

Ms. Esther Barajas-Ochoa  
Cal EPA  
Office of Environmental Health Hazard Assessment  
P.O. Box 4010, MS-19B  
Sacramento, California 95812-4010  
Via Email: [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov)

October 20, 2015

**RE: NOIL Glyphosate**

Dear Ms. Barajas-Ochoa;

Please accept my comments regarding the Office of Environmental Health Hazard Assessment's (OEHHA) intention to list glyphosate under the Labor Code provision of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). **I oppose this listing for reasons described below.**

First, let me state that I have been licensed by the California Department of Pesticide Regulation (CDPR) as a Pest Control Advisor (PCA) since 1990. As a PCA, I am regularly dealing with the practical reality of vegetation management for a variety of purposes including invasive species control, fire suppression and water resource management. A significant amount of my experience is with the application of herbicides to water to control aquatic weeds in rivers, lakes, streams and water storage reservoirs.

Second, I am also a professional engineer (civil) licensed by the California Department of Consumer Affairs, Board of Professional Engineers and Geologists. As stated in the California Code of Regulations (CCR), Title 16, Section 476, I am obligated to comply with a Code of Professional Conduct to protect and safeguard the health, safety, welfare, and property of the public.

Third, unlike many of my PCA and engineer colleagues, my formal training is in environmental chemistry and toxicology. Specifically, my education includes a Master's degree in Agricultural and Environmental Chemistry from the UC Davis Departments of Environmental Toxicology and Civil/Environmental Engineering.

Based on the above credentials, experience and professional conduct obligations, I feel qualified to comment on your proposed Proposition 65 listing.

Glyphosate-based herbicides are vital tools for controlling weeds that are problems throughout California. Glyphosate is a valuable tool as part of Integrated Pest Management (IPM) and can be used to reduce wildfire risk, and restore habitat and wildlife food production areas that have been taken over by noxious weeds like johnsongrass, poison ivy, Canada thistle, musk thistle and yellow starthistle.

I understand that chemicals are added by OEHHA to the Prop 65 List through a variety of mechanisms, one of them being the Labor Code Mechanism. This mechanism requires substances that have been identified by the International Agency for Research on Cancer (IARC) to be listed under Proposition 65. This mechanism is a strictly a ministerial process and does not reflect an exercise of discretion or judgment on OEHHA's part. Under this listing mechanism, OEHHA does not and "cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified these chemicals". It is through this mechanism alone that

OEHHA is considering adding glyphosate to the list. Because of this process, regrettably, qualified scientists at OEHHA appear not to be able to weigh in on the decision to list glyphosate. I offer the following as additional rationale not to list glyphosate in Proposition 65:

- 1. IARC's conclusion is at odds with the conclusions of two other WHO programs which conclude glyphosate is *not* carcinogenic.**
  - a. The Core Assessment Group and International Programme on Chemical Safety both concluded glyphosate is not carcinogenic.
- 2. The WHO Guidelines for Drinking-Water Quality conclude glyphosate does not present a hazard to human health.**
- 3. IARC's classification does not establish a link between glyphosate and an increase in cancer.**
  - a. IARC's work is not a study and it references no new data or studies.
  - b. The most relevant, scientific data was excluded from review.
  - c. The conclusion is not supported by scientific data.
  - d. When the full data set is included in a rigorous review, there is no link between glyphosate and an increase in cancer.
- 4. The USEPA concluded that the science does not provide evidence to show that glyphosate causes cancer.**
  - a. According to the USEPA RED, glyphosate is listed as a Group E chemical (Not likely to be carcinogenic to humans) as of September 1993. See: <http://www.epa.gov/iris/subst/0057.htm>
  - b. According to the USEPA IRIS database, glyphosate is listed as a Group D chemical (insufficient evidence to conclude carcinogenicity) as of October 1993.
- 5. The German and Australian Governments reviewed the plethora of glyphosate data and both concluded that the weight and strength of the evidence shows that glyphosate is not genotoxic, carcinogenic, or neurotoxic.**

In closing, rationale for the Proposition 65 listing of glyphosate is flawed. Without glyphosate, other tools will be used to control vegetation that are not as cost-effective and in the case of manual removal, will endanger workers due to slip/trip/fall injuries in addition to requiring the use of dangerous motorized cutting tools. Californians require that OEHHA do its job and evaluate and protect the public on real risks based on science and should not be sending false alarms. Accordingly, glyphosate should not be listed as a Proposition 65 chemical.

Please call me at (530) 757-0941 if you have any questions.

Sincerely,

**BLANKINSHIP & ASSOCIATES, INC.**



---

Michael S. Blankinship  
President