

# **Update to Title 27, California Code of Regulations, Section 27000**

Chemicals Required by State or Federal Law to be Tested for Carcinogenicity and Reproductive Toxicity That Have Not Been Adequately Tested according to the California Department of Pesticide Regulation or the US Environmental Protection Agency

## **Staff Report for Consent Item**

October 2025



Office of Environmental Health Hazard Assessment  
California Environmental Protection Agency

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## Acronyms Used

US EPA	US Environmental Protection Agency
CalEPA	California Environmental Protection Agency
OEHHA	Office of Environmental Health Hazard Assessment, CalEPA
DPR	Department of Pesticide Regulation, CalEPA
OPPT	Office of Pollution Prevention and Toxics, US EPA
OPP	Office of Pesticide Programs, US EPA
CIC	Carcinogen Identification Committee
DARTIC	Developmental and Reproductive Toxicity Identification Committee

# I. Introduction

## Background

Proposition 65 requires the state to publish a list of chemicals that are required to be tested under federal or state law for carcinogenicity or reproductive toxicity that have not yet been adequately tested (Health and Safety Code section 25249.8(c)). The law states:

c) On or before January 1, 1989, and at least once per year thereafter, the Governor shall cause to be published a *separate list* of those chemicals that at the time of publication are required by state or federal law to have been tested for potential to cause cancer or reproductive toxicity but that the state's qualified experts have not found to have been adequately tested as required. (emphasis added)

The list of chemicals that need further testing can be found in Title 27, Cal. Code of Regs., section 27000. A copy of the list, including the change the Office of Environmental Health Hazard Assessment (OEHHA) is recommending, is included in Section II of this report. This list is separate and distinct from the "Proposition 65 List," that is, the list of chemicals known to cause cancer or reproductive toxicity.

The Section 27000 list has no regulatory impact. It does not require that any testing be done; it is simply a source of information concerning chemicals that need further testing pursuant to state or federal law.

Each year, OEHHA requests information from the California Department of Pesticide Regulation (DPR) and the US Environmental Protection Agency's (US EPA) Office of Pollution Prevention and Toxics (OPPT) and Office of Pesticide Programs (OPP) to update the Section 27000 list. Since the statute and the regulation require that the "state's qualified experts" find that the chemicals on this list have not been adequately tested, updates to the list are reviewed by the Carcinogen Identification Committee (CIC) and the Developmental and Reproductive Toxicity Identification Committee (DARTIC) in public meetings of these committees. The committee members are asked to ratify the information in this report so OEHHA can update the list. The committees' task is ministerial in that they are relying on the information provided to OEHHA by DPR and US EPA in order to identify the chemicals that need to be added to or removed from the Section 27000 list and are not making any independent judgment concerning the information provided.

## Update to Section 27000

In response to requests for information, OEHHA received letters regarding required testing from:

- Department of Pesticide Regulation
- US Environmental Protection Agency, Office of Pesticide Programs

OEHHA staff reviewed these responses and identified four recommended changes to the Section 27000 list – removal from the list of butoxy polypropoxy polyethoxy ethanol – iodine complex, chlorophacinone, sodium chlorate, and tetraglycine hydroperiodide. Based on information received from DPR, data requirements for these compounds have been fulfilled, and further carcinogenicity (oncogenicity) and reproductive toxicity (teratogenicity) testing are not required. This is shown in the response letter and attachment to it, excerpted below. These are included for reference in Section III:

### *Response Letter:*

DPR reviewed and updated the list to reflect the current status of the listed chemicals. The attached updated table (DPR Proposition 65 Chemical Review) reflects current toxicity summary information including studies received and evaluated, or under evaluation, by the Human Health Assessment Branch. For clarity, all changes are highlighted.

### *Attachment:*

#### DPR Proposition 65 Chemical Review Updated September 22, 2025

Following is a listing of SB950 (Birth Defect Prevention Act of 1984) data gaps for oncogenicity, reproduction, and teratology studies for the non-200 pesticidal active ingredients. This list changes as data gaps are filled by additional data or replacement studies. Highlighting indicates a change from the previous year for the associated active ingredient.

#### **Chemical**

Acid Blue 9\*

Acid Yellow 23\*

Butoxy polypropylene glycol\*

**Butoxy polypropoxy polyethoxy ethanol –**

**iodine complex**

#### **Testing Needed**

onc rat, onc mouse, repro, tera rat, tera rabbit

onc rat, onc mouse, repro, tera rat, tera rabbit

onc rat, onc mouse, repro, tera rat, tera rabbit

**onc rat, onc mouse, repro, tera rat, tera rabbit**

**(Data requirements fulfilled; concurrence received from OEHHA\*\*)**

### Chemical

Castor oil\*

**Chlorophacinone**

Chromic acid\*

Menthol\*

Meta-cresol\*

**Sodium chlorate**

Sodium phenate\*

**Tetraglycine hydroperiodide**

2,4-Xylenol\*

*Onc – mammalian oncogenicity/carcinogenicity study data; repro – mammalian reproductive toxicity study data; tera – mammalian teratological/developmental toxicity study data*

*\*Claims that data should not be required are pending review.*

*\*\*See attached 2003 waiver memorandum*

### Testing Needed

onc rat, onc mouse, repro, tera rabbit

~~onc rat, onc mouse, repro~~ (Data requirements fulfilled; concurrence received from OEHHA)

onc rat, onc mouse, repro, tera rabbit

onc rat, onc mouse, repro, tera rat, tera rabbit

onc rat, onc mouse, repro, tera rat, tera rabbit

~~onc rat, onc mouse, repro, tera rat, tera rabbit~~  
(Data requirements fulfilled)

onc rat, onc mouse, repro, tera rat, tera rabbit

~~onc rat, onc mouse, repro, tera rat, tera rabbit~~  
(Data requirements fulfilled; concurrence received from OEHHA\*\*)

onc rat, onc mouse, repro, tera rat, tera rabbit

Section II shows the change to the 27000 list. The proposed removal is indicated via **highlight** and ~~strike through~~.

OEHHA's review of information received in the OPP letter, also provided in Section III below, did not require any additional changes to the list.

The proposed change to the list will be presented to the DARTIC and the CIC as a "consent" item, which means the item will simply be voted on as a "yes" or "no". A "yes" vote means the committee member is authorizing OEHHA to make the change to the list proposed in this report. A "no" vote means the committee member opposes the proposed change. To authorize OEHHA to update the list as proposed, a majority of members from each committee must vote in favor of the change.

### **Staff recommendation**

**Staff recommends a "Yes" vote**, which would authorize OEHHA to remove butoxy polypropoxy polyethoxy ethanol – iodine complex, chlorophacinone, sodium chlorate, and tetraglycine hydroperiodide from the Section 27000 list, based on the information provided by DPR. Any committee member who has clarifying questions or wishes to make a statement concerning this report may do so at the meeting.

## **II. Section 27000 List with Proposed Change**

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

DIVISION 4, TITLE 27 CALIFORNIA CODE OF REGULATIONS

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986

§27000. CHEMICALS REQUIRED BY STATE OR FEDERAL LAW TO HAVE BEEN TESTED FOR POTENTIAL TO CAUSE CANCER OR REPRODUCTIVE TOXICITY, BUT WHICH HAVE NOT BEEN ADEQUATELY TESTED AS REQUIRED.

(a) The Safe Drinking Water and Toxic Enforcement Act of 1986 requires the Governor to publish a list of chemicals formally required by state or federal agencies to have testing for carcinogenicity or reproductive toxicity, but that the state's qualified experts have not found to have been adequately tested as required [Health and Safety Code Section 25249.8(c)].

(b) Chemicals required to be tested by the California Department of Pesticide Regulation.

- (1) The Birth Defect Prevention Act of 1984 (SB 950) mandates that the California Department of Pesticide Regulation (CDPR) review chronic toxicology studies supporting the registration of pesticidal active ingredients. Missing or unacceptable studies are identified as data gaps.
- (2) The studies are conducted to fulfill generic data requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which is administered by the United States Environmental Protection Agency (U.S. EPA).
- (3) The studies are reviewed by CDPR according to guidelines and standards promulgated under FIFRA. Older studies may not meet current guidelines.
- (4) The existence of a data gap for a compound does not indicate a total lack of information on the carcinogenicity or reproductive toxicity of the compound. In some cases, information exists in the open scientific literature, but SB 950 requires specific additional information.
- (5) A data gap does not necessarily indicate that an oncogenic or reproductive hazard exists. For the purposes of this list, a data gap is still considered to be present until the study is reviewed and found to be acceptable.
- (6) Following is a listing of SB 950 data gaps for oncogenicity, reproduction, and teratology studies for pesticidal active ingredients. This list changes as data gaps are filled by additional data or replacement studies.

(7) For purposes of this section, "onc mouse" means oncogenicity in mice, "onc rat" means oncogenicity in rats, "repro" means reproduction, "tera rat" means teratogenicity in rats, "tera rabbit" means teratogenicity in rabbits.

<i>Chemical</i>	<i>Testing Needed</i>
Acid Blue 9*	onc rat, onc mouse, repro, tera rat, tera rabbit
Acid Yellow 23*	onc rat, onc mouse, repro, tera rat, tera rabbit
Butoxy polypropylene glycol*	onc rat, onc mouse, repro, tera rat, tera rabbit
Butoxy polypropoxy polyethoxy ethanol — iodine complex*	onc rat, onc mouse, repro, tera rat, tera rabbit (Data requirements fulfilled; concurrence received from OEHHA**)
Castor oil*	onc rat, onc mouse, repro, tera rat, tera rabbit
Chlorophacinone*	onc rat, onc mouse, repro (Data requirements fulfilled; concurrence received from OEHHA**)
Chromic acid*	onc rat, onc mouse, repro, tera rabbit
Menthol*	onc rat, onc mouse, repro, tera rat, tera rabbit
Meta-cresol*	tera rat, onc rat, onc mouse, repro, tera rabbit
Sodium chlorate*	onc rat, onc mouse, repro, tera rat, tera rabbit (Data requirements fulfilled)
Sodium phenate*	onc rat, onc mouse, repro, tera rat, tera rabbit
Tetraglycine hydroperiodide*	onc rat, onc mouse, repro, tera rat, tera rabbit (Data requirements fulfilled; concurrence received from OEHHA**)



2,4-Xylenol\*

onc rat, onc mouse, repro,  
tera rat, tera rabbit

\* Claims are pending review that data should not be required.

\*\* No product containing this active ingredient is registered with CDPR.

(c) Chemicals required to be tested by the U.S. EPA, Office of Pollution Prevention and Toxics

(1) Under 15 U.S.C.A. § 2603(a) of the Toxic Substances Control Act, testing of a chemical is required when that chemical may present an unreasonable risk, or is produced in substantial quantities and enters the environment in substantial quantities, or may have significant or substantial human exposure.

(2) For purposes of this section, "tera" means teratogenicity, "rtox" means reproductive toxicity, "onc" means oncogenicity.

*Chemical*

*Testing Needed*

Hydrocarbons, C>4

rtox

Trifluoro(trifluoromethyl)oxirane  
(also known as HFPO)

onc, rtox, tera

(d) Chemicals required to be tested by the U.S. EPA, Office of Pesticide Programs.

(1) The U.S. EPA is responsible for the regulation of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA requires U.S. EPA to register pesticides based on data adequate to demonstrate that they will not result in unreasonable adverse effects to people or the environment when used in accordance with their U.S. EPA-approved labels.

(2) The chemicals listed below are those for which data are unavailable or inadequate to characterize oncogenicity, teratogenicity, or reproductive effects potential. For purposes of this section, "onc" means oncogenicity, "tera" means teratogenicity, and "repro" means reproductive toxicity.

*Note: There are no chemicals currently listed under section 27000(d).*

### **III. Responses to Requests for Section 27000 Information from DPR and US EPA OPP**



# Department of Pesticide Regulation

Gavin Newsom  
Governor

Karen Morrison  
Director

Yana Garcia  
Secretary for  
Environmental Protection

## MEMORANDUM

TO: David Edwards, PhD  
Chief Deputy Director  
Office of Environmental Health Hazard Assessment

FROM: Leia Bailey  
Chief Deputy Director  
Department of Pesticide Regulation

DATE: October 1, 2025

SUBJECT: RESPONSE TO CHEMICALS REQUIRING TESTING (SECTION 27000,  
TITLE 27, CALIFORNIA CODE OF REGULATIONS)

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In a memorandum dated July 31, 2025, the Office of Environmental Health Hazard Assessment (OEHHA) requested that the Department of Pesticide Regulation (DPR) review and provide additions, deletions, or other changes on the current status of the chemicals listed under Title 27, California Code of Regulation, section 27000.

DPR reviewed and updated the list to reflect the current status of the listed chemicals. The attached updated table (DPR Proposition 65 Chemical Review) reflects current toxicity summary information including studies received and evaluated, or under evaluation, by the Human Health Assessment Branch. For clarity, all changes are highlighted.

If you have any questions, please do not hesitate to contact me.

Attachment

  
Leia Bailey (Oct 1, 2025 15:20:00 PDT)

cc: Jennifer Teerlink, PhD, Deputy Director  
Registration and Evaluation Division, DPR

Tulio Macedo, PhD, Chief  
Pesticide Registration Branch, DPR

Shelley DuTeaux, PhD MPH, Chief  
Human Health Assessment Branch, DPR

ATTACHMENT  
DPR Proposition 65 Chemical Review  
Updated September 22, 2025

Following is a listing of SB950 (Birth Defect Prevention Act of 1984) data gaps for oncogenicity, reproduction, and teratology studies for the non-200 pesticidal active ingredients. This list changes as data gaps are filled by additional data or replacement studies. Highlighting indicates a change from the previous year for the associated active ingredient.

<i><b>Chemical</b></i>	<i><b>Testing Needed</b></i>
Acid Blue 9*	onc rat, onc mouse, repro, tera rat, tera rabbit
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Meta-cresol*	onc rat, onc mouse, repro, tera rat, tera rabbit
<del>Sodium chlorate</del>	<del>onc rat, onc mouse, repro, tera rat, tera rabbit</del> (Data requirements fulfilled)
Sodium phenate*	onc rat, onc mouse, repro, tera rat, tera rabbit
<del>Tetraglycine hydroperiodide</del>	<del>onc rat, onc mouse, repro, tera rat, tera rabbit</del> (Data requirements fulfilled; concurrence received from OEHHA**)
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*Onc – mammalian oncogenicity/carcinogenicity study data; repro – mammalian reproductive toxicity study data; tera – mammalian teratological/developmental toxicity study data*

*\*Claims that data should not be required are pending review.*

*\*\*See attached 2003 waiver memorandum*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460



OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

September 4, 2025

David Edwards, Ph.D.  
Chief Deputy Director  
Office of External & Legislative Affairs  
California Environmental Protection Agency  
P.O. Box 4010  
Sacramento, California 95812-4010

Dear Dr. Edwards,

This is a response on behalf of Dana Vogel, Health Effects Division Director, to your letter dated July 31, 2025, asking the U.S. Environmental Protection Agency (EPA) Office of Pesticide Programs to update the list of chemicals which require testing under 15 U.S.C.A., Section 2603(a), (formerly Section 4(a)), of the Toxic Substances Control Act, or any other relevant federal law, to characterize potential oncogenicity, teratogenicity or reproductive effects. This request is part of an annual update of the list of chemicals not adequately tested as required under Title 27, California Code of Regulations, Section 27000.

There have been no updates or changes to the information that you requested on the enclosed list of chemicals. For additional information on a particular chemical and/or for future inquiries, this information is contained in the documents found on the EPA's chemical website: <https://www.regulations.gov>. For information on data requirements for pesticides undergoing Registration Review, this link should be helpful to you: <https://www.epa.gov/pesticide-reevaluation/upcoming-registration-review-actions>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Fehir".

Rick Fehir, Ph.D., Supervisor  
Science Information Management Branch  
Health Effects Division  
Office of Pesticide Programs  
U.S. Environmental Protection Agency