



Gavin Newsom, Governor
Jared Blumenfeld, Secretary for Environmental Protection
Lauren Zeise, Ph.D., Director

March 12, 2020

Neal D. Barnard, M.D., President
Physicians Committee for Responsible Medicine
5100 Wisconsin Avenue, Suite 400
Washington, DC 20016
pcrm@pcrm.org

Dear Dr. Barnard:

The San Francisco Chronicle reported on March 11, 2020 that the Physicians Committee for Responsible Medicine (PCRM) filed a lawsuit against the Office of Environmental Health Hazard Assessment (OEHHA) seeking to require that OEHHA list processed meats as a carcinogen under Proposition 65. OEHHA had carefully evaluated your petition and prepared but had not yet sent a response to your petition to list processed meats. Our response is as follows:

We are responding to the May 22, 2017 petition (Petition) by the Physicians Committee for Responsible Medicine (PCRM) for OEHHA to list “processed meat (consumption of)” as known to cause cancer under Proposition 65 via the “Labor Code” listing mechanism.¹

We decline to list processed meats because there is not a sufficient identification for OEHHA to make a listing under the Labor Code mechanism, as discussed below.

At the time PCRM submitted the Petition, the International Agency for Research on Cancer (IARC) had not yet released its monograph explaining the classification of “processed meat (consumption of).” To determine the scope of the processed meat classification, OEHHA consulted the Lancet Oncology article² authored by IARC staff:

“Processed meat refers to meat that has been transformed through salting, curing, fermentation, smoking, or other processes to enhance flavour or improve preservation. Most processed meats contain pork or beef, but might also contain other red meats, poultry, offal (eg, liver), or meat byproducts such as blood.”

¹ The petition cites to Government Code section 11340.6 as authority for the request to list processed meats, however Proposition 65 listings are exempt from the Administrative Procedure Act pursuant to Health and Safety Code section 25249.8(e).

² Bouvaud et al. Carcinogenicity of consumption of red and processed meat, Lancet Oncology, 16(16): 1599-1600, 2015. [https://doi.org/10.1016/S1470-2045\(15\)00444-1](https://doi.org/10.1016/S1470-2045(15)00444-1).

Given the wide range of products included in the scope of “processed meats,” OEHHA in June 2017 determined and advised PCRM that it would have to review the IARC Monograph when published to understand the types of foods IARC considered processed meat.

As you know, in 2018 IARC published *Monograph Volume 114* that classified the consumption of processed meat as “carcinogenic to humans.” The Monograph provided IARC’s critical review and evaluation of evidence on the carcinogenicity of processed meat, and provided an expanded discussion of what IARC meant by “processed meat”:

“Processed meat refers to any meat that has been transformed through one or several of the following processes: salting, curing, fermentation, smoking, or other processes to enhance flavour or improve preservation. Most processed meats are made from pork or beef, but may also include other red meats, poultry, offal, or meat by-products such as blood... As there is a huge variety of processed meat products, it is difficult to sort them into categories (Santarelli et al., 2008). However, based on recommendations by the Food and Agriculture Organization of the United Nations (FAO) (Heinz & Hautzinger, 2007), different groups of industrial processed meats can be proposed.”

IARC explained that processing methods may or may not include the use of nitrate and other preservatives, and that processing results in distinct products.³ In citing the Food and Agriculture Organization⁴, IARC noted “different groups of industrial processed meats can be proposed”, naming cured meat pieces, fresh industrial processed meat products (e.g., sausage and kebab), precooked ready-to-eat products, fermented sausages, and dried meat. IARC’s discussion of processed meats also included references to hamburger meat with fat, salt or other ingredients added. Thus, IARC included a wide array of meat products within the term “processed meat.”

In the Monograph, IARC also stated that processed meat:

“...encompasses heterogeneous food products (see Section 1). ... the different processing methods that may or may not include use of preservatives (e.g. nitrate/nitrite) result in distinct products. *However, the available cancer data do not allow a distinction to be made between different types of ... processed meat products.*”⁵ (Emphasis added)

³ IARC Monographs, volume 114, General Remarks, page 34

⁴ Heinz G, Hautzinger P, 2007, Meat processing technology for small-to median – scale producers. Rome, Italy: Food and Agricultural Organization of the United Nations, In: IARC Monographs, volume 114, page 94

⁵ IARC Monographs, volume 114, General Remarks, page 34

Neal D. Barnard, M.D.
March 12, 2020
Page 3

Thus, cancer data that IARC reviewed in its Monograph did not allow it to distinguish among specific processed meat products that cause cancer from those that may not. IARC found that the cancer studies to date are not able to distinguish between, for example, nitrite-cured pork sausages and fresh pork sausages or hamburger prepared with only table salt, pepper, and spices. Moreover, even though the IARC definition of "processed meats" includes poultry (p. 37), the Monograph states that it did not include studies of processed poultry in its evaluation of carcinogenicity (p. 108). IARC did not conclude that any specific types of processed meat are known to be carcinogenic.

Proposition 65 is a right-to-know statute that entitles Californians to clear and reasonable warnings about specific substances that can cause cancer. Under these circumstances, the listing of "processed meat (consumption of)" would not provide adequate guidance to consumers or businesses since the listing would include meat products that have not been shown to cause cancer. Such a broad listing would not allow a distinction to be made between different processed meat products and would likely compel warnings on products that are not known to cause cancer. Furthermore, it would result in an over-inclusive warning, which would not further the purposes of Proposition 65.

After carefully reviewing the Monograph and considering the issues described above, OEHHA declines to list "processed meats (consumption of)" under Proposition 65 via the Labor Code mechanism.

Sincerely,



Allan Hirsch
Chief Deputy Director

cc: Mark Kennedy, Vice President for Legal Affairs
Physicians Committee for Responsible Medicine

Lauren Zeise
Director

Carol J. Monahan-Cummings
Chief Counsel