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December 3, 2009

Mr. Ajay Shankar
Secretary
Ministry of Commerce & Industry
Department of Industrial Policy & Promotion
Room No. 153, Gate No. 11
Udyog Bhavan, Rafi Marg
New Delhi 110011

Dear Ajayji,

This is regarding the issue of mandatory standards for regulating the content of **lead in household paints**.

My colleagues attended the meeting held on September 29 at DIPP to discuss the issue. We have also participated in a similar meeting that was held at the Bureau of Indian Standards (BIS) to evolve standards for lead in paint. Based on these two meetings, as well as subsequent discussions that we have had with the Indian Paint Association, we would like to suggest the following steps to finalise the standards:

As you know there are different categories of paints which are available in the market and we also know that the content of lead in paints is primarily an issue of concern in the solvent based paints and particularly in certain colours like yellow and orange. Given this situation and limited involvement of the entire paints sector, it is possible, we believe, to move ahead on setting the standards without further delay.

1. **Decorative paint segment:** The global best standards for no added lead in paint for the decorative paint segment (used in architectural or households) can be set for implementation by industry within 6 months. The standard would be 600 ppm and will clarify that this is for no-added lead.

The issue should not be confused to suggest 'lead-free' paint but paints where lead is not added. The issue is to regulate the content of lead in the final product. The BIS should explore option for one overarching standard for lead in paints. This is important because currently, as you know, BIS has final products standards for lead in 27 out of the 862 paint products and these standards range between less than 300 ppm to above 1000 ppm. There are certain paints which have lead as high as 13,000 ppm as well. In this case it is very important for us to limit the lead content to 600 ppm which is globally best practice in the decorative paint segment.

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2. Industrial paint segment: The industrial paint segment we understand has many different users -- from equipment manufacturers to aircraft and automobiles. As this segment will need a different approach we suggest that a road map is evolved for setting the lead standard in these products. As a first step, companies should be required to label the product saying that it contains lead and that it is not for household use.

3. Incentive for SME sector: The small and medium manufacturers of paint may require technology upgradation because of the standard. For these companies, it would be useful for the Department of Industrial Promotion to evolve a specific scheme to incentivise technology transition. However, it is clear that the involvement of the SME sector cannot be used as an excuse to delay the standard for decorative paints. This is because the issue of lead is limited to certain paints and these enterprises have options to move out of the specific colours or types.

4. Pigment manufacturers: The issue of pigment manufacturers has been raised. However on discussions with industry as well as others in the business, it is very clear that the content of lead in pigment manufacturers will be regulated, once we regulate the final product. The companies who buy materials from pigment manufacturers will stipulate their product specifications which will also include the content of lead. Therefore, we do not believe that this issue needs to delay the setting of the standards.

We do hope that you will agree to the approach that we have suggested above. As we had written in our letter earlier it is absolutely critical that these standards are set because of public health considerations.

We look forward to hearing from you.

With my very best wishes,

Yours cordially,

Sunita Narain

c.c: Madhulika Prakash

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