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Submitted Via E-mail: [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov)

Ms. Monet Vela  
Office of Environmental Health Hazard Assessment  
P.O. Box 4010, MS-25B  
Sacramento, CA 95812-4010

**Re: DINP NSRL – Concerns From the Consumer Electronics Industry**

Dear Ms. Vela:

On behalf of the Consumer Electronics Association® (CEA), I would like to thank you for the opportunity to comment on the Office of Environmental Health Hazard Assessment's (OEHHA's) proposed rule of a No Significant Risk Level (NSRL) of 146 micrograms per day for diisononyl phthalate (DINP).

CEA represents more than 2,000 companies involved in the design, development, manufacturing, distribution and integration of audio, video, in-vehicle electronics, wireless and landline communications, information technology, home networking, multimedia and accessory products, as well as related services that are sold through consumer channels.

CEA supports the American Chemistry Council's (ACC's) request for OEHHA to revise its proposed NSRL for DINP, as called for in the public hearing on February 25, 2015 and in ACC's written comments on behalf of the ACC's High Phthalates Panel submitted by Eileen Conneely, Director, Chemical Products and Technology Division, ACC, dated March 2015. ACC calculated an NSRL for DINP of 2664 micrograms/day, which is scientifically supported and used a more appropriate species model than the mononuclear cell leukemia (MNCL) data observed in F344 rats that was used to determine OEHHA's proposed NSRL of 146 micrograms per day.

As a matter of process for future Prop 65 chemical listings and NSRLs, CEA is very concerned with the timing of this rulemaking process. The Notice of Proposed Rulemaking for the DINP NSRL was issued on December 19, 2014 - only one day before the DINP listing became effective on December 20, 2014. Several of CEA's member companies incurred significant economic expense to achieve compliance with the new DINP listing in December 2014, but they will now likely fall below the proposed NSRL threshold if this rulemaking moves forward.

CEA Comments on Proposed NSRL for DINP  
Notice of Proposed Rulemaking Title 27, California Code of Regulations Amendment to Section 25705  
Specific Regulatory Levels Posing No Significant Risk: Diisononyl Phthalate  
March 11, 2015

Issuing an NSRL in such an untimely fashion with no advance warning to affected parties incurs unreasonable and preventable costs to affected parties while offering no benefit to the consumer. Further, the timing of this NSRL generated additional uncertainty for businesses and more opportunities for bounty hunters that target businesses with frivolous Prop 65 lawsuits.

In the future, CEA recommends that any new Prop 65 chemical listings should include a procedure to consider potential NSRLs well prior to those listings becoming effective. This would avoid having companies incur unnecessary compliance costs and create a clearer process going forward.

Thank you very much for the opportunity to comment on this proposed rule. Please feel free to contact me at 703-907-7631 or [aschumacher@ce.org](mailto:aschumacher@ce.org) should you have any questions.

Sincerely,  
THE CONSUMER ELECTRONICS ASSOCIATION

/s/  
Allison Schumacher  
Senior Manager, Environmental Policy & Sustainability