

PRE-REGULATORY DRAFT-FOR DISCUSSION PURPOSES ONLY

Title 27, California Code of Regulations

ARTICLE 8. No Observable Effect Levels

§ 25821. Level of Exposure to Chemicals Causing Reproductive Toxicity

(a) For purposes of the Act, “level in question” means the chemical concentration of a listed chemical for the exposure in question. The exposure in question includes the exposure for which the person in the course of doing business is responsible, and does not include exposure to a listed chemical from any other source or product.

The chemical concentration in a food product is based on a single lot of the final product in the form it will be purchased by the consumer. For purposes of this section, a ‘lot’ is that quantity of a food product offered for consumer purchase having uniform characteristics and quality that is generated by one producer during a single production run, on a single processing line. Chemical concentrations may not be averaged across lots. Concentrations of the listed chemical in the lot should be determined using a representative sample or other scientifically valid methodology for ensuring the concentration calculated accurately reflects the average concentration of the listed chemical in the lot.

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