

Lead paint suppliers to pay \$305 million to settle California lawsuit

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SACRAMENTO, Calif. (AP) — The nation's major suppliers of lead paint have agreed to pay California's largest cities and counties \$305 million to settle a nearly 20-year-old lawsuit, attorneys said Wednesday.

The settlement comes after years of legal and legislative battling in California and other states. Lead paint suppliers tried to change California law last year with a ballot initiative that they later withdrew.

A judge initially required Sherwin-Williams Co., ConAgra Grocery Products Co. and NL Industries Inc. to pay \$1.15 billion to clean up lead paint. An appeals court in 2017 affirmed that lead paint is a public nuisance but ruled that the companies only would have to pay for cleaning up homes built before 1951, leading to the settlement.

"We're very pleased that we have hundreds of millions of dollars to dedicate to cleaning up this hazard in our communities," Santa Clara County Counsel James Williams said. "The real beneficiaries of this case will be the current and future children of California who will now have far less chance of being poisoned by lead."

It's unclear if the settlement will spark other lead paint lawsuits, he said, citing legal conditions unique to California. The money will go to Alameda, Los Angeles, Monterey, San Mateo, Santa Clara, Solano and Ventura counties, as well as Oakland, San Diego and San Francisco.

Sherwin-Williams said the court ruling that prompted the settlement "remains an aberration at odds with other judicial decisions across the country, where all other appellate courts have found that companies should not be held retroactively liable for lawful conduct and truthful commercial speech decades after they took place."

Lawsuits in Illinois, Missouri, New Jersey, New York, Ohio, Rhode Island and Wisconsin all were rejected or voluntarily dismissed, the company said in a statement, warning that it will "continue to vigorously and aggressively defend against any similar current or future litigation."

Sherwin-Williams said it advertised the paints when they were the "gold standard" required by federal, state and local governments nationwide.

Paint suppliers financed a ballot initiative that would have wiped out the court rulings and shifted \$2 billion in cleanup costs to California taxpayers. The companies ended the effort last year when state lawmakers agreed to drop pending legislation targeting the paint companies.

California lawmakers last year said they would have to consider how to pay for cleaning up homes in locations that are not part of the settlement, though there is no legislation now addressing that issue.