

Procedure for Prioritizing Chemicals for Consideration Under Proposition 65 by the “State’s Qualified Experts”

Comments made on behalf of



Consumer Healthcare Products Association



Grocery Manufacturers of America



National Food Processors Association

Meeting of the Science Advisory Board's Carcinogen Identification Committee
November 1, 2004

The proposed changes to the Prioritization Procedure

. . . are less scientific

do not evaluate key issues

reduce communication and information

treat Authoritative Bodies inconsistently

No Review of New Information



Current Procedure



Proposed Revisions

"Assigned priorities may change as new scientifically valid toxicological information . . . becomes available." §2.1 at 2.

Closed to new information after prioritization

Key Issues Not Examined



Current Procedure

“the level of analysis employed during the course of assigning final priorities will vary according to the complexity of the toxicological issues to be addressed.” § 2.2



Proposed Revisions

*“Complicated scientific issues concerning chemicals under consideration are not addressed in the prioritization process . . .”
(page 3)*

Key Issues Not Examined



Current Procedure



Proposed Revisions

... examines the relevance of a particular tumor type to humans

... ignore any relevance when issues are complicated

... examines interspecies differences in toxicity or pharmacokinetics

... ignore these differences when issues are complicated

Less Communication and Information



Current Procedure



Proposed Revisions

... requires preliminary assessment of all key scientific issues raised

... provides for public workshops to discuss, define and develop complicated issues

... requires consideration of authoritative body analyses

... avoid complicated scientific issues

... remove public workshop option for complicated issues

... treats authoritative body analyses inconsistently

Inconsistent Treatment of Authoritative Bodies



Current Procedure



Proposed Revisions

... considers an authoritative body opinion that a causal cancer link is supported by the evidence as 'authoritative'

... hold that findings that a causal cancer link is supported by the evidence are 'authoritative'

... also considers a finding that a causal cancer link is not supported by the evidence as 'authoritative'

*... hold that findings that a causal cancer link is not supported by the evidence are **not** 'authoritative'*

The proposed changes to the Prioritization Procedure

. . . are less scientific

do not evaluate key issues

reduce communication and information

treat Authoritative Bodies inconsistently

CHPA, GMA and NFPA and their members
urge the proposed revisions not be adopted.