

ALLIANCE FOR HEALTHY HOMES

Protecting Children from Lead and Other Environmental Health Hazards



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Milestone Victory Against Lead Paint Manufacturers *Rhode Island Jury Declares Lead Paint a Public Nuisance*

The State of Rhode Island achieved a major victory today in its landmark case against the lead industry. The state prevailed on the central claim against the defendants: that lead-based paint in public and private buildings constitutes a public nuisance. The jury agreed that the presence of lead-based paint in homes and buildings threatens the health of the state's children.

"This is a landmark victory for children's health," comments Robert O. Zdenek, Executive Director of the Alliance for Healthy Homes. "The jury sent a clear message that lead-based paint puts children in harm's way. This verdict is a reminder to the nation that we need to protect children and their families from lead hazards in their homes."

The Rhode Island case hinged on the public nuisance claim, and several similar suits across the country are also based on public nuisance. A lawsuits filed by 22 counties and municipalities from New Jersey, and a suit brought by the City of Milwaukee, are two examples of other cases moving forward against paint companies for manufacturing and marketing a product they knew was unsafe.

With the jury's decision that that lead-based paint does indeed constitute a public nuisance, Rhode Island Superior Court Judge Michael Silverstein will address the paint manufacturers' responsibility for the nuisance and set out appropriate remedies.

"The historical record shows that paint companies put profits before children's health in aggressively promoting lead-based paint as safe," adds Zdenek. "It is long overdue for these companies to pay their fair share for making high-risk housing safe for children, and the victory in this case shows that other cities and states can successfully hold lead paint manufacturers accountable for their actions."

Despite significant progress in reducing lead poisoning, it remains the number one environmental health hazard facing American children, with an estimated 310,000 children suffering from lead poisoning, according to the Centers for Disease Control and Prevention. Lead exposure can cause permanent damage to a child's nervous system, resulting in IQ loss, learning disabilities, reduced attention span, and behavior problems. The U.S. Department of Housing and Urban Development estimates that 40 percent of US homes contain lead-based paint.

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The Alliance for Healthy Homes is a national nonprofit policy and advocacy organization working to protect children from lead and other health hazards in and around their homes by building capacity for primary prevention in communities at risk.