

## California OEHHA to Revise Proposition 65 Warnings

On March 7, the Office of Environmental Health Hazard Assessment (OEHHA) of California published a draft document to revise Proposition 65 warnings requirements. The document was released for discussion purpose and the first discussion took place on April 14. After the discussion, the California Chamber of Commerce requested an extension of public comment period, changing the closing date from May 14 to June 13, 2014.

OEHHA states that the purpose of this revision is to clarify the compliance obligations to businesses and to improve the quality of Proposition 65 warnings shown to the public.

Major changes included in the proposal are as below:

- Businesses will be required to submit information on the harmful chemical(s) to OEHHA. Provided information includes but is not limited to: identity of the chemical, anticipated route of exposure and anticipated level of human exposure. The information will eventually be disclosed to the public.
- Disclosure of the names of up to 12 commonly-known chemicals that require warnings:

(1) Acrylamide	(7) Formaldehyde
(2) Arsenic	(8) Lead
(3) Benzene	(9) Mercury
(4) Cadmium	(10) Phthalates
(5) Chlorinated Tris	(11) Tobacco smoke
(6) 1,4-Dioxane	(12) Toluene



- Detailed requirements regarding the form of the warning such as size of letters and layout will be specified in the regulation. Consumer products other than foods, prescription drugs and medical devices, or dental services are required to carry the international health hazard symbol.
- Small retailers with fewer than 25 employees will be allowed to cure certain minor violations, such as inadvertent obstruction of a warning sign, in a short period of time.

Businesses in California are advised to monitor the progress of this amendment. The initial rulemaking process is expected to begin in summer of this year.

### Link

#### Notice of Public Workshop

<http://oehha.ca.gov/prop65/warnings/030714warningworkshop.html>