paints. At the present time, as our formulas are now established, we anticipate that 87% of our interior paints will be below .06% - and 13% .5 to 1% based on the volume of products produced. We are committed to reduce this 13% to less than .06% during this calendar year. The technology to do this exists and it is only the magnitude of the job that requires some time.

On exterior paints, 48% of our products will be at .06% or less; 7% will be .06% to .5%, and these are primarily latex paints. Forty-five percent of our production will run between .5 and 1% and these are primarily oil and alkyd exterior paints. Based on our interpretation of what regulations would be adopted, we had set an objective to reduce the 48% between .5 and 1% to less than .3% by January 1, 1973.

Obviously more recent thinking tends to require reduction to less than .06% lead on all residential paint products. At the present time we do not have proven technical capabilities to produce all exterior paints at this level with reasonable assurance the product performance will be adequate for the consumer.

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We do have evidence that by increasing other metal contents, such as cobalt and calcium, and in some instances introducing zirconium, reasonable rates of drying can be achieved in the laboratory. Considerable more research needs to be done, however, before we have a reasonable feel for performance in the field under widely different weather conditions, both as to drying speeds and the durability of the coating. The purpose of driers is to achieve good film formation at temperatures approximating 50°F. or less without skinning, crazing, or wrinkling under a hot sun.

Nevertheless, formulas at levels of less than .06% are being developed to be field tested under actual painting conditions in all areas of the country during this coming summer.

We are concerned that should we produce products without adequate research and evaluation, we could encounter improper performance which, in our case, creates a liability not only for the cost of the paint but for the cost of application which is substantially greater.

It is our considered opinion this research and evaluation cannot be done properly so as to permit us to convert all production to this level prior to January, 1974. Obviously any permitted lead content between .06% and .5% will allow us to reformulate faster.

While performance is our prime concern, it should be pointed out that present indications are that there will be a considerable impact on costs. Since cost increases will vary, depending upon the specific formula, exact estimates are difficult - but an increase of \$1 a gallon at the point of sale would seem to be a conservative estimate.

In summation we submit that while our present technology

has enabled us to reduce the lead content to less than .06% in 77% of the total gallons we produce, and

will in the near future permit us to reformulate all interior coatings to this level, and

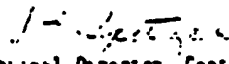
makes possible the reduction of lead content in exterior paints to .5% by no later than January, 1973, but

it does not give us the capability of reducing the lead to .06% without further research which we feel cannot be adequately done prior to January, 1974.

Your consideration is appreciated.

Very truly yours,

THE SHELLIN-WILLIAMS CO.


Technical Director, Coatings

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0007-SWP-036592

February

Honorable C. C. Edwards, Jr.
Commissioner of the Food and Drug Administration
Department Health, Education and Welfare
2800 Fishers Lane
Rockville, Maryland 20848

Dear Sir:

At a meeting last week with representatives of FMA at the Paint and Coatings Association headquarters in Washington, evident the paint industry had not communicated adequately reasons why it in general was not capable of reducing lead to some of the presently proposed percentages. Hopefully following paragraphs I can convey to you some of these reasons.

The passage of PL 91-606 (January 13, 1972) clearly indicates that no lead pigments in paints could be allowed and, as a result, we eliminated all lead pigments in residential type coatings.

Lead, however, is used also in smaller quantities as a drier catalyst which causes paint to dry, and smaller amounts as an impurities from some raw materials. Based on existing technology we were able to reduce the lead drier content to levels in residential type paints. At the present time, as our firm established, we anticipate that 67% of our interior paints are .005% - and 13% .8 to 1% based on the volume of products produced. We are committed to reduce this 13% to less than .005% during 1973. The technology to do this exists and it is only the cost of the job that requires some time.

On exterior paints, 40% of our products will be at .005% or less, .005% to .05%, and these are primarily latex paints. For the remainder of our production will run between .8 and 1% and these are all oil based exterior paints. Based on our interpretation of the law, if adopted, we had set an objective to reduce the 40% and 1% to less than .05% by January 1, 1973.

Obviously more recent thinking tends to require reduction of .05% lead on all residential paint products. At the present time we have proven technical capabilities to produce all exterior paints at this level with reasonable assurance the product performs adequately for the consumer.

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We do have evidence that by increasing other metal contents, such as cobalt and calcium, and in some instances introducing aluminum, reasonable rates of drying can be achieved in the laboratory. Considerable more research needs to be done, however, before we have a reasonable feel for performance in the field under widely different weather conditions, both as to drying speeds and the durability of the coating. The purpose of driers is to achieve good film formation at temperatures approximating 80°F. or less without skinning, crazing, or wrinkling under a hot sun.

Nevertheless, formulas at levels of less than .005 are being developed to be field tested under actual painting conditions in all areas of the country during this coming summer.

We are concerned that should we produce products without adequate research and evaluation, we could encounter improper performance which, in our case, creates a liability not only for the cost of the paint but for the cost of application which is substantially greater.

It is our considered opinion this research and evaluation cannot be done properly so as to permit us to convert all production to this level prior to January, 1974. Obviously any permitted lead content between .005 and .05 will allow us to reformulate faster.

While performance is our prime concern, it should be pointed out that present indications are that there will be a considerable impact on costs. Since cost increases will vary, depending upon the specific formula, exact estimates are difficult - but an increase of \$1 a gallon at the point of sale would seem to be a conservative estimate.

In summation we submit that while our present technology

has enabled us to reduce the lead content to less than .005 in 77% of the total gallons we produce, and

will in the near future permit us to reformulate all interior coatings to this level, and

make possible the reduction of lead content in exterior paints to .05 by no later than January, 1973, but

it does not give us the capability of reducing the lead to .005 without further research which we feel cannot be adequately done prior to January, 1974.

Your consideration is appreciated.

Very truly yours,

THE SHAW-WILLIAMS CO.

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cc .Lafeland, EEB EEB WVG GCS CGB FCG RAT
RAM JEM CEM JFL

Technical Director, Coatings

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