

November 7, 2025

California Office of Environmental Health Hazard Assessment
Proposition 65 Implementation
1001 I Street
23rd Floor
Sacramento, CA 95814

RE: Public Comment on Proposed Rulemaking: Title 27 California Code of Regulations, Section 25705 No Significant Risk Level for Diethanolamine dated August 22, 2025

The Independent Beauty Association (IBA), a non-profit trade association representing over 600 entrepreneurial companies across North America, respectfully submits the following comments in response to OEHHA's Notice of Proposed Amendment to Section 25703 Specific Regulatory Levels Posing No Significant Risk and the Initial Statement of Reasons (ISR) for a proposed dermal No Significant Risk Level (NSRL) for diethanolamine (DEA) of 6.4 micrograms/day "ug/day" on September 19, 2025.

IBA was founded in 1974 with the mission to foster the success of entrepreneurial companies in the independent cosmetic and personal care industries operating in the U.S. market. IBA's membership represents a broad cross-section of the independent beauty industry including brands, raw material and packaging suppliers, finished product manufacturers and retailers, as well as providers of essential services such as legal, regulatory, technical, operational, and business advice.

IBA respectfully requests OEHHA to withdraw the proposed NSRL for DEA in order to reconsider the resources and references used to arrive at the proposed 6.4 µg/day NSRL. We believe there remains an opportunity to revisit the underlying data and to consider more appropriate, human-relevant absorption information in future evaluations, as the current proposal is not scientifically supportable and appears to oversimplify key aspects, particularly with regard to the percutaneous penetration data.

Additionally, we have reviewed the comments submitted by the Personal Care Products Council (PCPC) regarding OEHHA's proposed NSRL for DEA and align with their evaluation of the scientific literature and interpretation of the available data. Their approach is consistent with the principles of toxicology that should guide the development of safe harbor levels for DEA.

If OEHHA decides to proceed with a proposed NSRL for DEA, IBA asks that the above technical factors be considered in a reevaluation of the NSRL calculation. We would welcome continued dialogue with OEHHA and the opportunity to provide additional data or scientific context that may assist in refining the agency's assessment. Our shared goal is to ensure that any established NSRL for DEA is based on the most robust and representative data available and reflects a scientifically defensible understanding of actual human exposure potential.

IBA is thankful for the forum to submit these comments on the proposed DEA NSRL and welcomes further opportunity to engage OEHHA to foster a better understanding of the beauty industry and to provide additional context and perspective on the interpretation, implementation, and impact of this proposed NSRL on small to mid-sized businesses in the beauty and personal care product sector.

Respectfully submitted,

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Independent Beauty Association