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October 5, 2015

Ms. Esther Barajas-Ochoa
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010

RE: Planned Inclusion of Glyphosate on Proposition 65 Listing by California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA)

Dear Ms. Barajas-Ochoa:

Please accept this letter as BASF Corporation's comment in response to the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) Notice of Intention to List glyphosate as a chemical known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

OEHHA's intention to list appears to be based on much disputed conclusions from the International Agency for Research on Cancer (IARC). Using a hazard-based assessment, which did not consider real-world use or actual exposure levels, IARC classified glyphosate in cancer Category 2A. This is a significant departure from decades of risk based scientific evaluations completed by a variety of global regulatory agencies, including a recently completed review for the European Union, which showed no link between glyphosate and increased cancer. Furthermore, OEHHA declined to wait for conclusions from the registration review currently being conducted by the U.S. EPA. Given the importance of this product to US agriculture and the scientific value to be gained from the ongoing review, it seems inappropriate for OEHHA to preemptively propose a Prop 65 listing.

A long history of safe use of glyphosate is supported by evidence from hundreds of scientific studies, many by independent researchers, stretching back decades. In fact, U.S. EPA has placed glyphosate in its most favorable category for carcinogenicity. Since U.S. EPA and IARC are both designated as authoritative bodies for determination of carcinogenicity status under 27 CCR §25306 (m), divergent conclusions between the two agencies should be carefully considered by OEHHA. We contend that listing glyphosate on Proposition 65 based on a hazard assessment, rather than a risk assessment, is scientifically unsound.

BASF implores OEHHA to examine as many lines of evidence as possible before moving to a final decision. We assert that the classification action by IARC is not scientifically sound and should not be the sole basis for making a Proposition 65 listing decision.

Sincerely,

Catherine M. Holmes

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Product Registration Manage

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