

**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 ADOPTION OF NEW SECTION UNDER ARTICLE 7
NO SIGNIFICANT RISK LEVELS
SECTION 25704 EXPOSURES TO LISTED CHEMICALS IN COFFEE
POSING NO SIGNIFICANT RISK**

March 15, 2019

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 define the scope of the proposed regulation (Title 27, California Code of Regulations¹, section 25704.)

The proposed regulation was originally the subject of a Notice of Proposed Rulemaking published on June 22, 2018, in the California Regulatory Notice Register (Register No. Z-2018-0612-06), which initiated a 45-day public comment period. Seventy-six written comments from the public were received during the comment period that ended August 30, 2018. In addition, OEHHA heard comments at a public hearing on the proposed regulation held on August 16, 2018.

OEHHA has modified the language of proposed section 25704 to clarify the scope of listed chemicals covered by the proposed regulation. The date chosen is the date the public comment period begins. This avoids any confusion that could occur if OEHHA were to list a chemical that occurs in coffee between the date of the Notice and the effective date of the regulation. The modified language is provided in underline and strikethrough format below:

§ 25704. Exposures to Listed Chemicals in Coffee Posing No Significant Risk

Exposures to ~~listed~~ chemicals in coffee, listed on or before March 15, 2019 as known to the state to cause cancer, that are created by and inherent in the processes of roasting coffee beans or brewing coffee do not pose a significant risk of cancer.

¹ All further references are to sections of Title 27, Cal. Code of Regs., unless indicated otherwise.

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.10, Health and Safety Code.

OEHHA is requesting comments on the above-described modifications to the proposed regulatory text. There is no need to resubmit comments that were previously provided to OEHHA. In order to be considered, **OEHHA must receive comments by 5:00 p.m. on April 2, 2019, the designated close of the comment period.** All public comments will be posted on the OEHHA website at the close of the comment period.

The public is encouraged to 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.

All submissions should be directed to:

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

Telephone: 916-323-2517
Fax: 916-323-2610

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 e-mail may be available to third parties.