

## **Prop 65 Clear and Reasonable Warning Regulations**

### **Comments:**

1. The rationale for the selection of 12 distinct chemical/chemical groups by OEHHA from the Prop 65 list for a warning of exposure is scientifically sound and well grounded in peer-reviewed evidence acquired from a large body of research. A meaningful warning text for these chemicals will enable California residents and workers to make an informed choice to protect themselves from adverse effects of chemicals. Such advisory language will provide individuals an added opportunity to protect their own health.
2. Each of the chemicals/groups listed for the warning is a known carcinogen, reproductive toxicant, or both. All 12 chemicals are high on the classification list of authoritative intergovernmental agencies, such as IARC, as established or probable human carcinogens. Undoubtedly, the public has the right to be alerted to such potential hazards.
3. Referring to relevant chemicals by a simplified, readily recognizable name, and grouping them is an appropriate and essential step in encouraging the consumer to read through the warning text and be better informed.
4. The use of a graphic symbol is helpful for drawing attention to the warning. Methods of dissemination and transmission of the warnings are suitably mindful of the diverse routes of information access to the public.
5. Among the five criteria considered by OEHHA as important in the selection of chemicals for widespread warning, the most important criterion is the availability of unequivocal evidence to support the claim of toxicity to humans from exposure to environmentally relevant doses. This should be at the top of the list. The potential for significant human exposure is equally important. Other criteria are worthy of consideration to a lesser degree.
6. The selection of the 12 proposed chemicals/groups meets the criteria for improving Prop 65 warnings because: (a) a vast scientific literature exists, which demonstrates adverse biological effects attributed to each chemical/group, further supported by repeated validation over the years in multiple laboratory and/or epidemiological studies, (b) these chemicals are highly pervasive due to extensive applications in commerce, and (c) human encounter with these chemicals occurs at a high frequency irrespective of race, gender, age and socioeconomic status.
7. In general, the references provided for the listed chemicals are thorough and in-depth. However, references to the scientific literature for formaldehyde require an update. Relevant scientific evidence leading up to its status as a human carcinogen by the NTP in 2011 should be incorporated into the referenced documents dated prior to 2000.
8. The use of the wording “can expose you to” vs. “contains” is certainly more meaningful as it gives a sense of a possible effect on the user. This is likely to empower consumers to voluntarily ‘regulate’ their own exposures. Along these lines, the phrase “will expose” does not take into account that individuals are likely to vary in their biological potential for the exposure to have adverse consequences.

9. Proposed warnings for all categories and venues for potential exposure discussed in the document are a well-reasoned and a thorough attempt to serve public interest in their right-to-know about the presence of chemicals hazardous to health within a specific product or local environment.
10. The proposed regulation is mindful not to burden businesses with excessive requirements. One is also hopeful that the revised warnings will serve to educate businesses with rigorous scientific facts, thereby instilling greater social responsibility and likelihood of conducting commerce with hazard-free alternatives.