



Proposition 65 Staff Updates to the CIC

New Developments Since the 2024 CIC Meeting

1. Chemicals and endpoints added to the Proposition 65 list
2. Chemicals and endpoints under consideration for listing
3. Adopted safe harbor levels
4. Proposed safe harbor levels
5. For Committee Input – Section 25302(f)
6. Significant Proposition 65 litigation



Chemicals and Endpoints Added to the Proposition 65 List Since the 2024 CIC Meeting

Chemical	Listing Mechanism	Endpoint	Effective Date
Bisphenol S (BPS)	State's Qualified Experts	Male Reproductive	January 3, 2025
Bisphenol S (BPS)	State's Qualified Experts	Developmental	December 5, 2025



Chemicals and Endpoints Under Consideration for Listing:

Chemical	Mechanism	Endpoint	Data Call-in Closes
<i>p,p'</i> -Bisphenol chemicals	State's Qualified Experts	Reproductive toxicity	December 1, 2025



Safe Harbor Levels Adopted Since the 2024 CIC Meeting

Chemical	Safe Harbor	Level	Effective Date
Titanium Dioxide (airborne, unbound particles of respirable size)	No Significant Risk Level	Both levels apply to any given exposure: 440 µg/day ¹ 44 µg/day ²	October 1, 2025

¹Unbound, airborne particles with diameters of 10 micrometers or less.

²Unbound, airborne particles with diameters of 0.8 micrometers or less.



Proposed Safe Harbor Levels

Chemical	Safe Harbor	Proposed Level	Date Proposed
1-Bromopropane and Diethanolamine	No Significant Risk Level	1-Bromopropane 54 µg/day Diethanolamine 6.4 µg/day (dermal)	August 22, 2025



Other Proposition 65 Regulatory Activity For Committee Input

To be proposed as a regulatory amendment in the future:

Section 25302(f) A quorum of the Committee shall be a majority of the members appointed to the Committee. An affirmative vote of the majority of the ~~appointed~~ members present shall be required for any action of each Committee. A vacancy on a Committee shall not impair the right of the remaining members to exercise all powers of the Committee.



Significant Proposition 65 Litigation

Trial Court:

- *California Chamber of Commerce v. Bonta* (1st Amendment challenge to acrylamide warnings for food)
- *The Personal Care Products Council v. Bonta* (1st Amendment challenge to titanium dioxide warnings for cosmetics and personal care products)
- *Physicians Committee for Responsible Medicine v. OEHHA* (dispute over OEHHA not listing processed meat)

Appellate Court:

Consumer Advocacy Group v. Walmart (compelled arbitration)