

Guidance for Developing Regulations on Lead Paint:

The Model Law for Regulating
Lead Paint

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Global Policymakers
Webinar on Eliminating
Lead in Paint through
Regulatory Action

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Global Alliance to
Eliminate Lead Paint

Why Establish Lead Paint Laws?

Incentives for change:

- For **manufacturers** to reformulate paints
- For **ingredient suppliers** to produce more and better non-lead ingredients
- For **importers** to purchase and sell paints that comply with law

Benefits for industry:

- National laws create a fair market for **all** paint manufacturers, importers and exporters.
- Harmonized laws can reduce trade barriers

Definition of “Law”

Lead paint law is meant in the broadest sense to include any mandatory legal requirement with consequences for non-compliance. It can be a statute, a regulation or a standard, as long as it includes an enforcement mechanism.

Steps to Adopt Lead Paint Laws

Stakeholder Engagement

1. Identify the relevant government ministry or ministries
2. Conduct meetings with key civil society and industry stakeholders

Development of a Lead Paint Law

1. Assess options under national legal framework
2. Designate the lead agency for drafting
3. Establish a drafting and coordinating group
- 4. Develop the content of the draft law**
5. Conduct a public review process
6. Promulgate the law
7. Plan ahead for implementation of the law

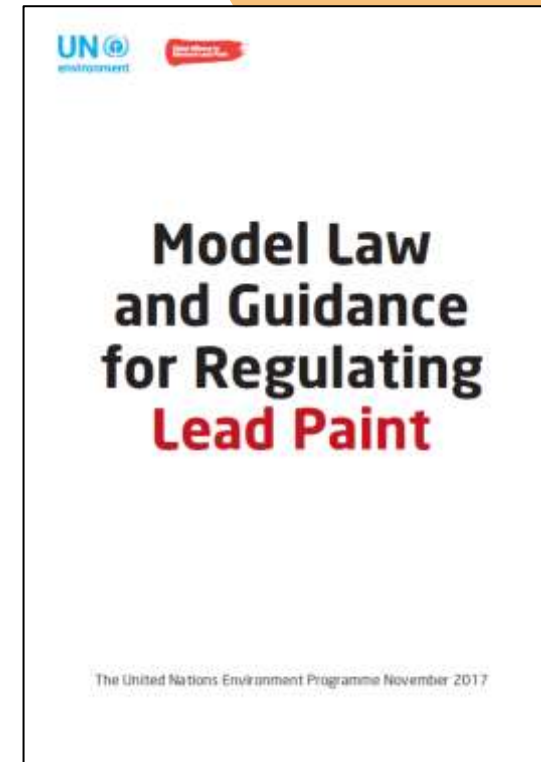
Step 4. Develop the content of the Draft Law

Considerations

- What **lead concentration(s)** will your country set?
 - What **paint products** will this limit apply to?
- **When** will the limit on lead content in paint become mandatory?
- How will manufacturers and importers be required to **demonstrate compliance**?
- What **government agency** will have the primary responsibility for enforcement?
 - What **powers** will this agency have?
- What **acts will be prohibited** in the law?
 - What **penalties** will there be for these violations?

What is the Model Law and Guidance?

- Sample legal language to phase out lead in paint, reflecting global best practices in regulating lead in paint
- A template for **strong, straightforward, efficient** lead paint limitations
- Intended to be adapted to each country's existing legal framework
- Available online in 6 UN languages



Key Principles of the Model Law

- **Prevention:** Limits lead content in *new* paints to *prevent new exposures* to lead.
- **Achievable low maximum limit:** Recommended limit of 90 ppm total lead is:
 - *achievable* when manufacturers stop the intentional use of lead additives
 - a *commonly used* limit globally
- **Industry Pays for Testing:** Manufacturers and importers arrange for *testing* of their paints and *certify compliance* with lead limit.
- **Compliance responsibility throughout value chain:** manufacturers, importers, distributors, and retailers are all responsible for ensuring compliance.

Key Provisions and Recommendations of the Model Law

- **Scope of coverage:** All paints (section B)
- **Clear legal limit on total lead content:** 90 ppm total lead (section B)
- **Effective dates of new requirements:** one year from date of promulgation of law (section C)
- **Compliance and enforcement mechanisms:** Declaration of Conformity based on Testing by Third-Party Laboratory (section D)
- **Enforcement responsibility and authority:** Government Inspections by [Agency] (section E)
- **Consequences for non-compliance:** Prohibited Acts (section F), Penalties (sections G & H)

Best Practices - examples

Ecuador – National standard, giving two different lead limits based on types of paint (draft 2020)

Ethiopia – national stand-alone regulation; 90 ppm limit for lead in paint or any paint product (2018)

Philippines – Chemical Control Order issued under the chemicals management law, restricting use of lead in ALL paints, phased to take effect for architectural paints first, then industrial paints (2013)

Ukraine – Order to be issued by the Ministry of Economic Development and Trade, accompanied by a Technical Regulation, incorporating a Declaration of Conformity Provision (draft 2019)

East African Community – Regional standard, mandatory for EAC member countries (adopted 2019)

Thank you!



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