

Office of Environmental Health Hazard Assessment



Matthew Rodriguez
Secretary for
Environmental Protection

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Edmund G. Brown Jr.
Governor

April 13, 2017

By Email at esomers@lexlawgroup.com and U.S. Mail

Center for Environmental Health
Eric Somers
Lexington Law Group
503 Divisadero Street
San Francisco, CA 94117

RE: Response to Petition for Administrative Rulemaking on “Naturally Occurring”
Lead Levels in Candy Containing Chili and Tamarind

Dear Mr. Somers:

On March 14, 2017, the Office of Environmental Health Hazard Assessment (OEHHA) received your letter on behalf of the Center for Environmental Health (CEH) requesting that OEHHA “commence the regulatory process to issue regulations pursuant to Health & Safety Code §110552 setting a ‘naturally occurring’ lead level in candy containing chili and tamarind.” OEHHA considers this letter a petition for rulemaking under Government Code section 11340.6.

Following review of the letter and related materials, OEHHA has determined that it is possible OEHHA could move forward with a rulemaking and has scheduled a public hearing on the request to receive comments from the public. Therefore, pursuant to Government Code section 11340.7(a), OEHHA will provide notice of the hearing which is tentatively scheduled for June 19, 2017 at 10:00 a.m. in the Coastal Hearing Room at the CalEPA Headquarters building at 1001 I Street in Sacramento. If this date will not work for you, please let us know at your earliest convenience. Further information related to the hearing may be posted on the OEHHA website prior to the hearing date. We encourage you to participate in the hearing.

Thank you for your interest in our programs.

Best Regards,

Carol J. Monahan Cummings
Chief Counsel

California Environmental Protection Agency

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