



# जनस्वास्थ्य तथा वातावरण प्रवर्द्धन केन्द्र

## Center for Public Health and Environmental Development

Bridging people with science and technology for healthy living and environmental development

### PRESS RELEASE

## THE SUPREME COURT OF NEPAL UPHOLDS LEAD PAINT STANDARD

Kathmandu, 3<sup>rd</sup> January, 2018,

The Supreme Court of Nepal has rejected a writ, filed by Nepal Paint Manufacturers Associations (NMPA) and other paint industry allies, which sought to nullify a mandatory standard for lead in paint enacted three years ago by the Government of Nepal. The law, which took effect in June, 2015, also requires companies to print the lead content of the paint and a precautionary message on paint can labels.

“This is a victory for Nepalese children, who will now be protected from lead exposure in their homes, schools and parks, where heavily leaded paints are commonly used. Effective implementation of the law by all concerned government agencies will ensure that children in Nepal have the opportunity to grow and reach their full intellectual potential. We urge all involved in the paint industry to follow the law and produce paints that meet the country’s mandatory lead paint standard of 90 ppm; label their products appropriately; and include a precautionary message on each paint can,” said Mr. Ram Charitra Sah, Executive Director and Environment Scientist, Center for Public Health and Environmental Development (CEPHED).

Four consecutive studies of lead in paint carried out in Nepal from 2010 to 2014 by the research-based, nongovernmental organization, CEPHED, found that over 70 percent of paints sold in Nepal—especially enamel paints—contained lead levels well above 90 ppm, the internationally accepted standard for lead in paints.

A New York University study conducted in 2013 revealed that the lifetime economic loss to Nepal due to lead exposure is 1.5 billion dollars or 4% of Nepal’s GDP,

“Every day, children in Nepal are exposed to harmful chemicals like lead, mercury, cadmium, chromium, and bromine due to dangerous levels of chemicals toys, homes and household products. These chemicals damage a child’s developing brain, lowering the child’s IQ and impairing lifelong success,” said Mr. Sah.

Studies have shown elevated blood lead levels (>5 µg/dl) in more than 64 percent of Nepalese children. More than half (54 percent) of tested children’s toys contained toxic heavy metals such as lead, mercury, cadmium, chromium, and bromine. And more than 77 percent (17 out of 22) of classrooms where dust samples were taken had lead greater than 10 µg/ft<sup>2</sup>, the unhealthy and unhygienic conditions for schools children.

In response to the demonstrated threat to Nepalese children and a multi-year education campaign waged by CEPHED with support from Swedish Society for Nature Conservation, Toxics Link India, IPEN, European Union and World Health Organization, the **Government of Nepal, Ministry of Population and Environment (MOPE)** promulgated a new mandatory standard of **90 ppm lead in paints** through a notice published in **Nepal Gazette (Khand 64, Number 30, Part 5, Notice No.3 December 22, 2014)** as per the Rule 15 of Environment Protection Regulation 1997. The standard took effect after 181 days. The law also requires companies to include the exact lead content of the paint and a precautionary message on each paint can.



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A court case seeking to block the mandatory lead standard was filed almost immediately by the NPMA and other paint industries.

CEPHED launched a campaign to save the standard in order to protect public health, especially that of children health and the environment. A group of senior lawyers, Mr. Padama Br. Shrestha, Ms. Arju Karki, Mr. Bhuwan Niraula, Mr. Raju Fuyal, Mr. Ganesh Dahal, Mr. Ram Kumar Acharya and Mr. Narayan Acharya, pleaded the case in favor of the mandatory standard in the Supreme Court, with Mr. Ram Charitra Sah of CEPHED providing technical support to the legal team. **On 1<sup>st</sup> January 2018, Justice Om Prakash Mishra and Justice Bham Kumar Shrestha of the Supreme Court of Nepal dismissed the writ filed by NPMA and allied paint industries.**

“On behalf of the children of Nepal, we congratulate the Supreme Court of Nepal for dismissing the case filled by the NMPA and other paint industry allies, and, thereby, reinforcing the **mandatory lead paint standard** enacted three years ago by the Government of Nepal. This is truly another lifesaving 2018 gift to Nepalese children and is a wonderful follow-up to regulation promulgating a mandatory standard of some 12 toxic chemicals for toxic toys including lead, passed in 2017. Now we need effective implementation, regulation of imports and strong, regular market monitoring from all concerned including government, private businesses, paint industries, advertising & media agencies, celebrities and others” said Ram Charitra Sah.

For further details,

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