

LEAD IN INDUSTRIAL SURFACE COATINGS & INKS – DECISIONS ON REQUESTS FOR VARIATIONS

Phase-out timetable

1a) Request for variation by Wagon Paints (Aust) Pty Limited

Page 86 2nd paragraph of the draft “Lead in Industrial Surface Coatings and Inks” report states:

“Timing

- End of March 2008: Cease manufacture, importation, distribution, sale and end use of all lead based paints & coatings used in Category Two.”*

We believe that this should be amended to:

Timing

- End of March 2008: Cease manufacture and importation of all lead based paints & coatings used in Category Two.*

- End of March 2009: Cease distribution, sale and end use of all lead based paints & coatings used in Category Two.*

This amendment will allow a reasonable time for stocks of Category Two lead based paint & coatings to exit the supply chain. We strongly feel that it is not reasonable to stop “importation, distribution, sale and end use” all on the same date.

1b) Decision

Variation not approved.

1c) Comment

The page of the draft report that the variation refers to, discusses the voluntary phase-out timetable of the Australian Paint Manufacturers’ Federation (APMF) and its industry members and is reproduced as provided to NICNAS by the APMF. The regulatory action proposed by NICNAS is set out in the section of the draft report on “Overview, Recommendations & Regulatory Actions”.

The NICNAS recommendations are targeted at import and manufacture of these compounds and not on sales. The annotations to the AICS are planned to prevent introduction of the declared chemicals for “Category Two” uses on 1 April 2008. Companies therefore will not be able to introduce the lead compounds or mixtures containing them, for “Category Two” uses from that date. Management of stocks would depend on individual companies, noting

the effective AICS annotation dates set out in the recommendations in the draft report.

Lead content cut-offs

2a) Request for variation by WorkSafe Victoria

The report should reflect the risk of lead content, e.g. by having cut-offs and not a 'blanket' prohibition. The cut-offs we suggest are;

- *1% dry wt as Pb for Pb compounds*
- *0.2% dry wt as Cr for Pb Chromate salts*

2b) Decision

Variation approved. However an appropriate cut off for lead compounds in industrial surface coatings and inks is determined as 0.1%. The NICNAS regulatory action will be amended to include the following additional text:

“The proposed annotations will not apply where the declared lead compound is present at concentrations of $\leq 0.1\%$.”

2c) Comment

NICNAS consulted with the states and territories in coming to this decision.