Office of Environmental Health Hazard Assessment

Proposition 65
Regulatory Update
Project
May 23, 2011
Agenda

• Welcome/Introductions
  ◦ Allan Hirsch, OEHHA Chief Deputy Director
• Overview
  ◦ Carol J. Monahan-Cummings, OEHHA Chief Counsel
• Current projects/Concepts being considered
• Public Comments/Suggestions
“The Governor shall designate a lead agency and other agencies that may be required to implement this chapter, including this section. Each agency so designated may adopt and modify regulations, standards, and permits as necessary to conform with and implement this chapter and to further its purposes.”
Short History of Prop 65 Regulatory Efforts

- 1986 Proposition 65 enacted
- 1987-1989 Original regulations developed and adopted (35 sections)
- 2000 OEHHA initiated “Clarifying Reg Project”
- 2001 General non-substantive revisions to regulations
- 2002 Changes to Safe Use Determination regulations
Short history (continued)

- 2008 – Non-substantive changes – move from Title 22 to Title 27; reorganization of section 25601 – Clear and Reasonable Warnings.
- 2009 – amendment of Section 25204 – Safe Use Determinations.
- 2010 – amendment of Section 25903 – Allows for Electronic Service of 60-day Notice.
- 2011 – amendment of Sections 25801 & 25803 – No Observable Effects Level - clarifications.
Current Projects

- Definitions – Section 25102
- Science Advisory Committees – Section 25302 et seq.
- Warnings for listed chemicals in foods – Section 25601 et seq.
Other Concepts

- Changes to “naturally occurring” regulation
- Guidance on establishing an alternative risk level for chemicals formed in foods via cooking
- Updating scientific guidance to take into account current scientific methodology
Next Steps

- Review comments and suggestions
- Prioritize projects
- Schedule public workshops for proposed amendments
- Begin formal regulatory process
Comments/Suggestions?

For written comments, please e-mail Fran Kammerer – fkammerer@oehha.ca.gov

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