

California Environmental Protection Agency
Office of Environmental Health Hazard Assessment

NOTICE OF PETITION DECISION

**DECISION ON CENTER FOR ENVIRONMENTAL HEALTH PETITION REQUESTING
ADOPTION OF REGULATIONS SETTING A “NATURALLY OCCURRING” LEAD
LEVEL IN CANDY CONTAINING CHILI AND TAMARIND**

April 28, 2017

On March 14, 2017, the Office of Environmental Health Hazard Assessment (OEHHA) received a Petition for Rulemaking pursuant to Government Code section 11340.6. The Petition requests 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.” Following review of the petition and related materials, OEHHA has decided to schedule the matter for public hearing. The date, time and location of the hearing will be published in the California Regulatory Notice Register at a later date.

NAME OF AGENCY: Office of Environmental Health Hazard Assessment

PARTY SUBMITTING THE PETITION: Eric Somers, Lexington Law Group, on behalf of the Center for Environmental Health.

PROVISION OF THE CALIFORNIA CODE OF REGULATIONS REQUESTED TO BE AFFECTED: No current regulations will be affected. Petitioner is requesting the adoption of new regulations.

REFERENCE TO AUTHORITY TO TAKE THE ACTION: Health and Safety Code section 110552 authorizes OEHHA to “determine the naturally occurring levels of lead in candy containing chili and tamarind.”

REASONS SUPPORTING THE AGENCY’S DECISION: OEHHA has determined that it is possible OEHHA could move forward with a rulemaking.

CONTACT PERSON: Monet Vela, Regulations Coordinator, at (916) 323-2517 or monet.vela@oehha.ca.gov.

AVAILABILITY OF PETITION: The Petition is available upon request directed to OEHHA’s contact person listed above.