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July 13, 2009

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010
Email: coshita@oehha.ca.gov

Re: Tertiary Amyl Methyl Ether

Dear Ms. Oshita:

The European Fuel Oxygenates Association (EFOA) is providing comment in response to the "Request for Comments on Chemicals Proposed for Listing by the Labor Code Mechanism (Reproductive and Developmental Toxicants)" that was published on June 12, 2009 and re-posted because of a typographical error on June 25, 2009 by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA). Our comments are directed at the proposed listing of tertiary amyl methyl ether (TAME; CAS RN 994-05-8) as displaying developmental toxicity based on the American Council of Government Industrial Hygienist's (ACGIH) TLV (ACGIH, 2009 TLVs and BEIs) and specifically the question whether the ACGIH has established a TLV for TAME that is based in whole or in part on a developmental effect.

The ACGIH TLV Documentation was produced in 2001 and thus takes no account of the European Union Risk Assessment that was published in 2006 and included a comprehensive review of all the literature data up until 2004. The report may be accessed via the following web link:

http://ecb.jrc.ec.europa.eu/DOCUMENTS/Existing-Chemicals/RISK_ASSESSMENT/REPORT/tamereport413.pdf

During the risk assessment there was a robust review of the potential development toxicity of TAME. The rapporteur and national experts concluded that TAME did not pose a sufficient risk to warrant risk reduction measures. The formal conclusions were published in the Official Journal of the European Union;

http://ecb.jrc.ec.europa.eu/DOCUMENTS/Existing-Chemicals/RISK_ASSESSMENT/OJ_RECOMMENDATION/ojrec994058.pdf

These were that risks to WORKERS, CONSUMERS and HUMANS EXPOSED VIA THE ENVIRONMENT are not expected. Risk reduction measures already being applied are considered sufficient.

EFOA believes that as the European Union Risk Assessment post dates the ACGIH TLV it offers a fresh insight into the toxicology of TAME which is worthy of consideration by OEHHA. We therefore request that OEHHA please reconsider listing TAME as toxic to development.

EFOA appreciates your consideration of our comments. If you have any questions, please do not hesitate to contact me at +32 2 676 7410 or graeme.wallace@efoa.org.

Yours sincerely,

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Founded in 1985, EFOA is a sector group of Cefic, the European Chemical Industry Council, and brings together 11 member companies which represent the majority of European fuel ether production. EFOA acts as the voice of the European producers of the fuel ethers (MTBE, ETBE & TAME) in a wide variety of technical and government initiatives and is recognised by the European Commission as a stakeholder on fuel quality, biofuels and groundwater.