

Office of Environmental Health Hazard Assessment

Proposition 65
Regulatory Update
Project
May 23, 2011



Agenda

- Welcome/Introductions
 - Allan Hirsch, OEHHA Chief Deputy Director
- Overview
 - Carol J. Monahan-Cummings, OEHHA Chief Counsel
- Current projects/Concepts being considered
- Public Comments/Suggestions

OEHHA's Regulatory Authority

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(Health and Safety Code 25249.12)

“The Governor shall designate a lead agency and other agencies that may be required to implement this chapter, including this section. Each agency so designated may adopt and modify regulations, standards, and permits as **necessary to conform with and implement this chapter and to further its purposes.**”

Short History of Prop 65 Regulatory Efforts

- 1986 Proposition 65 enacted
- 1987-1989 Original regulations developed and adopted (35 sections)
- 2000 OEHHA initiated “Clarifying Reg Project”
- 2001 General non-substantive revisions to regulations
- 2002 Changes to Safe Use Determination regulations

Short history (continued)

- 2004-2005 OEHHA repeals Methods of Detection regulation and adopts replacement
- 2008 – Non-substantive changes – move from Title 22 to Title 27; reorganization of section 25601 – Clear and Reasonable Warnings
- 2009 – amendment of Section 25204 – Safe Use Determinations
- 2010 – amendment of Section 25903 – Allows for Electronic Service of 60-day Notice
- 2011 – amendment of Sections 25801 & 25803 – No Observable Effects Level - clarifications

Current Projects

- Definitions – Section 25102
- Science Advisory Committees – Section 25302 et seq.
- Warnings for listed chemicals in foods – Section 25601 et seq.

Other Concepts

- Changes to “naturally occurring” regulation
- Guidance on establishing an alternative risk level for chemicals formed in foods via cooking
- Updating scientific guidance to take into account current scientific methodology

Next Steps

- Review comments and suggestions
- Prioritize projects
- Schedule public workshops for proposed amendments
- Begin formal regulatory process

Comments/Suggestions?

For written comments, please e-mail Fran Kammerer – fkammerer@oehha.ca.gov

Or mail to:

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