

PRESIDENT
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March 6, 1972

U R G E N T

To: FEDERATION AND CONSTITUENT SOCIETY KEY PERSONNEL
From: FEDERATION PRESIDENT, JEAN P. TEAS
Re: LEAD CONTENT OF COATINGS

You all must be familiar by this time with the law which now limits the content of residential coatings to 1.0%, as well as with the Food and Drug Administration proposal to reduce this limitation to 0.5%. You may not, however, be aware of just how strong an effort is being made to virtually eliminate all lead compounds as ingredients in these paints. While these regulations are legal requirements only for paints used where Government funding is involved, they will affect practically all paints of these types due to the widespread use of FHA financing.

The purpose of this special letter is to make sure that you appreciate just how critical the situation is and how important it is that we all take immediate action to prevent the passage of calamitous regulations.

Status of efforts to restrict lead content to 0.01% of dried residential coatings

- The Senate Labor and Public Welfare Subcommittee on Health will hold public hearings in Washington, D.C. on March 6 and 7 on a proposed law to this effect.
- The FDA is under increasing pressure to classify residential coatings containing more than this level of lead as Hazardous Substances.
- The Chicago City Council has passed an ordinance banning the sale or use of interior residential coatings containing more than 0.01% lead and requiring special precautionary labeling of exterior house paints as well.
- Councilmen in other municipalities are recognizing the popular appeal of the "lead-in-paint" issue and are considering similar ordinances.
- The American Academy of Pediatrics is vigorously promoting the limitation of lead in paint to virtual trace amounts.

Some relevant facts

- There is no doubt that heavily leaded paints can be toxic to children who repeatedly ingest them and the Federation supports practical efforts designed to keep these products out of the reach of children.
- There is no direct evidence, however, that paints containing less than 1% lead present this form of hazard. (The proposed 0.01% lead was deduced from limited experimentation involving water-soluble lead

Federation of Societies for Paint Technology

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compounds. Extrapolation to lead-in-paint limitations did not sufficiently take into account the rate of extraction of lead from complex mixtures; e.g. dried paint between the time of ingestion and elimination).

- Reduction of lead to even 1% has already seriously limited the use of lead-containing pigments in architectural coatings.
- Further reduction to 0.06% would practically eliminate the use of lead driers from oil base house paints and primers, alkyd wall paints and enamels. Use of any lead pigments in residential coatings would be eliminated also.

Practical effects of restrictions below 1%

- Restrictions to less than 1% lead would increase the cost of residential coatings by forcing the use of more expensive pigments and/or driers.
- In many cases no adequate replacements for lead compounds are currently on the market so that product quality would suffer.
- Reformulation and verification of quality of coatings can not be done overnight, so precipitous enforcements of more stringent regulations could slow down or stop production lines. The reworking or adsorption of existing finished goods, which comply with current regulations, would also pose a problem unless a reasonable lead time were provided.

Recommended action

- The National Paint & Coatings Association is attempting to represent aggressively the paint industry before all involved legislative bodies and as part of this action is urging its members to supply factual supporting data. (See NPCA "Immediate Action" letters dated Feb. 15 & 26, 1972). We hope that all Association members will cooperate fully in this effort. Copies of these action recommendations are available to non-association members if requested from NPCA Headquarters, 1500 Rhode Island Avenue, N.W., Washington, D.C. 20005.
- We all can, and should, protest vigorously any excessively restrictive or precipitous regulations by contacting immediately our representatives in Washington, calling to their attention the "relevant facts" and "practical effects of restrictions" cited above.
 1. Rush your views to the members of the Senate Subcommittee on Health, which is right now considering the proposed Bill S3080. (A list of members is attached hereto).
 2. Write or telephone your own Senator who may be voting on the proposal in the near future.
 3. Keep alert for similar legislative proposals at the municipal level and immediately notify Federation headquarters (Bob Matlack or Frank Borrillo, Tel. 215-545-1506), if you learn of any such local activity.

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0007-SWP-000117964

To Federation and Constituent Society Key Personnel

Page three

Please give this matter as wide a distribution in your local area as possible, urging all Federation Members, the Constituent Societies and corporations to join in this concerted campaign for sane and sensible regulations.

Sincerely,

J.P. TEAS
President

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0007-SWP-000117965

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Note: Members of the Subcommittees on Health are capitalized.
Committee members, who have joined in sponsoring S. 3080, are identified by asterisk.
Additional sponsors of S. 3080 are listed below.

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