

COMMUNITY OF PRACTICE ON LEAD IN PAINT

Organized by the SAICM Secretariat and the University of Cape Town

Issue: 1 of 2020
 Discussion date: 9th July 2020

Discussion digest

Topic of Discussion: Steps toward adoption of national lead paint laws

The first LiP CoP discussion, presented by Angela Bandemehr from the US EPA, reviewed three questions focusing on the development and adoption of lead paint laws that are critical to the successful elimination of lead paint in a country. The **Global Alliance to Eliminate Lead Paint** or **Lead Paint Alliance** (see: <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint>) outlines a series of steps towards laws which have been helpful in countries that have adopted laws in the **Steps Towards Laws Fact Sheet** (see Resources below). Since each country may experience unique challenges when it comes to developing and adopting lead paint laws, it was important to consider these during the discussion. Participants were encouraged to consider how countries can engage with stakeholders, address the technical and regulatory mechanism of drafting a law, and raise public awareness.

ABOUT THE PRESENTER



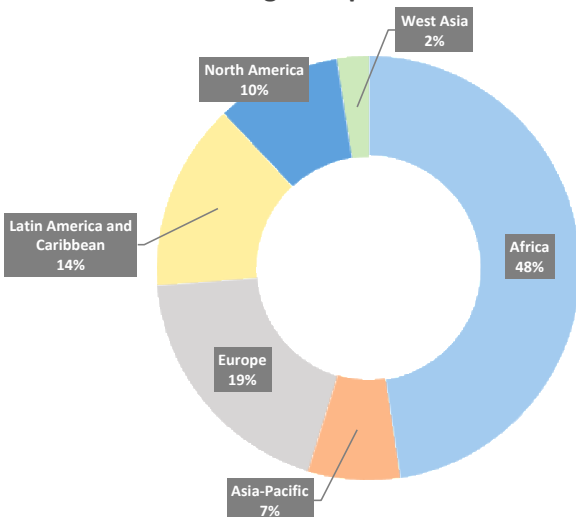
Angela Bandemehr is a senior international environmental program manager in Office of Global Affairs and Policy of the Office of International and Tribal Affairs at the U.S. Environmental Protection Agency, where she

has been working for 20 years on establishing and implementing effective international partnerships and projects to address global environmental issues. US EPA is the Chair of the Global Alliance to Eliminate Lead Paint.

DISCUSSION 1 ATTENDANCE BREAKDOWN

TOTAL ATTENDEES FOR DISCUSSION 1: 42

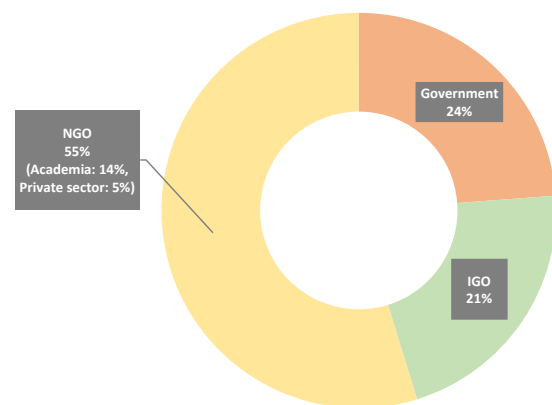
Region representation



Gender representation



Sector representation



Key:
 IGO – Intergovernmental Organisation
 NGO – Non-governmental Organisation

Q1. What steps toward adopting lead paint laws have been taken in your country? Include details of stakeholder engagement, development of a law and any awareness raising activities.

BENIN (La Grande Puissance de Dieu – NGO)	<ul style="list-style-type: none"> - Lead paint is not regulated by the government yet. - Efforts are on-going for the regulation. - NGO LA GRANDE PUISSANCE DE DIEU is currently motivating Government to attend to this objective.
COLOMBIA (NCPC Colombia and Colnodo – NGOs)	<ul style="list-style-type: none"> - 2015, Bill No. 148: provisions for the right of children to develop physically and intellectually in a lead-free environment and established limits for the content of lead in products marketed in Colombia. - Initiative that regulates the use of lead in Colombia is approved by the Senate, now awaiting the presidential sanction. - Development of the Regulatory Impact Analysis process has begun as a requirement for technical regulation for lead in paint.
DR CONGO (African Green Society – NGO)	<ul style="list-style-type: none"> - Have not implemented a project on lead paint.
ECUADOR (NCPC Ecuador – NGO)	<ul style="list-style-type: none"> - Working on a Technical Regulation under the Ecuadorian Quality System law that regulates the lead content in various types of paints. - The Ministry of Production is in charge of enforcing this law.
JAMAICA (CARPIN – NGO)	<ul style="list-style-type: none"> - Stakeholder meeting was hosted by Ministry of Economic Growth and Job Creation where all agreed to limit lead in paint.
MALAYSIA (Malaysia Paint Manufacturers Association – Industry)	<ul style="list-style-type: none"> - No currently existing lead paint law. - On-going talks with government are underway. - The International Pollutants Elimination Network (NGO) and industry association have been promoting elimination of lead paint and hope to work with government to draft a law.
PERU (Ministry of Environment – Government)	<ul style="list-style-type: none"> - Framework carried out within SAICM GEF project lead in paint component. - The National Cleaner Production Centre (NCPC) is engaged in the project, together with the NCPCs from Ecuador and Colombia. - A technical support committee formed in Peru with 8 representatives from public sector, 7 from private sector and 2 from academia. - Committee has drafted a law regulating lead in paints.
PHILIPPINES (IPEN – NGO)	<ul style="list-style-type: none"> - Civil society and industry worked together, reached out to government to promote adoption of a mandatory lead paint limit of 90ppm total lead.
SERBIA (NCPC Serbia – NGO)	<ul style="list-style-type: none"> - Serbia harmonizes with the EU lead paint law. - Using REACH provisions and have successfully phased out lead from most paints. - Some exceptions still exist - certain industrial applications and artistic paints.
SOUTH AFRICA (Department of Environment, Forestry and Fisheries – Government)	<ul style="list-style-type: none"> - COVID-19 has caused delays of awareness-raising and publishing of draft lead paint legislation for public comment - A Technical Working Group (comprised of South African Paint Manufacturing Association, Chemicals & Allied Industries Association, Department of Health and Department of Environment, Forestry and Fisheries) is working at revising the existing law and developing new regulations - Aim is to limit lead in paint to 90ppm. - Several opportunities for stakeholder engagement have been made.
SOUTH AFRICA (University of Cape Town – Academia)	<ul style="list-style-type: none"> - Limited awareness for the general population on health risks linked to lead.
ZAMBIA (Children's Environmental Health Foundation – NGO)	<ul style="list-style-type: none"> - Has been successful in stakeholder engagement and awareness raising. - Bureau of Standards has developed and gazetted voluntary Paint Standard 1185 which limits lead in paint to 90ppm. - Enforcement of standard by Ministry of Health, Zambia Environmental Management Agency and Zambia Bureau of Standards.

Poll 1 Results (N=15)

Does your country have a law related to lead in paint? Yes: 9 No: 5

Not sure if your country has a law? Click this link:

<https://chemicalswithoutconcern.org/content/lead-paint-law-map>

Poll 2 (N=8): How many of you are regularly involved in awareness raising activities on the health hazards of lead in paint in your country?

Yes: 6 No: 2

Q2. What are some challenges and opportunities you have faced in your country when it has come to adopting lead paint laws?

Q2: A – OPPORTUNITIES

American Chemet Corporation – Industry	<ul style="list-style-type: none"> - The World Coatings Council (WCC) membership consists of associations serving the paint and coatings industry in many countries around the world. - As associations, their members include companies that manufacture paint and coatings, including major global firms as well as regional or national SME's. - WCC representatives serve on the Technical Advisory Group for the Lead Paint Alliance. - You can contact the WCC through the Alliance for industry information and perhaps get an industry Lead Paint Alliance contact in your country
BENIN (LGPD – NGO)	<ul style="list-style-type: none"> - NGO LA GRANDE PUISSANCE DE DIEU is working to encourage government action on lead paint regulation. - Paint companies have removed a product named leadium, which contained a great quantity of lead.
PERU (Ministry of Environment – Government)	<ul style="list-style-type: none"> - Identified a General Law as being the best option for regulating lead in paint.
SUDAN (Sudanese environment Conservation Society – NGO)	<ul style="list-style-type: none"> - Engagement with relevant stakeholders plays an important role.
UNEP – IGO	<ul style="list-style-type: none"> - XRF analyzers for lead paint law enforcement. - Available resource to promote action include: <ul style="list-style-type: none"> o Model Law and Guidance on Regulating Lead Paint: https://www.unenvironment.org/resources/publication/model-law-and-guidance-regulating-lead-paint o Lead Paint Reformulation Technical Guidelines: http://www.saicm.org/Portals/12/Documents/GEF-Project/Lead-Paint/Lead_Paint_TG_Draft_25032019.pdf - New FAQs. https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint-2
WHO – (IGO)	<ul style="list-style-type: none"> - WHO has recently published its update to the guidance on measuring lead in paint at https://www.who.int/publications/i/item/9789240006058 - WHO can support in providing awareness raising materials. - Launching 2020 International Lead Poisoning Prevention Week website in the next couple of weeks where materials will be available https://www.who.int/ipcs/lead_campaign/en/
ZAMBIA (Children's Environmental Health Foundation – NGO)	<ul style="list-style-type: none"> - Voluntary standard can form basis for mandatory law. - Support from paint industry and Zambia Institute of Environmental Health.

Note: Other opportunities raised included having existing related laws which would avoid creating a new regulatory framework. Other challenges raised included enforcement of existing laws and getting multi-stakeholders support.

Poll 3 (N=9): Does your country do regular spot testing of levels of lead in paint at points of sale (even those stating to be lead free)?
 Yes: 1 No: 8

Note: It was clarified that the suggested approach to regulating lead paint in the Model Law is that the main responsibility for testing falls on the manufacturer to document that the paint meets at 90 ppm limit but the government also has authority to test paint.

Q2: B - CHALLENGES

COLOMBIA (NCPC Colombia and Colnodo – NGO)	<ul style="list-style-type: none"> - Uncertainty about testing for and documenting conformity with 90ppm and deadlines for phase out. - No accredited laboratories currently exist. - Timeframe to develop a technical regulation is two years. - Regulatory impact analysis is necessary but has not be done yet. - Ability to reach the small enterprises. - Capacity building to phase out lead from paints. - A lot of awareness raising, and outreach needs to be done. - Ability to reach out to the many small paint companies, economic and technological capacity needed to reformulate, importers and suppliers need to commit on phasing out to not selling lead-based pigments from the national market.
DR CONGO (African Green Society – NGO)	<ul style="list-style-type: none"> - Difficult to have a law on the manufacture and production of paints (90 ppm)
JAMAICA (CARPIN – NGO)	<ul style="list-style-type: none"> - Government needs testing capacity to ensure that there is monitoring of imported paints by the Bureau of Standards.
PERU (Ministry of Environment – Government)	<ul style="list-style-type: none"> - Determining the appropriate legal framework to regulate lead paint (general law vs. specific technical regulations) - Determining the paints covered by a law (e.g., household and industrial) and limits for different types of paints
MALAYSIA (Malaysia Paint Manufacturers Association – Industry)	<ul style="list-style-type: none"> - Poor government buy-in - Need to find the appropriate government department
MEXICO (Ministry of Health – Government)	<ul style="list-style-type: none"> - Illegal import of products from abroad
SOUTH AFRICA (Department of Environment, Forestry and Fisheries – Government)	<ul style="list-style-type: none"> - Availability of accredited laboratories and portable hand-held instruments that can detect lead paint below 90 ppm. - Lack of import control
ZAMBIA (Children's Environmental Health Foundation – NGO)	<ul style="list-style-type: none"> - Government ministries need to work together and needs support to establish a lead pain law - Intersectional cooperation on lead paint regulation needs to happen in government

Q3. What are some accomplishments and lessons learned in carrying out any of these steps? What are two key pieces of advice you would give to other countries implementing lead paint laws?

Q3: ACCOMPLISHMENTS, ADVICE AND LESSONS LEARNED

COLOMBIA (NCPC Colombia and Colnodo – NGO)	<ul style="list-style-type: none"> - Multi-stakeholder engagement. - The law is necessary, but it must be clear and adjusted to the context of the country in order to comply. - Alternative raw materials exist on the market, although there is much concern about costs. - Small companies are very artisanal, consultancies must be done hand in hand with suppliers.
IPEN – NGO	<ul style="list-style-type: none"> - Enforcement and monitoring industry compliance is key in making sure the law is upheld. - In the Philippines, the civil society had to reach out to other government agencies like Education, Social Work, and Local Government, to draft supplementary lead safe paint procurement laws that will support the main lead paint law. - Monitoring of imported illegal paints.
JAMAICA (CARPIN – NGO)	<ul style="list-style-type: none"> - Paints manufactured in Jamaica comply with the present limit of 90 ppm - Real focus now is to ensure that paints that do not comply with this limit do not get into our country.
SERBIA (NCPC Serbia – NGO)	<ul style="list-style-type: none"> - The most important thing is the enforcement of the law (if exists). - The suppliers of lead-free pigments/additives are the best source of knowledge. - To produce lead-additive-free paint, companies can use the same equipment, no additional investments needed.
SOUTH AFRICA	<ul style="list-style-type: none"> - Interested in enforcement at ports of entry as we are currently procuring XRF analyzers for placement at ports of entry.

**(Department of Environment,
Forestry and Fisheries – Government)**

UNEP – IGO

- Important to have national coordination mechanism or institutional strengthening to address the issue of lead.
- In terms of cost of reformulation, this is minimal compared to the health and environmental benefits of shifting to lead-free alternatives.

ZAMBIA

**(Children's Environmental Health
Foundation – NGO)**

- Engaging a wide range of stakeholders, including policy and decision makers, technocrats, as well as the traditional and civic leaders and communities.
- Identifying community Champions who are natural leaders in the community that can help in explaining on effect lead exposure to children.

Lead in Paint Community of Practice Discussion 1 Summary: Looking Ahead

1. Participants expressed interest in developing lead paint legislation. Several countries have demonstrated successes.
2. The Lead Paint Alliance has demonstrated success in promoting lead paint legislation around the world and efforts should continue and be enhanced.
3. As of June 2020, 75 countries have passed lead paint laws. The SAICM GEF project on Emerging Policy issues is working with governments to support the development of lead paint laws and working with Small and Medium Enterprises (SMEs) to promote the phase-out of the use of lead paint additives. Appropriate indicators and targets that assess that industry compliance can be a tool to ensure lead paint laws are adhered to in the countries the project is working in.
4. Lead Paint provides an example of how to promote guidance on minimum standards related to specific chemicals to assist under-resourced countries. This could be demonstrated in other sectors.

Helpful resources:

- **Model Law and Guidance for Regulating Lead Paint** in 6 languages: <https://www.unenvironment.org/resources/publication/model-law-and-guidance-regulating-lead-paint>
- **Lead Paint Reformulation Technical Guidelines:** http://www.saicm.org/Portals/12/Documents/GEF-Project/Lead-Paint/Lead_Paint_TG_Draft_25032019.pdf
- **Lead Paint Alliance FAQs.** <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint-2>
- **WHO Guidance on Lead Paint Testing:** <https://www.who.int/publications/i/item/9789240006058>

LiP COP: The Secretariat of the Strategic Approach to International Chemicals Management (SAICM) and the Environmental Health Division at the University of Cape Town (UCT) created this Community of Practice (CoP) to foster online discussions and address key issues on Lead in Paint (LiP) among stakeholders from governments, international organizations, industry, academia and civil society. This CoP is contributing to the SAICM/GEF project on Emerging Chemicals Policy Issues Knowledge Management Component. This activity is supported by the Global Environment Facility (GEF) project ID: 9771 on *Global Best Practices on Emerging Chemical Policy Issues of Concern under the Strategic Approach to International Chemicals Management (SAICM)*.

If you have any question or require clarification on this initiative, please contact the SAICM Secretariat at saicm.chemicals@un.org or UCT at uctcops@outlook.com.

Join the LiP CoP at: <https://chemicalswithoutconcern.org/community>

Disclaimer: The information in this digest represents the opinions of members participating from different stakeholder groups expressed during the discussion. The views expressed in this document do not necessarily represent the opinion or the stated policy of the United Nations Environment Programme, the SAICM Secretariat, the GEF or UCT, nor does citing of trade names or commercial processes constitute endorsement.