

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986

**NOTICE OF AUGMENTATION OF RECORD AND 15-DAY PUBLIC COMMENT
PERIOD**

**TITLE 27, CALIFORNIA CODE OF REGULATIONS
PROPOSED SECTIONS 25607.48 AND 25607.49**

**ARTICLE 6 CLEAR AND REASONABLE WARNINGS
WARNINGS FOR EXPOSURES TO GLYPHOSATE FROM CONSUMER
PRODUCTS**

June 28, 2022

Public Hearing Date: September 9, 2021

Public Availability Date: June 28, 2022

Deadline for Public Comment: July 13, 2022

The Office of Environmental Health Hazard Assessment (OEHHA) is augmenting the administrative record for the proposal to adopt Title 27, California Code of Regulations, sections 25607.48 and 25607.49.

As required by Government Code section 11347.1(b), OEHHA is giving notice of this augmentation of the record and announcing a 15-day public comment period on the proposed augmentation.

Background

OEHHA first proposed the regulation by publishing a Notice of Proposed Rulemaking in the California Regulatory Notice Register (CRNR) on July 23, 2021¹. In parallel, OEHHA issued an Initial Statement of Reasons and draft regulatory language for the proposal. OEHHA provided a 76-day comment period on the original proposal, from July 23 to October 7, 2021. A public hearing was held on September 9, 2021. Following review of the comments on the initial proposal, on April 13, 2022, OEHHA modified the proposal and added documents to the administrative record for this action. The comment period on this action closed on May 5, 2022. Subsequently, OEHHA determined that additional documents should be added to the administrative record.

¹ CRNR 2021, Number 30-Z; Notice File Number Z2021-0713-02

Documents Added to the Record

The purpose of this notice is to provide the public with notice of the augmentation of the administrative record for this action and to open a 15-day public comment period, running from June 28, 2022, through July 13, 2022. OEHHA is adding the two documents because of the recent 9th Circuit Court decision in [NRDC v US Environmental Protection Agency](#) (Case No. 20-70787 and No. 20-70801 – Filed June 17, 2022). Consistent with the Administrative Procedure Act, OEHHA will only address comments received during this comment period that address the documents added to the administrative record. Details on how to submit comments are provided below.

OEHHA is adding the following additional documents relied on to the administrative record for this action:

US Environmental Protection Agency (US EPA 2017). Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential. December 12, 2017. U.S. Environmental Protection Agency, Office of Pesticide Programs, available at: https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=534487.

US Environmental Protection Agency (US EPA 2015). Glyphosate: Report of the Cancer Assessment Review Committee. Evaluation of the Carcinogenic Potential of Glyphosate. October 1, 2015. U.S. Environmental Protection Agency, Health Effects Division, Office of Pesticide Programs, available at: <https://downloads.regulations.gov/EPA-HQ-OPP-2016-0385-0014/content.pdf>.

Copies of these materials are available through links provided above or on OEHHA's website at <https://oehha.ca.gov> or on request as provided below. For more information please visit <https://oehha.ca.gov/proposition-65/cmr/notice-augmentation-record-and-15-day-public-comment-period-exposures-glyphosate>.

Submission of Public Comments

All written comments must be submitted to OEHHA by electronic submission, mail, or hand-delivery, by July 13, 2022, as indicated below. OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>, rather than in paper form. Alternatively, comments can be submitted in paper form, by either mail or delivered in person.

Electronic Submission (preferred):

Through OEHHA website at: <https://oehha.ca.gov/comments>

Mailed Submission:

Attention: Monet Vela
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010

In-person delivery submission:

Attention: Monet Vela
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
Sacramento, California 95814

OEHHA encourages all commenters to submit their comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines 2.0² and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology and those with visual impairments are able to listen to them.

Inquiries concerning the action described in this notice may be directed to Monet Vela, in writing at the address given above, by email at Monet.Vela@oehha.ca.gov, or by telephone at (916) 323-2517.

² <https://www.w3.org/WAI/standards-guidelines/wcag/>