



April 18<sup>th</sup>, 2022  
Monet Vela  
Office of Environmental Health Hazard Assessment  
1001 I Street, 23rd Floor  
P. O. Box 4010  
Sacramento, California 95812-4010

Dear Coordinator Vela,

The Notice of Proposed Rulemaking (“Notice”): PROPOSED AMENDMENTS TO ARTICLE 6 CLEAR AND REASONABLE WARNINGS – SHORT FORM proposes changes that are unnecessary, ineffective, and overly burdensome.

#### **Consumer Information**

Listing the name of the chemical does not provide information meaningful to assessing consumer risk at the point of sale. Providing the endpoint hazard (cancer or reproductive harm) does provide information useful in making an informed decision and is already required by the regulation. By stating that the cancer causing substance needs to be listed, is OEHHA implying that a consumer is okay with cancer from one chemical but not from another chemical? The proposed rulemaking also reverses earlier guidance and imparts significant changes to what was already a sufficiently clear regulation. With these changes, Prop 65 will continue to move farther from its original intended purpose as a public safety regulation to a system that encourages endless litigation.

#### **Costs to small businesses**

Under the proposed rule manufacturers who have complied with the most recent revision to the Proposition 65 regulations will once again be required to re-label all products containing the short-form warning. This will in most instances involve costs to create artwork, print new labels, purchase new packaging, update websites, catalogs, ERP systems, and more. Hornady Manufacturing Company, a Small Business according to Small Business Administration Standards, estimates that it would incur costs of approximately \$895,000 to make the changes that would be required under the proposed rule.

In conclusion, OEHHA has failed to provide a data driven argument that the proposed changes will lead to a more informed consumer and that there isn’t a large financial impact on businesses.

Respectfully Submitted,

**Hornady Manufacturing Company**