CALIFORNIA
GRAPE & TREE FRUIT
LEAGUE

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RE: Proposed Prop 65 listing for tetraconazole

Ms. Cynthia Oshita Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010

January 16, 2012

Dear Ms. Oshita:

I am writing to submit comments on behalf of the California Grape and Tree Fruit League (the League) regarding the proposed Prop 65 listing for tetraconazole. The League is a voluntary trade association comprised of growers, packers, and shippers of fresh table grapes and deciduous tree fruit. Our members collectively account for approximately 85 percent of the total annual production of these commodities in California. This product would, according to trials conducted by well-respected scientists, provide a valuable alternative for our members and the industry.

The League respectfully requests OEHHA to postpone the Intent to List process under Proposition 65 because of the following facts:

- The manufacturer is requesting OEHHA wait for key, new data to be completed and submitted to OEHHA later this year.

- The manufacturer met with the US EPA in October 2011. The US EPA agreed with the manufacturer that providing the Agency with specific, new scientific data on the "mode of action" would help resolve questions on the human relevance of the rodent studies on tetraconazole.

- The US EPA concurred that similar scientific data on other triazole antifungal agents has altered their conclusions on the human relevancy of the cancer data on these similar chemicals. The US EPA's expectation is that there is an underlying likeliness that similar change in their cancer evaluation of tetraconazole could be generated from tetraconazole-specific mode-of-action data.

- The procedures for producing the scientific data have been agreed to with the US EPA.

- The requested data is scheduled to commence within a month.

- The 28-day study is currently being conducted and the final report is likely to be available within six months.

Because this crucial scientific data, which is directly relevant to the OEHHA decision making process under Proposition 65, and was not considered in the 2000 evaluation by the US EPA that OEHHA is using as the sole basis for administratively listing tetraconazole under Proposition 65, the League is requesting that OEHHA postpone further consideration of tetraconazole until the new data is received and evaluated.

Thank you for your consideration and please do not hesitate to contact us with any questions.

Sincerely,

Barry Bedwell
President