

Procedure for Prioritizing Chemicals for Consideration Under Proposition 65 by the “State’s Qualified Experts”

Comments made on behalf of



Consumer Healthcare Products Association



Grocery Manufacturers of America



National Food Processors Association

Meeting of the Science Advisory Board’s DART Identification Committee
November 4, 2004

The proposed new Prioritization Procedure

. . . closes the door to new information

. . . does not evaluate key issues

. . . reduces important communication and information

. . . treats Authoritative Bodies inconsistently



No Review of New Information



Current Procedure

"Assigned priorities may change as new scientifically valid toxicological information . . . becomes available." §2.1 at 2.



Proposed Revisions

Closed to new information after prioritization

Key Issues Not Examined



Current Procedure

“the level of analysis employed during the course of assigning final priorities will vary according to the complexity of the toxicological issues to be addressed.” § 2.2



Proposed Revisions

*“Complicated scientific issues concerning chemicals under consideration are not addressed in the prioritization process . . .”
(page 3)*

Key Issues Not Examined



Current Procedure

... examines the relevance of maternal toxicity

... examines interspecies differences in toxicity or pharmacokinetics



Proposed Revisions

... ignore relevance issues that are complicated

... ignore these differences when issues are complicated

Less Communication and Information



Current Procedure

- . . . requires preliminary assessment of all key scientific issues raised
- . . . provides for public workshops to discuss, define and develop complicated issues
- . . . requires consideration of authoritative body analyses



Proposed Revisions

- . . . avoid complicated scientific issues*
- . . . remove public workshop option for complicated issues*
- . . . treat authoritative body analyses inconsistently*

Inconsistent Treatment of Authoritative Bodies



Current Procedure

... considers an authoritative body opinion that a causal link for reproductive toxicity is supported by the evidence as 'authoritative'

... also considers a finding that a causal link for reproductive toxicity is not supported by the evidence as 'authoritative'

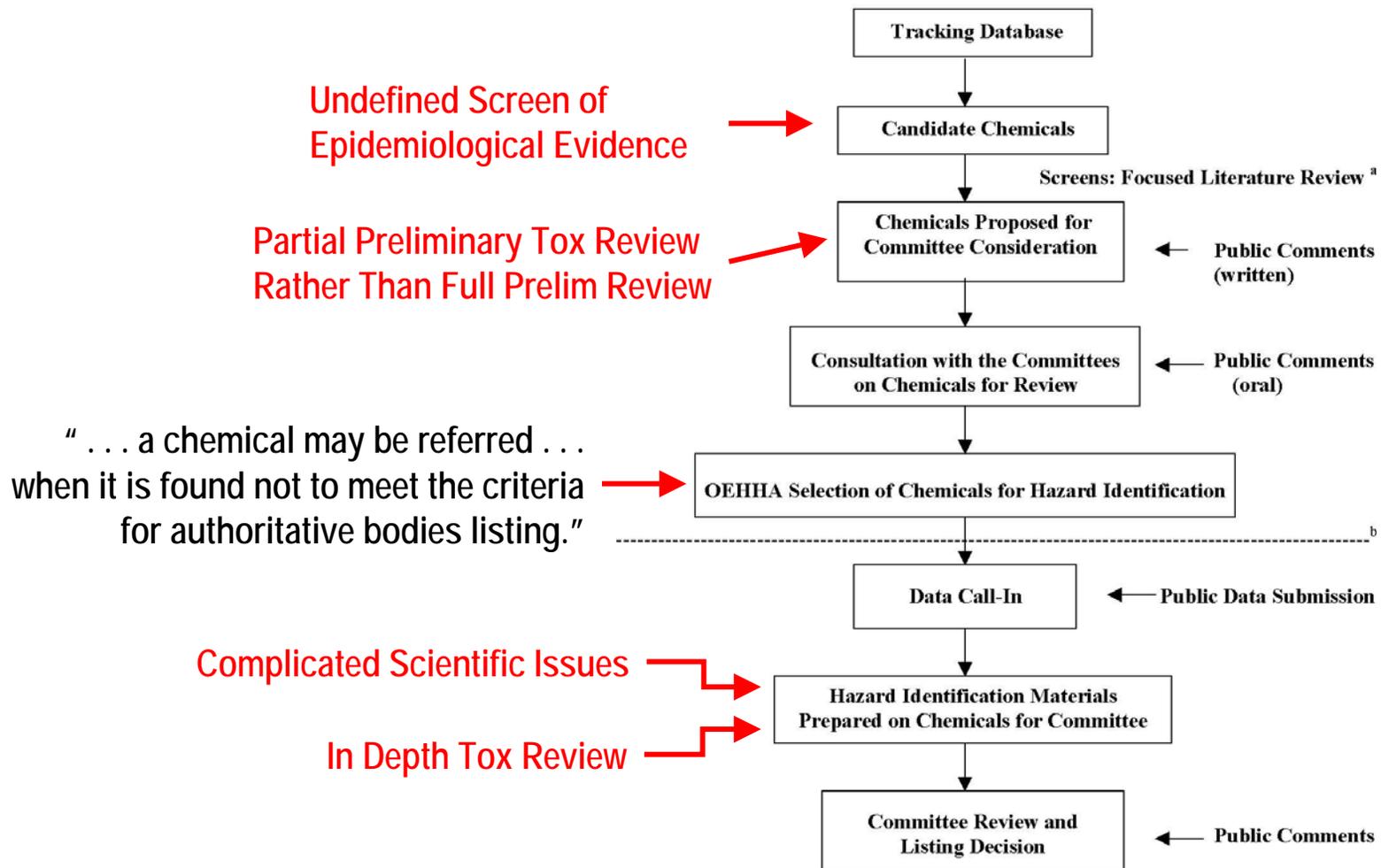


Proposed Revisions

... treat findings that a causal link for reproductive toxicity is supported by the evidence as 'authoritative'

*... do **not** treat findings that a causal link for reproductive toxicity is not supported by the evidence as 'authoritative'*

Less Communication and Information Exchange



The proposed changes to the Prioritization Procedure Should not be adopted because they . . .

- . . . close the door to new information
- . . . do not evaluate key issues
- . . . reduce communication and information
- . . . treat Authoritative Bodies inconsistently

CHPA, GMA and NFPA and their members
urge the proposed revisions not be adopted.

