



October 20, 2015

*Via Electronic Submission Only*

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

**RE: Request for Comment on Proposed Proposition 65 Labor Code Listing of Glyphosate**

Dear Ms. Barajas-Ochoa:

Western Plant Health Association (WPHA) appreciates the opportunity to comment on the proposed notice of intent to list glyphosate as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"). WPHA represents the interests of crop protection and fertilizer manufacturers, agricultural biotechnology providers, and agricultural retailers and distributors in California, Arizona, and Hawaii. Our members comprise more than ninety percent of all the companies marketing crop production and fertilizer products in these states.

This letter serves to support the more technical and comprehensive comments provided by Monsanto. We share their opposition to the Office of Environmental Health Hazard Assessment's (OEHHA) intent to list glyphosate as a known carcinogen through the labor code listing mechanism because there is no valid and substantial evidence that any adverse acute or chronic risk to human health will occur from its occupational use when used as directed.

We recognize that OEHHA interprets Labor Code section 6382 to presume substances listed as human or animal carcinogens by the International Agency for Research on Cancer (IARC) to be potentially hazardous and to list those substances under Prop 65. However, it also provides that the director shall not list a substance or form of the substance if the substance as present occupationally, is not potentially hazardous to human health or there is no valid and substantial evidence that any adverse acute or chronic risk to human health may occur from exposure. Glyphosate fits these criteria for exemption.

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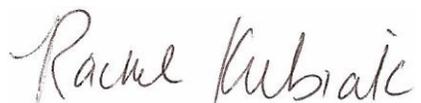
Under federal law, the U.S. Environmental Protection Agency (EPA) is required to review hundreds of studies including acute and chronic exposure data, and may not approve any pesticide product if it cannot ensure that the product, when used in accordance with its labeling, will not cause unreasonable risks to human health. The product label specifies use directions to reduce or eliminate exposure, despite data that confirms the product is not a carcinogen.

No regulatory agency in the world considers glyphosate to be a carcinogen. Regulatory agencies around the world have concluded that all labeled uses of glyphosate are safe for human health and the environment. In fact, the U.S. EPA has placed glyphosate in its most favorable category for carcinogenicity. Glyphosate's history of safe use is supported by decades of data from more than 800 scientific studies – many conducted by independent researchers.

The IARC classification overlooked decades of thorough and robust analysis by regulatory agencies, including a multi-year assessment just completed on behalf of the regulatory authority in the European Union. Another registration review is currently underway by the U.S. EPA. OEHHA should examine the basis on which IARC's carcinogen classification rests, particularly when presented with evidence that the IARC classification is mistaken.

When used as labeled, glyphosate is not potentially hazardous to human health and there is no credible evidence that any adverse or chronic risk to human health may occur from exposure at occupational levels. We therefore request that OEHHA rescind its proposal to list glyphosate as a Prop 65 substance. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Kubiak". The ink is dark and the signature is fluid and legible.

Rachel Kubiak

Director of Environmental and Regulatory Affairs