

FINAL STATEMENT OF REASONS

Title 27, California Code of Regulations

Repeal of Sections 25607.30 and 25607.31 Clear and Reasonable Warning Regulations

Exposure to Bisphenol A from Canned and Bottled Foods and Beverages

GENERAL INFORMATION

The Office of Environmental Health Hazard Assessment (OEHHA) published the proposed repeal and Initial Statement of Reasons for this action on February 17, 2017. The repeal of Sections 25607.30 and 25607.31 was proposed to ensure consistency with the provisions of current Sections 25603.3(f) and 25603.3(g) related to Bisphenol A (BPA) warning responsibility, methods and content and the inoperative date of those provisions. The comment period ended on April 3, 2017. OEHHA received no public comments.

UPDATE OF INITIAL STATEMENT OF REASONS

An update of the Initial Statement of Reasons is not necessary because no changes were made to the originally proposed amendments.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD

No comments were received during the public comment period.

ALTERNATIVES DETERMINATION

In accordance with Government Code section 11346.9(a)(4), OEHHA has determined that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency, including the alternative to do nothing, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Sections 25607.30 and 25607.31 are no longer needed and are not current. If these provisions are not repealed, these sections would result in confusion among affected businesses as to the responsibility, content and methods for providing warnings for BPA exposures from canned foods and beverages.

LOCAL MANDATE DETERMINATION

OEHHA has determined this regulatory action will not impose a mandate on local agencies or school districts, nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. Local agencies and school districts are exempt from Proposition 65. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from this regulatory action. This regulation therefore does not impose any mandate on local agencies or school districts.