



casacem
cultura · educación · medio ambiente

October 22, 2024

RE: Inaccurate information on Mexican laws listed in the WHO website list on legal and binding controls on lead in paint and ceramic glazes.

To: The United Nations Environment Programme and World Health Organization,

Casa Cem is a not-for-profit organization founded in 2005 in Guadalajara. We work with public, private, academic institutions and civil society to uphold the right to a healthy environment in Mexico. The organization has focused on lead poisoning prevention by working on research, advocacy, education, awareness campaigns, legislation and litigation involving lead containing products. Casa Cem has experience addressing lead exposures from electronics and electronic waste, lead acid batteries, paints, plastics and pottery. Our NGO is the premier organization working with government, industry and other stakeholders to encourage the adoption of legal restrictions on lead paint, enamels and ceramic glazes in Mexico.

I am sending you this letter in the framework of the International Lead Poisoning Prevention Week 2024 and as a partner of the GAELP to bring our concerns to your attention. The first issue refers to misleading information posted on the UNEP and WHO websites list, and repeated in reports (eg. "Update on the global status of legal limits on lead in paint") and [online maps](#) concerning Mexico's legal and binding controls on lead in paint. Our second point concerns the scope of GAELP in addressing lead-containing ceramic glazes. Collectively these actions have set back efforts in Mexico and other countries to bring comprehensive regulations to address the use of lead additives in all paints and coating products. These issues are outlined below:

1) Information on Mexican laws listed in [UNEP Websites](#) and the [WHO website list](#) on legal and binding controls on lead in paint is inaccurate and misleading. This has contributed to the inaction on the part of the Mexican Government to enact comprehensive regulation limiting lead in paints and other coatings.

In the excel sheet published by WHO that lists the legislation limiting lead in paint by country, Mexico information refers to the following standards:

- *NOM-003-SSA1-2006, Environmental Health. Health requirements that must satisfy the labeling of paints, inks, varnishes, lacquers and enamels*
- *NOM-004-SSA1-2013, Environmental Health. Sanitary specifications and limitations for the use of lead compounds*

These referenced standards do not place limits on the lead content of paint or coatings. However, these two standards regulate labeling practices as described below:

[NOM-004-SSA1-2013](#)

The Mexican Official Standard **NOM-004-SSA1-2013, Environmental Health. Limitations and sanitary specifications for the use of lead compounds** established which products should avoid lead compounds content expressly addressing paints, enamels, coatings and inks in its section 4.1.3. This standard referred to NOM-003-SSA1-2006 but did not establish a limit of lead in paint. This standard was cancelled by the [NATIONAL QUALITY INFRASTRUCTURE PROGRAM 2023](#) (see page 312) and was no longer in force after February 28, 2023.

[NOM-003-SSA1-2006](#)

The Official Standard **NOM-003-SSA1-2006 standard, Environmental health. Sanitary requirements that must be met by the labeling of paints, inks, varnishes, lacquers and enamels** only regulates the labeling of paints, inks, varnishes, lacquers and enamels, not the maximum permissible lead content. This standard establishes a limit of 600 ppm for those products considered to contain lead only for labeling purposes. The standard explicitly states that paints can contain any concentration of lead as long as this information is stated on the label (if over 600ppm). Consequently, it is up to the purchaser of the paint not to use it for prohibited applications described on the label. It does not limit the concentration of lead in paints, inks, varnishes, lacquers and enamels.



In 2022 a revised standard was drafted as [PROY-NOM-003-SSA1-2018, Environmental health. Sanitary requirements that must be met by the labeling of paints and related products](#). This proposed draft did specify that paints should not contain lead greater than 90 mg/kg (90 ppm). However, this draft standard was never finalized and on February 28, 2023 it was cancelled by the publication of the NATIONAL QUALITY INFRASTRUCTURE PROGRAM 2023. **Thus there is no legally binding control in lead in paint in Mexico.**

Due to the confusion from the misinformation in the above referenced GAELP publications, we request the update and removal of incorrect information on the status of lead paint laws in Mexico. It is also important that Mexico be removed from the list of countries with legally binding laws restricting lead in paint.

2. SCOPE AND APPLICATION ESTABLISHED IN THE OPERATIONAL FRAMEWORK FOR THE GLOBAL ALLIANCE TO ELIMINATE LEAD PAINT

The [OPERATIONAL FRAMEWORK FOR THE GLOBAL ALLIANCE TO ELIMINATE LEAD PAINT](#) (2012) and the Global Alliance to Eliminate Lead Paint Business Plan (2012) define “paint” to include: *varnishes, lacquers, stains, enamels, glazes, primers or coatings used for any purposes.* “Lead paint” is described as *paint to which one or more lead compounds have been added*. In Mexico and in dozens of other countries around the world, lead glazes are widely used in pottery used for cooking, serving and eating/ drinking. These exposures are estimated to significantly contribute to the alarmingly high elevated blood lead levels documented in Mexico and other countries.

As the intended scope of the GAELP includes all lead paints including enamels and glazes used in pottery/ ceramic coatings we are concerned that the messaging on this point has been dropped. Published studies in the scientific peer-reviewed literature from other countries including Morocco, Tunisia, China, Korea, Brazil, Iran, Libya, South Africa and the U.S. have recognized the contribution from this source to both workers producing these products and to consumers. Glazed pottery is clearly an important source of global lead exposure in many countries. Additionally, international trade and travel make exposures from lead glazed ceramics a global issue.

The UNEP Model Law and Guidance for Regulating Lead Paint provides definitions that exclude enamels and glaze from consideration. We strongly believe that the Model Law should be revised to incorporate an inclusive definition of lead paint as initially envisioned by the International Conference on Chemical Management (ICCM) and the original operational framework for the GAELP.

A failure to address these two issues, deeply hinder our efforts in Mexico to raise awareness of the importance of effective regulation and the urgency for the government to act. As a partner in the Alliance, we would like to offer our expertise to help correct these errors and omissions in the materials and documents published by UNEP and WHO under the GAELP. Please contact me at schavez@casacem.org if you have any questions or require additional information.

Sincerely,



Executive Director, Casa Cem