

The South African Paint Manufacturing
Association and Training Institute



CASE STUDY: ELIMINATION OF LEAD IN PAINT IN SOUTH AFRICA

IPPIC



HISTORY OF SAPMA

- **IN EXISTANCE FOR 76 YEARS**
- **VOLUNTARY MEMBERSHIP**
- **MEMBERSHIP REPRESENTS 85 TO 90% OF PRODUCT MANUFACTURED IN SOUTH AFRICA**
- **105 MEMBERS FROM INDUSTRY OF 300 MANUFACTURERS.**



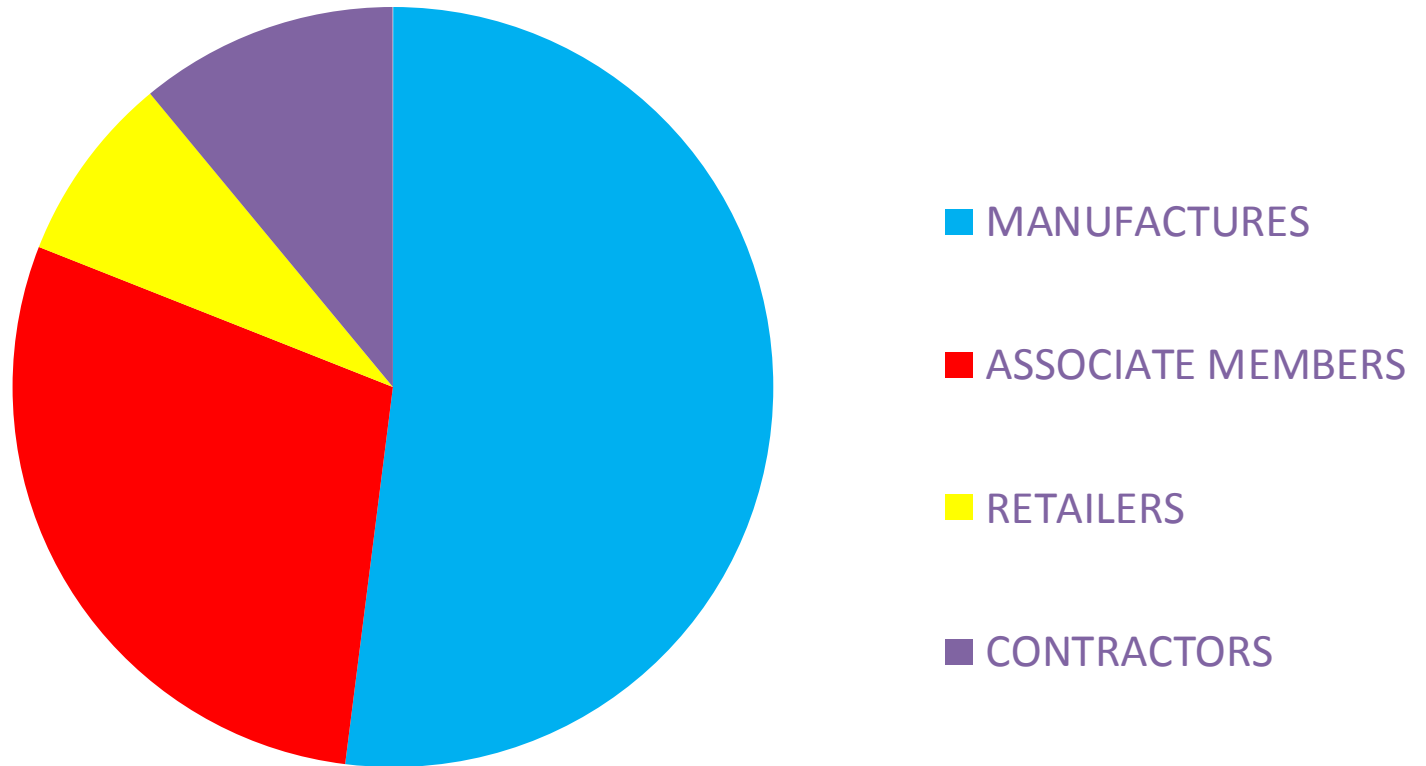
HISTORY OF SAPMA

**EXPANDED MEMBERSHIP IN 2009 TO
INCLUDE:**

- **MANUFACTURERS**
- **RAW MATERIAL AND SERVICES
SUPPLIERS**
- **PAINT RETAILERS**
- **PAINT CONTRACTORS**



SAPMA MEMBERSHIP



VALUES OF SAPMA

**REPRESENT THE COATINGS INDUSTRY
IN PROMOTING THE UPLIFTMENT OF
THE INDUSTRY IN TERMS OF QUALITY
AND TECHNOLOGY, ETHICAL VALUES,
ENVIRONMENTAL HEALTH AND SAFETY
ISSUES AND THE PROTECTION OF THE
CONSUMER**



LEAD IN PAINT

**PRESENTATION OF PAPER BY ANGELA
MATHEE, DIRECTOR OF SOUTH
AFRICAN MEDICAL RESEARCH
COUNCIL:**

**“THE ONGOING STRUGGLE TO GET
LEAD OUT OF PAINT IN SOUTH AFRICA”**



DR MATHEE'S MAJOR ISSUES

- **LEAD POISONING A WIDESPREAD PUBLIC HEALTH PROBLEM IN SOUTH AFRICA.**
- **LEAD EXPOSURE EXISTS IN BOTH URBAN AND RURAL AREAS (LEAD MINING AND FISHING INDUSTRY)**
- **PAINT A KEY SOURCE OF LEAD EXPOSURE**
- **EXPOSURE TO ELEMENTS OVER TIME CAUSE PAINT TO PEEL, CHIP AND RELEASE FINE LEAD PARTICLES**



HISTORICAL BACKGROUND

- PREFERENCE IN 1940' & 50's TO PAINT SCHOOLS, HOSPITALS AND KITCHENS WITH BRIGHT COLOURED ENAMEL PAINTS (USUALLY GREEN AND YELLOW) CONTAINING LEAD PIGMENTS
- WHITE LEAD WIDELY USED IN WOOD PRIMERS.
- LEAD ACETATE KNOWN AS “SUGAR OF LEAD” BECAUSE OF SWEET TASTE



LEAD IN PAINT: HOUSING AND SCHOOLS

- 1979 SURVEY DEPARTMENT OF HEALTH INDICATED 20% OF INTERIOR WALLS OF HOMES WAS PAINTED WITH LEAD IN PAINT
- 2004 PAPER PUBLISHED BY MEDICAL RESEARCH CENTRE INDICATED THAT 20% OF JOHANNESBURG DWELLINGS HAD LEAD BASED PAINTS
- SCHOOLS STUDY SHOWED 18 TO 36% HAD ELEVATED LEVELS OF LEAD IN PAINT



HAZARDOUS SUBSTANCE ACT

- 1973 DEPARTMENT OF HEALTH PUBLISHED ACT UNAWARE THAT UNITED NATIONS DANGEROUS GOODS CLASSIFICATION WAS LIMITED TO ONLY ASPECTS OF THE SUBJECT AND ADAPTED THE LISTING FOR THE PURPOSE OF DEFINING HAZARDOUS SUBSTANCES
- THEY EXCLUDED CHRONIC TOXINS FROM THE LIST AS THEY WERE NOT DANGEROUS FOR TRANSPORT, BUT FOR REPEATED EXPOSURE.



HAZARDOUS SUBSTANCE ACT

- IN MSDS'S, DEPARTMENT OF LABOUR COVER USE AND DEFINITIONS OF HAZARDOUS SUBSTANCES AS PER EUROPEAN LISTING. THESE REGULATIONS CONCERNING DEFINITION AND LABELLING WERE NOT CONSIDERED BY DEPT. HEALTH DESPITE STANDARD (SANS10265)



DR MATHEE PUBLISHED HER FINDINGS

PRESS COVERAGE



HEADLINES

- POISON –PAINT THREAT
- CLAMP ON POISON PAINT
- POISON PAINT DRIPPING FROM OUR WALLS



2003 LEAD LEGISLATION

- **DEPARTMENT OF HEALTH, SAPMA AND TOY INDUSTRY DREW UP PROPOSED LEGISLATION UNDER HAZARDOUS SUBSTANCE ACT 15 OF 1973**
- **ACT LIMITED USE OF LEAD IN PAINT >600ppm SOLD IN SMALL CONTAINERS DIRECTLY TO PUBLIC**
- **INDUSTRIAL PAINT WAS SPECIFICALLY OMITTED FROM LEGISLATION**



HAZARDOUS SUBSTANCE ACT

STAATSKOERANT, 31 JULIE 2009

No. 32455 3

GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. 801

31 July 2009

HAZARDOUS SUBSTANCES ACT, 1973 (ACT 15 OF 1973)

DECLARATION OF LEADED PAINT AS GROUP 1 HAZARDOUS
SUBSTANCE



SAPMA PARTICIPATED IN MEDIA CAMPAIGN

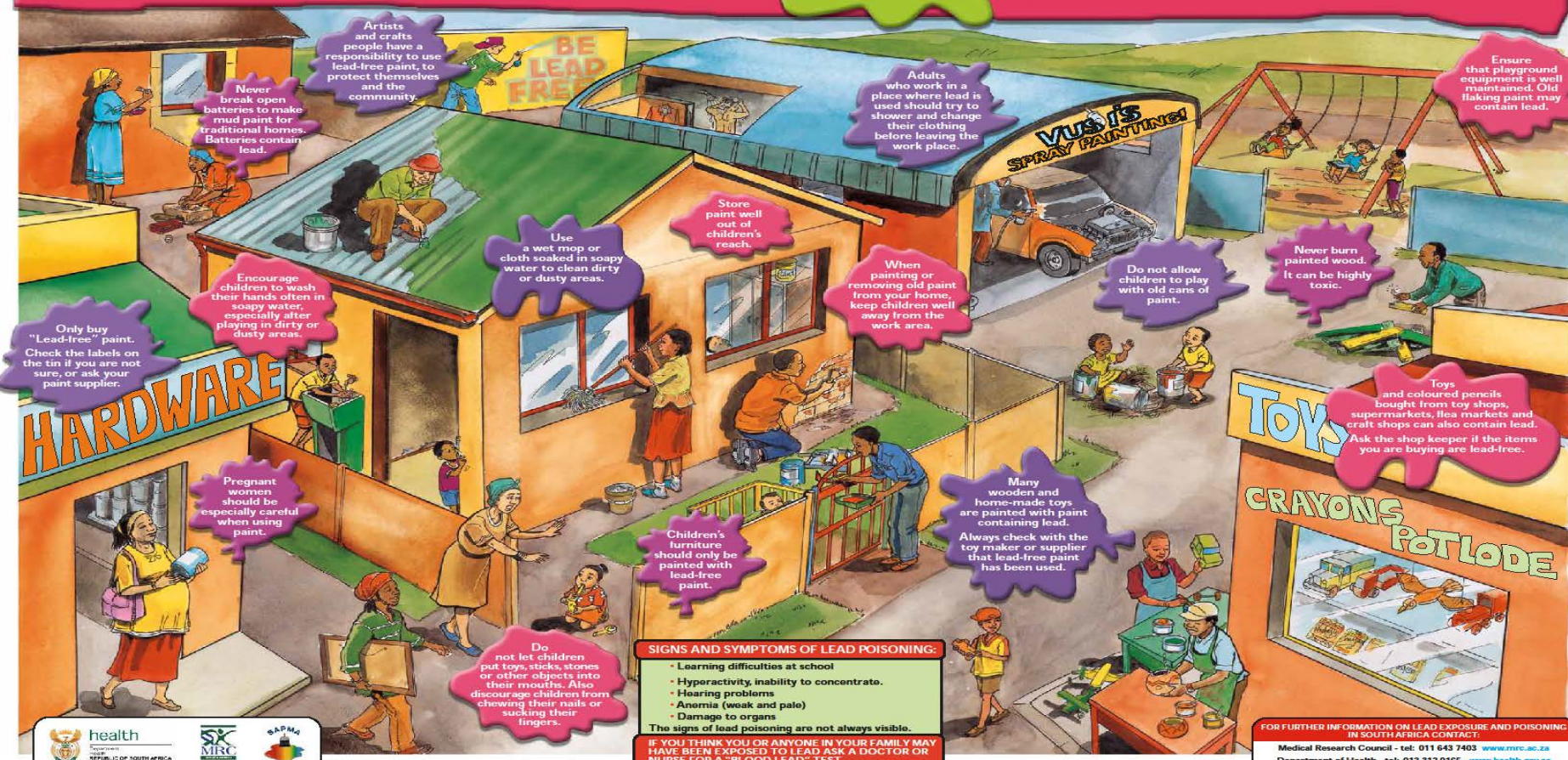
LEAD IN PAINT

AN INVISIBLE POISON!

Lead poisoning is the cause of many illnesses.

Paint can contain lead and is a major cause of lead poisoning in many children and adults.

This picture shows the many ways we are exposed to lead in paint in our daily lives. Use the information on this poster to protect yourself and your family from lead poisoning.



The South African Paint Manufacturing
Association and Training Institute



We support the Anti 'Lead in Paint'
Campaign.

DEPARTMENT OF HEALTH INVESTIGATIONS

- **REPORTS INDICATED 40% OF SAMPLES COLLECTED CONTAINED LEAD >600ppm**
- **RESULTING IN STATEMENT THAT 40% OF PAINT STILL CONTAINED HIGH LEVELS OF LEAD**
- **DESPITE FACT THAT SOLVENT BASES ENAMELS REPRESENT <2% OF DECORATIVE PAINT SALES**



ISSUES INFLUENCING INVESTIGATION

- **CONFUSION OF LEGISLATION REGARDING INDUSTRIAL PAINT IN SMALL CONTAINERS**
- **NON SAPMA MEMBERS STILL USE LEAD PIGMENTS**
- **RURAL RETAILERS SELL INDUSTRIAL ENAMELS IN SMALL CONTAINERS**



DEPARTMENT OF HEALTH

- **SAPMA REQUESTED THAT OFFENDERS: BOTH MANUFACTURERS AND PAINT RETAILERS SELLING LEADED PAINTS BE PROSECUTED**



SAPMA calls for government action to 'name and shame' lead paint producers

The South African Paint Manufacturing Association (SAPMA) has urged the government to start prosecuting unscrupulous paint producers who are still including hazardous lead levels in their paints.

At a Lead in the Workplace workshop in Pretoria organised by the Department of Labour, Deryck Spence, executive director of SAPMA, said it was time to 'name and shame' offenders.

"This can only happen if the government stops merely threatening to take action against the culprits and actually makes an example of them and prosecutes them. SAPMA has done everything in its power to warn lead-using producers – whether SAPMA members or not – but we now require the strong arm of the government to name and shame manufacturers who still ignore anti-lead legislation," Spence told the workshop.

"SAPMA members would welcome such prosecutions, because it would be in accordance with our ethical views and strategies, since the major brands, having already eliminated lead in the decorative market, are diligently working towards the total elimination of lead in the manufacture of paint, including industrial products like road-marking paints," he added.

At the Pretoria workshop, speakers who included Prof. Angela Mathee, director of the Medical Research Council's Environmental Health Research Unit, again warned that negligible improvement had been made in reducing lead levels in enamel paints despite legislation and the attempts of SAPMA to eliminate the source.

Prof. Mathee stated that it was the intention of the Government to further reduce the level of lead in paint in accordance with GAELIP (Global Alliance for the Elimination of Lead in Paint) from 600ppm to 90ppm and that 'stuck on' lead warning labelling would be in future be banned and that lead warnings instead would have to form part of the paint container's actual wording and design.

Spence, in response, stated that although SAPMA endorsed all the speakers' integrity in highlighting the problem and sources of lead, the facts regarding lead in paint should be placed in perspective. "It should be remembered that 80% of decorative paint is water-based and contains no lead. Lead pigments are traditionally used to obtain the rich colours in oil-based enamels such as reds yellow, greens, etc. As the majority of enamel sold is white, this reduces the lead factor even further since 'coloured' enamels represent only about 4% of decorative sales," he told the workshop.

Spence also stated that although SAPMA membership represented about 90% of the product manufactured in South Africa, membership in numerical numbers was 110 manufacturers out of a market estimated to be in excess of 300.



Deryck Spence, executive director of SAPMA.



Prof. Angela Mathee, director of the Medical Research Council's Environmental Health Research Unit.

"SAPMA membership is voluntary and accordingly, many manufacturers do not take up membership because of our strict Codes of Ethics and Conduct – which include the elimination of lead in decorative paints available to the public. Consequently, since the alternatives to lead pigments are significantly more costly than lead pigments, unscrupulous manufacturers continue to use lead pigments to gain a competitive edge over companies using the more expensive alternatives."

Spence also said there was major confusion within the government legislation which, although restricting the use of lead in the 'retail' sector, allowed lead pigments to be used in the Industrial market on the premise that the public could not buy them.

"Leaded enamels can be sold in small containers providing they are labelled that it contained lead. This has led to an anomaly in that enamels containing lead are used in the manufacture of children's playground equipment, because the manufacture was termed 'industrial.' But it nevertheless presents a major threat to children who use the equipment. We believe current Legislation should be revised to eliminate such anomalies."

"SAPMA will continue to support the battle against lead in paint – but we now need the Government to fulfil its role as custodians of the Legislation," Spence added.

He was subsequently approached by officials of the Department of Health and assured of their cooperation in this matter.



LEADED PAINT MANUFACTURERS NEED TO BE BROUGHT TO BOOK

The SA Paint Manufacturing Association (SAPMA) has lodged a strong objection to the government's continuous condemnation of the paint industry for producing leaded paints, while the authorities are still neglecting to prosecute offenders.

Addressing a Department of Labour Health accord in Pretoria recently, Deryck Spence, executive director of SAPMA, stated that the paint industry will continue to follow its Code of Conduct, but wants cooperation from the government in enforcing the existing legislation.

"We object to constantly being vilified for producing leaded paint and reading in the press that our industry is causing 'poison to drip from walls', without the government keeping its promises to prosecute offenders," he said. "SAPMA can coordinate our members, who represent a sizable proportion of the paint industry, but we cannot eliminate the use of lead in the industry without the assistance and cooperation of the appropriate government departments."

Spence repeated his plea to the government to name and shame offenders, and take legal action against any party, whether a SAPMA member or not, who makes or sells paint with illegally high leaded content.

"There is no sense in the government conducting dozens

of tests and investigating numerous cases of leaded paint under the Occupational Health and Safety Act unless the offenders are identified and prosecuted," Deryck Spence told the meeting. On behalf of SAPMA, he urged the government to conduct an investigation into the use of methanol in products sold to the public.

"The commonly used DIY product, sometimes contains up to 32% methanol, which can lead to death if unwittingly consumed. The use of methanol in thinners is favoured because it is a cheaper, safer alternative. Yet again, in this instance, there is absolutely no action from the government."

It was subsequently decided that the Department of Labour would arrange a special meeting to discuss the matter further. The Council of South African Trade Unions (Cosatu) was represented at the meeting by its policy committee on occupational health, safety and the environment. Bodibe, requested that Cosatu should be invited to the proposed meeting. **WR**

SAPMA

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Manufacturers of leaded paint to be prosecuted

The South African Paint Manufacturing Association (SAPMA) recently received notification from the Department of Health that the prosecution of paint manufacturers whose products contain illegal levels of lead will start with immediate effect.

Deryck Spence, SAPMA executive director, received the warning from the Department of Health which reads:

"In light of the generous time allowed for paint manufacturers in this country to comply with lead in paint regulations first promulgated in 2009, and the evidence from the Government investigation that transgressions are ongoing – and widespread – in respect of enamel paint, it is recommended that the Department of Health take steps to prosecute the offenders."

The notification added that provincial authorities will be authorised to deal with the prosecutions.

The decision to act follows a recent study by the Department of Health in which it found that hazardous lead-based paints are still freely available on South African retail shelves.

Professor Angela Mathee, director of the Medical

Research Council's Environment and Health Research Unit, said paint samples collected from retailers for laboratory analysis of the lead content this year had shown that 40% of the paint still had an illegal, elevated lead content.

She said that a lead content as high as 170 000ppm was found in some product. The study also found inadequate and

illegal labelling, with containers of paint with elevated lead content either not carrying a warning about the product's lead content or, in some cases, brazenly stating that it contained no lead.

Professor Mathee has repeatedly warned that lead poisoning particularly affects children and results in low IQ scores, poor school performance,

hyperactivity and learning difficulties.

A 2009 survey of lead content in SA paints showed that 80% of paint sampled from retail shelves had an elevated lead content. This led to the government introducing legislation to ban leaded paints in 2010.

SAPMA
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RETAIL MEMBERSHIP

- IT WAS FOR THIS REASON THAT SAPMA OPENED MEMBERSHIP TO PAINT RETAILERS SO THAT THEY COULD BE GUIDED AND PROTECTED.
- NOT ALL RETAILERS ARE MEMBERS OF SAPMA



DEPARTMENT OF HEALTH

**RELUCTANT TO
PROSECUTE
OFFENDERS**



MEETING PLANNED WITH DEPARTMENT OF HEALTH

- REQUEST TO PROSECUTE
OFFENDERS
- TOTAL ELIMINATION OF LEAD FROM
ALL PAINTS
- ADD METHANOL TO HAZARDOUS
SUBSTANCE LIST



FURTHER ACTIONS BY SAPMA

- **SIGNED HEALTH AND SAFETY ACCORD WITH DEPARTMENT OF LABOUR TO PROMOTE ELIMINATION OF LEAD**
- **ASKED FOR ASSISTANCE FROM DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**



LEAD IN PAINT LEGISLATION

SOUTH AFRICA HAS EXCELLENT ENVIRONMENT LAWS AND REGULATIONS TAKEN FROM USA AND EUROPE;

UNFORTUNATELY THEY ARE POORLY COORDINATED AND BADLY POLICED ALLOWING THE USE OF DANGEROUS COMPONENTS BY UNETHICAL MANUFACTURERS AND AGENTS





- December 12, 2013

THE FUTURE?

- **SAPMA REMAINS RESOLUTE IN ITS QUEST TO UPLIFT OUR INDUSTRY AND PROTECT THE PUBLIC CONSUMER FROM THE USE OF DANGEROUS COMPONENTS IN COATINGS..... AND WILL CONTINUE TO DO SO**



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THANK YOU

