

**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 LIST CHEMICALS  
November 18, 2005**

The Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65), codified at Health and Safety Code section 25249.5 et seq., provides two primary mechanisms for administratively listing chemicals that are known to the State to cause cancer or reproductive toxicity (Health and Safety Code Section 25249.8(b)). A chemical may be listed under Proposition 65 when a body considered to be authoritative by the state's qualified experts has formally identified the chemical as causing cancer or reproductive toxicity. The following entities are identified as authoritative bodies for purposes of Proposition 65, as it pertains to chemicals known to cause reproductive toxicity: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer solely as to transplacental carcinogenicity, the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program (NTP) solely as to final reports of the NTP's Center for Evaluation of Risks to Human Reproduction. The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations, section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA), within the California Environmental Protection Agency intends to list 2,4-D (2,4-dichlorophenoxy) acetic acid and related compounds, as identified in the table below, as known to the State to cause reproductive toxicity, pursuant to this administrative mechanism as provided in Health and Safety Code section 25249.8(b) and Title 22, Cal. Code of Regs., section 12306.

Relevant information related to the possible listing of these identified chemicals was requested in a notice published in the *California Regulatory Notice Register* on August 22, 1997 (Register 97, No. 34-Z). A public forum was held on October 1, 1997. Comments were received and a response was provided to the commenter in June 2003. In consideration of the significant amount of time that had elapsed, the commenter was provided additional time to submit information not already provided relevant to the possible listing consideration of the identified chemicals. Additional information and comments were submitted. OEHHA has reviewed and responded to the submission, and determined that the criteria for listing under Title 22, Cal. Code of Regs., section 12306 has been met for these identified chemicals. Therefore OEHHA is issuing this notice of intent to list under Proposition 65 the chemicals listed in the table below. A document providing more detail on the basis for the listing of these chemicals can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: <http://www.oehha.ca.gov/>. Anyone wishing to provide comments as to whether the listing of these chemicals meet the criteria for listing

provided in Title 22, Cal. Code of Regs., section 12306 should send written comments in triplicate, along with any supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita  
Office of Environmental Health Hazard Assessment  
Street Address: 1001 I Street  
Sacramento, California 95814  
Mailing Address: P.O. Box 4010  
Sacramento, California 95812-4010  
Fax No.: (916) 323-8803  
Telephone: (916) 445-6900

**Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: [coshita@oehha.ca.gov](mailto:coshita@oehha.ca.gov). In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered, sent by FAX, or transmitted electronically) by 5:00 p.m. on Monday, December 19, 2005.**

The following chemical has been determined by OEHHA to meet the criteria set forth in Title 22, Cal. Code of Regs., section 12306 for listing as causing reproductive toxicity under the authoritative bodies mechanism:

Chemical	CAS No.	Reference
(2,4-dichlorophenoxy) acetic acid	94-75-7	U.S. EPA (1988, 2005 <sup>1</sup> )
2,4-D n-butyl ester	94-80-4	U.S. EPA (1988)
2,4-D isopropyl ester	94-11-1	U.S. EPA (1988, 2005)
2,4-D isooctyl ester	25168-26-7	U.S. EPA (1988)
Propylene glycol butyl ether ester (of 2,4-D)	1928-45-6	U.S. EPA (1988)
2,4-D butoxyethanol ester	1929-73-3	U.S. EPA (1988, 2005)
2,4-D dimethylamine salt	2008-39-1	U.S. EPA (1988, 2005)

<sup>1</sup> Documents included in the U.S. EPA administrative record that provide additional information on these chemicals (U.S. EPA, 2004a,b) are included by reference in U.S. EPA (2005)

## REFERENCE

US Environmental Protection Agency (US EPA, 1988). *Drinking Water Criteria Document for 2,4-D*. Environmental Criteria and Assessment Office, Office of Health and Environmental Assessment.

U.S. Environmental Protection Agency (U.S. EPA 2004a). 2,4-D Revised Occupational and Residential Exposure and Risk Assessment and Response to Phase One Comments for the Registration Eligibility Decision (RED) Document. Health Effects Division, Reregistration Branch, Office of Prevention, Pesticides and Toxic Substances, U.S. Environmental Protection Agency, Docket OPP-0167-004, available at:  
<http://docket.epa.gov/edkfed/do/EDKStaffCollectionDetailViewByID?collectionId=OPP-2004-0167>.

U.S. Environmental Protection Agency (U.S. EPA 2004b). Toxicology Disciplinary Chapter for the Reregistration Eligibility Decision Document. Health Effects Division, Reregistration Branch, Office of Prevention, Pesticides and Toxic Substances, U.S. Environmental Protection Agency, Docket OPP-0167-0019, available at:  
<http://docket.epa.gov/edkpub/do/EDKStaffItemDetailView?objectId=090007d4802c9079>

U.S. Environmental Protection Agency (U.S. EPA, 2005). Reregistration Eligibility Decision for 2,4-D. Office of Prevention, Pesticides and Toxic Substances, U.S. Environmental Protection Agency, available at:  
[http://www.epa.gov/oppsrrd1/REDs/24d\\_red.pdf](http://www.epa.gov/oppsrrd1/REDs/24d_red.pdf)