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WASHINGTON, D.C. 20207

JAN 6 1975

MFR/PDV/BR NOTIFIED
✓ No comments made
___ Comments attached
___ Excisions/Revisions
✓ Firm has not requested further notice lab 8/17/84

Mr. William Stricks
Purchasing Agent
Clopay Corporation
Clopay Square
Cincinnati, Ohio 45214

Dear Mr. Stricks:

Your letter of November 6, 1974, was forwarded to us by the Department of Health, Education, and Welfare for reply. In that letter you asked whether the inks used by your company in the manufacture of folding doors and window shades are subject to the Federal Hazardous Substances Act (FHSA).

The regulations promulgated under FHSA (16 Code of Federal Regulations 1500.17(a)(6)) provide that, "Any paint or other similar surface-coating material intended, or packaged in a form suitable for use in or around the household that... has lead content... in excess of 0.5 percent of the total weight of the contained solids or dried paint film", is declared a banned hazardous substance.

Thus, the regulation covers paints or similar surface-coating materials intended or packaged in a form suitable for household use, as such, rather than articles which have been painted or coated. However, toys or other articles intended for use by children would be considered banned hazardous substances if their surfaces contain paint or similar surface-coating materials with a lead content in excess of 0.5 percent.

ADVISORY OPINION

These rules indicate that your company's folding doors and window shades are not covered by the FHSA regulations. Nevertheless, you may prefer that your ink supplier maintain the 0.5 percent maximum lead content for the surface-coating materials of your products.

Sincerely,

Michael A. Brown
General Counsel

CLOPAY CORPORATION CLOPAY SQUARE • CINCINNATI, OHIO 45214 • PHONE (513) 381-4800
HOMEWARES DIVISION

November 6, 1974

Department of Health, Education, and Welfare
Public Health Service
Food and Drug Administration
BUREAU OF PRODUCT SAFETY
5401 Westbard Avenue
Bethesda, Maryland 20016

Atten: Mr. Paul W. Hallman
Director, Division of Compliance

Dear Sir:

Our company manufactures Folding Doors and Window Shades in addition to several other products.

In our processing, we rotogravure print plastic film with various types of ink. One of our ink suppliers questioned the quantity of lead content permissible under current regulations. We are mainly concerned with inks applied to materials used for Folding (or Accordeon) Doors. These doors are utilized in households for closets, partitions, or room dividers.

We shall appreciate your advising us if our above mentioned product falls under the jurisdiction of "The Federal Hazardous Substances Act of 1969".

Could you inform us of the maximum allowable lead content in printing inks for the cited application?

We thank you in advance for your kind response.

Respectfully,

William Stricks
Purchasing Agent

WS/rmr