

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986  
PROPOSITION 65

NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION  
TITLE 27, CALIFORNIA CODE OF REGULATIONS

PROPOSED AMENDMENTS TO ARTICLE 6  
CLEAR AND REASONABLE WARNINGS – SAFE HARBOR METHODS AND  
CONTENT

JUNE 13, 2024

Public Availability of Modifications: June 13, 2024  
Deadline for Public Comment: June 28, 2024

As required by Government Code section 11346.8(c), and Title 1, section 44 of the California Code of Regulations, the Office of Environmental Health Hazard Assessment (OEHHA) is providing notice of changes to the proposed regulatory action to amend, Title 27 of the California Code of Regulations, Sections 25601, 25602, 25603, and 25607.2 and adopt new Sections 25607.50, 25607.51, 25607.52, and 25607.53.<sup>1</sup>

The proposed amendments and regulations were originally the subject of a Notice of Proposed Rulemaking published on October 27, 2023, in the California Regulatory Notice Register (Register No. Z2023-1017-03), which initiated a public comment period that ended on December 20, 2023. The public comment period was extended to January 3, 2024, at the request of stakeholders. A public hearing was held on December 13, 2023.

OEHHA has modified the proposed amendments to:

- increase the time for implementation of revised short-form warning content from two years to three years,
- revert to the original regulation text for most of the internet and catalog warning content, and
- include a new provision which would provide internet retailers a 60-day grace period, from when they receive a warning or written notice changing to the new warning content, to update their online short-form warnings during the three-year implementation period.

The modifications were made in response to the public comments and to improve clarity.

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<sup>1</sup> All further references are to sections of Title 27 of the California Code of Regulations, unless otherwise indicated.

The full 15-day regulatory text with the modified language provided in double underline and double strikeout format is available on the OEHHA website at [www.oehha.ca.gov](http://www.oehha.ca.gov) or by request from Monet Vela in the OEHHA Legal Office at [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) or (916) 323-2517.

OEHHA is requesting comments only on the modifications to the proposed amendments. Any written comments concerning the modifications, regardless of the form or method of transmission, must be received by OEHHA no later than June 28, 2024, the designated close of the written comment period. All comments will be posted on the OEHHA website after the close of the public comment period.

OEHHA recommends that the public submit written information electronically, rather than in paper form. Comments may be submitted electronically through our website at <https://oehha.ca.gov/comments>. Comments submitted in paper form can be mailed, faxed, or delivered in person to the address below. OEHHA encourages all commenters to submit their comments in a format compliant with the accessibility requirements of the Americans with Disabilities Act, so they can be read using screen reader technology and those with visual impairments are able to listen to them.

All non-electronic submissions should be directed to:

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

Telephone: 916-323-2517

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address, and email may be available to third parties.