

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

NOTICE TO INTERESTED PARTIES

TITLE 27, CALIFORNIA CODE OF REGULATIONS

PROPOSITION 65

NOTICE OF PUBLIC HEARING AND EXTENSION OF PUBLIC COMMENT PERIOD

**PROPOSED AMENDMENTS
SECTIONS 25821(a) AND (c)
LEVEL OF EXPOSURE TO CHEMICALS CAUSING REPRODUCTIVE TOXICITY:
CALCULATING INTAKE BY THE AVERAGE CONSUMER OF A PRODUCT**

October 19, 2018

A Notice of Proposed Rulemaking announcing a proposed amendment to Article 8 of Title 27 of the California Code of Regulations, section 25821 was published in the California Regulatory Notice Register on October 5, 2018 (Notice File Number Z-2018-0925-07). The proposed amendment would clarify that where a business presents evidence for the “level in question” of a chemical listed as causing reproductive toxicity in a food product based on the average of multiple samples of that food, the level in question may not be calculated by averaging the concentration of the chemical in food products from different manufacturers or producers, or that were manufactured in different facilities from the product at issue. The proposed regulatory action would also modify subsection (c)(2) to clarify that, when determining whether exposure to a listed reproductive toxicant in a consumer product requires a warning, that the reasonably anticipated rate of intake or exposure from consumer products to the chemical be calculated as the arithmetic mean of the rate of intake or exposure for product users.. The October 5 notice initiated a 45-day public comment period that is scheduled to close on November 19, 2018. The Office of Environmental Health Hazard Assessment (OEHHA) has received a request from the California Chamber of Commerce to hold a public hearing on the proposed regulation.

OEHHA has scheduled a public hearing on Monday, November 19, 2018, at the George Alexeeff Environmental Health Library, Suite 1604, 16th Floor, 1515 Clay Street, Oakland, CA 94612. The public hearing will begin at 10:00 a.m. and continue until noon. If you have special accommodation needs, please contact Monet Vela at (916) 323-2517 or monet.vela@oehha.ca.gov by November 5, 2018. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

OEHHA hereby extends the public comment period on this proposed amendment to 5:00 pm, **Monday, November 26, 2018**. The public is encouraged to submit written information electronically via e-mail or through our website at

<https://oehha.ca.gov/comments> rather than in paper form. Send e-mail comments to P65Public.Comments@oehha.ca.gov (link sends e-mail). Please include “Calculating Exposure” in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

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