



# California Automatic Vendors Council

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## **Proposed Adoption of New Section Under Article 7 No Significant Risk Levels Section 25704 Exposures to Listed Chemicals in Coffee Posing No Significant Risk**

Dear Ms. Vela:

The California Automatic Vendors Council (CAVC) is an affiliated state council of the National Automatic Merchandise Association (NAMA), the trade association representing the convenience services industry. We represent hundreds of large and small businesses that provide vending, coffee and convenience services to thousands of customers in California each day and employing hundreds of workers in the state of California. On behalf of both organizations, I am writing in support of The Office of Environmental Health Hazard Assessment's (OEHHA), proposal to add a new section to Article 7 of Title 27 of the California Code of Regulations[1], section 25704 that would effectively exempt coffee from Prop 65's warning requirements.

The convenience services industry includes vending, micro market, office coffee and pantry services channels, has a \$2 billion economic impact on the State of California and is responsible for over 10,000 jobs in the Golden State. We agree with your assessment that "Exposures to Proposition 65-listed chemicals in coffee that are produced as part of and inherent in the processes of roasting coffee beans and brewing coffee pose no significant risk of cancer."

OEHHA is correct to side with scientific consensus. According to the federal government's own dietary guidelines, moderate coffee consumption is not only "[un]associated with an increased risk of major chronic diseases (e.g. cancer)," but it can actually be incorporated into healthy living styles to "maintain good health and reduce the risk of chronic disease."

The World Health Organization dropped coffee from its list of possible carcinogens two years ago, noting that moderate coffee consumption can actually lower cancer risk because coffee beans contain healthy antioxidants. Most recently, two studies published in the Annals of Internal Medicine tracked the coffee intake of more than 600,000 individuals over 16 years. Researchers concluded that coffee drinkers experience lower risk of death from heart disease, respiratory disease, diabetes, stroke, and—you guessed it—even cancer.

Coffee remains on Prop 65's list of flagged substances because of acrylamide, a flavorless chemical naturally produced when coffee beans are roasted. Although mega-doses of acrylamide have been linked to cancer in rodents, the National Cancer Institute has found “no consistent evidence that dietary acrylamide exposure is associated with the risk of any type of cancer” in human beings.

Prop 65 warning signs would impose onerous labeling requirements on the convenience services industry and the businesses that are located in California and supply coffee to California. Mandated signage could leave these businesses vulnerable to frivolous lawsuits, which could lead to increased consumer costs.

Prop 65 threatens California's convenience services industry at large, whose vendors bring coffee – as well as tea, water, fresh food and more – to employers and employees throughout the state. Prop 65 would negatively impact the industry which employs thousands of individuals in the state and brings in billions of dollars in revenue to California.

OEHHA should move forward with relieving coffee of its Prop 65 burden.

Sincerely,



Sandra Larson



Senior Director, State Affairs