

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

**NOTICE OF INTENT TO MODIFY A LISTING BY THE LABOR CODE MECHANISM:
ALCOHOLIC BEVERAGES**

AUGUST 3, 2018

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to modify the listing of alcoholic beverages as shown in the table below as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65¹). This action is being taken pursuant to the "Labor Code" listing mechanism². OEHHA has determined that the current listing of "Ethanol in Alcoholic Beverages" should be modified as follows³:

Chemical	CAS No.	Endpoint	References
Ethanol in Alcoholic beverages	---	Cancer	IARC (2010) IARC (2018)

Background: Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. OEHHA has adopted regulations concerning this listing mechanism in Title 27, Cal. Code of Regs., section 25904. As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether a chemical's listing is required by Proposition 65.

"Ethanol in Alcoholic Beverages" was listed as known to cause cancer in April 2011 based on a determination by IARC that ethanol in alcoholic beverages was classified in Group 1 (the agent is carcinogenic to humans)⁴.

¹ Health and Safety Code section 25249.5 *et seq.*

² Health and Safety Code section 25249.8(a) and Title 27, Cal. Code of Regs., section 25904.

³ There are two other related listings that will not be changed by this proposed action. "Ethyl Alcohol in Alcoholic Beverages" will remain listed for reproductive toxicity (developmental endpoint) and "Alcoholic Beverages, when Associated with Alcohol Abuse" will remain listed for cancer. These listings were made pursuant to other mechanisms and those findings have not changed.

⁴ International Agency for Research on Cancer (IARC, 2010) IARC Monographs on the Evaluation of Carcinogenic Risks to Humans. Alcohol Consumption and Ethyl Carbamate. Vol. 96. World Health Organization. Lyon, France. Available at: <http://monographs.iarc.fr/ENG/Monographs/vol96/mono96.pdf>

OEHHA's determination: IARC Monograph volume 96 (IARC, 2010) states:

Alcoholic beverages are carcinogenic to humans (Group 1)

In its online listing of classifications, IARC also lists alcoholic beverages as Group 1, carcinogenic to humans (IARC, 2018), also referencing Monograph 100E (IARC, 2012). Therefore, OEHHA has determined that the existing listing should be modified to reflect IARC's broader classification by striking the words "ethanol in" from the listing.

Opportunity for comment: OEHHA is providing this opportunity to comment as to whether the listing of "Ethanol in Alcoholic Beverages" should be modified by striking the words "ethanol in" so that it reflects the broader IARC determination. Because the Labor Code mechanism is a ministerial listing process, comments should be limited to whether IARC has changed its identification of "Ethanol in Alcoholic Beverages" to "Alcoholic Beverages". Under this listing mechanism, OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified this substance and will not respond to such comments if they are submitted (Title 27, Cal. Code of Regs., section 25904(c)).

Written comments must be received by 5:00 p.m. on Tuesday, September 4, 2018 to be considered. 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.

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Comments received during the public comment period will be posted on the OEHHA web site after the close of the comment period. Please do not include your address or phone number in your comments if you do not wish for that information to become publically available.

If you have any questions, please contact Ms. Michelle Ramirez at Michelle.Ramirez@oehha.ca.gov or at (916) 445-6900.

References

International Agency for Research on Cancer (IARC, 2010). IARC monographs on the evaluation of carcinogenic risks to humans, Volume 96. Alcohol consumption and ethyl carbamate. Lyon, France. Available from: <http://monographs.iarc.fr/ENG/Monographs/vol96/mono96-11.pdf>

International Agency for Research on Cancer (IARC, 2012). IARC monographs on the evaluation of carcinogenic risks to humans, Volume 100E. Consumption of alcoholic beverages. Lyon, France. Available from: <http://monographs.iarc.fr/ENG/Monographs/vol100E/mono100E-11.pdf>

IARC (2018). Agents Classified by the IARC Monographs, Volumes 1–121. Available from: http://monographs.iarc.fr/ENG/Classification/latest_classif.php