



# Building Blocks for a Legal Framework and Global/Regional Status of Lead in Paint

A presentation on By Allan Meso, UNEP- DELC

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## Outline



- Why prescribe legal limits
- Objectives of legal limits
- Key building blocks for an effective Legal framework
- Global/Regional Status of Lead in Paint Regulatory frameworks
- Conclusions and way forward



## The case for Legal limits



- Lead is a toxic metal that can cause serious impacts on human health especially among young children below 6 years, including permanent brain and nervous system damage, problems with kidney function, and blood and reproductive damage



## The case for legal limits Cont'd

### **Lead poisoning has a substantial economic impact**

- exposure to lead is responsible for 0.6 percent of the global burden of disease.
- Estimated economic losses due to reduced IQ from preventable lead exposure is approx. 1.2% of global GDP
- Economic loss to Africa estimated at \$ 134.7 billion (in international dollars) as a result of Largest economic burden of lead exposure is borne by low and middle income countries





## The Case for Legal Limits – Cont'd

- **There are economic benefits of eliminating lead in paint** - reduce costs to individuals and society that result from exposure to lead (e.g. healthcare, productivity losses, intellectual disability, exposure to legacy paint)
- **There are cost-effective non-lead alternatives currently being manufactured and are readily available to consumers**



## Objectives of legal limits

- Prevent the manufacture, use, import, and export of lead paint
- Develop a system with effective means of enforcement and compliance
- Establish institutional responsibilities and arrangements for the management and enforcement of legislation and/or regulation.



# Key building blocks for an effective Legal framework

Elements of A National Legal and Regulatory Framework for the Elimination of the Use of Lead in New Decorative Paint



This publication is a contribution to the Global Alliance to Eliminate Lead Paint

- ❖ review existing requirements and/or voluntary standards
- ❖ Provide for public awareness and public input
- ❖ Include clear and understandable definitions of regulated substances and regulated activities
- ❖ Set effective dates of new requirements
- ❖ Establish a mechanism to promote compliance

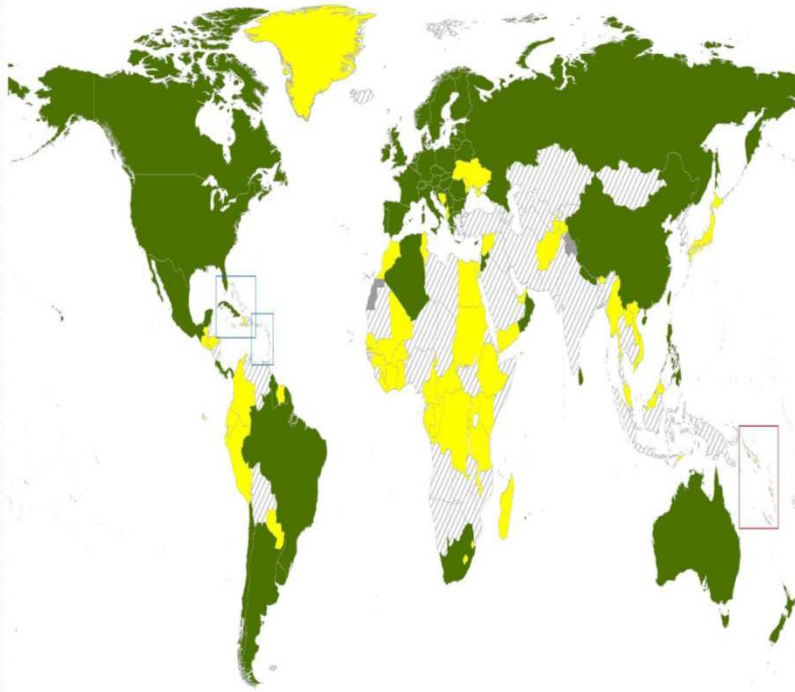


## Key building blocks for an effective Legal framework – Cont'd

- ❖ Set clear, transparent consequences for non-compliance
- ❖ Include provisions in the legal framework relating to disposal of existing paint
- ❖ Provide for periodic review to assist in determining the effectiveness of new laws



# Global/Regional Status of Lead in Paint Regulatory frameworks



Green – Legally binding controls  
Yellow – No legally binding controls  
stripes – No data

Source: Status of the phasing out of lead paint by countries: 2015 global report -

- **Measuring progress on the establishment of legally binding controls on lead paint – a global report 2015**
- **At the global level – 63 countries have ratified the ILO White Lead (Painting) Convention No. 13, 1921 – see ILO website for more details**
- **59 countries have legally binding restrictions on the use of lead in paint – including 28 EU member countries bound by the REACH Regulations**

## **Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd**

- **At least 65 countries do not have legally-binding restrictions on lead paint**
- **18 countries are in the process of developing the necessary legislation**
- **Information is lacking for a further 71 countries**



# Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

- **Country status;**

- **Kenya**

- **No legally binding control**
- **However there is a draft East African Community standard that proposes a maximum lead content of 100 ppm**

# Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

## ➤ Uganda

- Legally binding control in process of being developed
- The National Environment Act Cap 153 is under review as are the associated regulations. It is expected that these will cover the use of lead.
- In addition, the draft East African Community standard that proposes a maximum lead content of 100 ppm will also apply



## **Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd**

- **Tanzania**
  - **Legally binding control in process of being developed through a new set of regulations under the Industrial and Consumer Chemicals (Management and Control) Act No 3 (ICCA 2003) expected to come into force in December 2015**
  - **There is also a standard (TZS 722:2008) developed by the Tanzania Bureau of Standards**
  - **In addition, the draft East African Community standard that proposes a maximum lead content of 100 ppm will also apply**



## Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

### ➤ Rwanda and Burundi

- No legally binding control
- However there is a draft East African Community standard that proposes a maximum lead content of 100 ppm

### ➤ Côte d'Ivoire, DRC, Ghana and Malawi

- No legally binding control



## Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

### ➤ Sudan

- No legally binding control
- However, the Government has expressed an interest in developing future legislation

### ➤ Zambia, Benin, Nigeria

- No information available as at August 2015

## Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

### ➤ Ethiopia

- **No legally binding control**
- **A study of paints available in Ethiopia has shown that 30% contain high levels of lead, as high as 130,000 ppm. Based on this information discussions are underway for action by the Ministry**





## **Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd**

### **➤ South Africa**

- Has a legally binding control**
- By Gazette Notice No 801 of 31 July 2009, Lead paint declared a hazardous substance under the Hazardous Substances Act, 1973 (Act 15 of 1973)**
- Limit set at 600 ppm**



## **Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd**

### **➤ Cameroon**

- In the process of developing a legally binding control**
  
- A Technical Committee was set up by the National Standard Agency (ANOR) to develop a standard that limits the lead level in paint to 90 ppm**



## Global/Regional Status of Lead in Paint Regulatory frameworks – Cont'd

### ➤ ECOWAS

- is developing a standard on Paints and Varnishes – Specification for Ordinary Oil Gloss Paint (ECOSTAND 038: 2015(E))

-The draft standard (at para 4) provides for a toxicity requirement based on “soluble lead content” as opposed to the “total lead content”

-Save for one notable exception (China), governments have not used a measurement of soluble lead content in standards to control the maximum lead content of decorative paints

-Consider the effect of using the “*soluble lead content*” approach vs “*total lead content*” approach?



## Conclusions

### **Promote and establish Regulatory Frameworks**

- National and regional/sub-regional efforts should be encouraged to promote the establishment of appropriate regulatory frameworks to control the manufacture, import, export, sale, and use of lead paints and products coated with lead paints.
- In the design of the regulatory framework, consideration should be given to the inclusion of provisions for compliance, monitoring, and enforcement





## Conclusions cont'd

### **Enhance public information**

#### **Campaigns**

These campaigns should inform the public about the hazards of lead exposure, especially in children; the presence of lead household paints for sale and use on the national market; lead paint as a significant source of childhood lead exposure; and the availability of technically superior and safer alternatives



## Conclusions Cont'd

### **Voluntary Action and Labeling;**

- All paint manufacturers in countries that lack a well-enforced national lead paint control regime should be encouraged to act voluntarily to eliminate lead compounds in the formulation of their paints
- Paint manufacturers are also encouraged to consider voluntary participation in programs that provide third-party certification of no added lead, and product labeling to enable consumers to identify paints that do not contain added lead
- paint manufacturers could also provide information on paint can labels warning of the serious risk that may arise from lead dust when preparing a previously painted surface for repainting





## Conclusions cont'd

**Emulate previous and similar initiatives;**

There is need to emulate the success story of the concerted international initiative of eliminating lead additives from vehicle fuels

# The End

