

Consideration of the Designation of the National Toxicology Program as a Proposition 65 Authoritative Body

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State's Qualified Experts compared to Authoritative Bodies Listing Mechanism

- ▶ Both are required by the statute
- ▶ By statute and regulation, the state's qualified experts identify authoritative bodies
- ▶ The listing mechanisms are separate
- ▶ OEHHA's Responsibilities are in regulation and have been interpreted by the courts
- ▶ Each of the listing mechanisms operate by different processes
 - The DART IC has adopted guidance
 - The Authoritative Body criteria are in regulation

Current NTP Authoritative Body Designation

“National Toxicology Program solely as to final reports of the National Toxicology Program’s Center for the Evaluation of Risks to Human Reproduction.”

Title 27 Cal. Code of Regulations, Section 253006(l)(3)

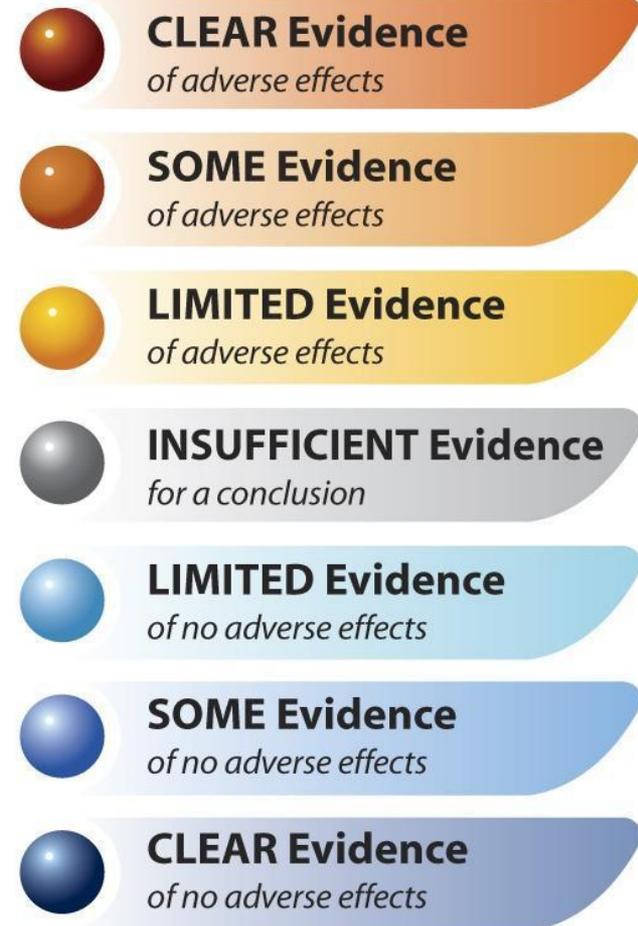
DART IC Meeting July 12–13, 2011

Revocation of an Authoritative Body Designation

- ▶ § 25306. Chemicals Formally Identified by Authoritative Bodies
- ▶ (b) A “body considered to be authoritative” is an agency or formally organized program or group which utilizes one of the methods set forth in subsection (d), for the identification of chemicals, and which the Carcinogen Identification Committee has identified as having expertise in the identification of chemicals as causing cancer or the DART Identification Committee has identified as having expertise in the identification of chemicals as causing reproductive toxicity. For purposes of this section, “authoritative body” means either a “body considered to be authoritative” in the identification of chemicals as causing cancer by the Carcinogen Identification Committee or a “body considered to be authoritative” in the identification of chemicals as causing reproductive toxicity by the DART Identification Committee. **The Carcinogen Identification Committee and the DART Identification Committee shall have the authority to revoke or rescind any determination that a body is authoritative on the grounds that the respective Committee no longer considers the body to have expertise in the identification of chemicals as causing cancer or reproductive toxicity,** respectively, in which case chemicals listed pursuant to this section prior to the effective date of the revocation shall remain on the list. Nothing in this section shall be construed to limit or otherwise interfere with such authority. [emphasis added]

NTP-CERHR Hazard Identification Findings Used by OEHHA in Authoritative Bodies Listings

- Clear evidence in human or animal studies of:
 - Developmental toxicity
 - Male reproductive toxicity, or
 - Female reproductive toxicity



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