

Title 27 California Code of Regulations section 25904

Chemical Listings by Reference to California Labor Code section 6382(b)(1)

(a) Pursuant to Section 25249.8(a) of the Act, a chemical or substance shall be included on the list of chemicals known to the state to cause cancer if it is a chemical or substance identified by reference in Labor Code Section 6382(b)(1).

(b) A chemical or substance shall be included on the list if it is classified by the International Agency for Research on Cancer (IARC) in its IARC Monographs series on the Evaluation of Carcinogenic Risks to Humans (most recent edition) or in its list of Agents Classified by the IARC Monographs, as:

- (1) Carcinogenic to humans (Group 1), or
- (2) Probably carcinogenic to humans (Group 2A) with sufficient evidence of carcinogenicity in experimental animals, or
- (3) Possibly carcinogenic to humans (Group 2B) with sufficient evidence of carcinogenicity in experimental animals. A chemical or substance for which there is less than sufficient evidence of carcinogenicity in experimental animals and classified by IARC in Group 2B shall not be included on the list.

(c) At least 45 days prior to adding a chemical or substance that meets the criteria established in subsection (a) to the list, the lead agency shall publish a notice of intent to list the chemical or substance and provide a 30 day public comment period on whether or not the chemical or substance has been identified by reference in Labor Code section 6382(b)(1). Comment is restricted to whether the identification of the chemical or substance meets the requirements of this section. The lead agency shall not consider comments related to the underlying scientific basis for classification of a chemical by IARC as causing cancer.

(d) Any person may petition the lead agency to consider adding a chemical or substance to the list pursuant to this section. The petition shall identify the chemical or substance in question, the IARC Monograph that is the claimed basis for the listing, and any other information necessary to determine whether the chemical or substance meets the requirements of this section.

(e) Any person may petition the lead agency to consider removing a chemical or substance from the list pursuant to this section. The petition shall identify the chemical or substance in question and the reasons why the provisions of subsection (a) are not met.

(f) If the lead agency determines that a listed chemical or substance no longer meets the requirements in this section, the lead agency shall determine if the criteria for listing established in Section 25306 or Section 25902 are met. If the criteria in those sections are not met, the lead agency shall refer the chemical or substance to the Carcinogen Identification Committee, for a determination as to whether the chemical or substance should continue to be included on the list of chemicals known to the state to cause cancer.

NOTE: Authority Cited: Section 25249.12, Health and Safety Code. Reference: Section 25249.8(a), Health and Safety Code.