

**Title 27, California Code of Regulations**

**ARTICLE X**

**Lead Agency Website**

**DRAFT REGULATION  
FOR DISCUSSION PURPOSES ONLY**

**September 23, 2014**

NOTE: This section would be proposed concurrent with the “clear and reasonable” warning regulations, but as a stand-alone regulation that is not subject to private enforcement.

§ 25\_\_\_ Lead Agency Website

(a) The lead agency will develop and maintain a website to collect and provide information to the public concerning exposures to listed chemicals for which warnings are being provided pursuant to Health and Safety Code Section 25249.6. In carrying out this provision the lead agency will:

- (1) Develop an interactive web-based portal to collect and display the information provided pursuant to subsection (b) and other information compiled by the Lead Agency.
- (2) Provide a process for a person to request a correction of information provided on the website. The person making such a request shall provide information showing that such material is inaccurate.
- (3) Provide information to the public concerning listed chemicals, common routes or pathways of exposure and strategies for reducing or avoiding exposure to those chemicals, where possible, including but not limited to exposures from listed chemicals, through:
  - (A) Ingesting foods
  - (B) Contact with or use of consumer products or dental services
  - (C) Common environmental scenarios
  - (D) Occupational activities
- (4) Provide links to other authoritative entities including, but not limited to: the federal Food and Drug Administration, the federal National Toxicology Program, the U.S. Surgeon General, the National Institute of Occupational Safety and Health, the National Academy of Sciences, the U.S. Environmental Protection Agency, the International Agency for Research on Cancer, the National Institute of Health, to assist individuals who wish to obtain additional information about listed chemicals, nutritional benefits, health concerns or related issues.
- (5) Provide available information concerning the anticipated level of human exposure to the listed chemical.
- (6) Provide a disclaimer indicating that OEHHA cannot assure the accuracy of information it has received under section (b) from manufacturers, producers, distributors, or importers of consumer products.

(b) The manufacturer, producer, distributor, or importer of a consumer product, including food, or a particular industry sector, must provide the information below, upon the Lead Agency’s request, within the timeframe specified in the request:

- (1) The name and contact information for the person providing the information.
  - (2) The name and contact information for the manufacturer of the product.
  - (3) The name of the listed chemical or chemicals for which a warning may be required.
  - (4) The location of the chemical on or in the product, if the product contains multiple component parts.
  - (5) The matrix in which the listed chemical is found in the product and the concentration of the listed chemical in the product matrix, if known.
  - (6) The anticipated route, routes, or pathways of exposure to the listed chemical for which the warning is being provided.
  - (7) Any other information the Lead Agency deems necessary for the furtherance of this section.
- (c) Compliance with the requirements of subsection (b) shall not be deemed to constitute compliance with the requirement to provide a “clear and reasonable” warning pursuant to Health and Safety Code Section 25249.6, nor shall failure to comply with this section constitute a violation of Health and Safety Code section 25249.6.

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.11 Health and Safety Code.