



1773 T St, N.W. Washington, D.C. 20009
(202) 223-0101, Fax (202) 223-0250
NPAinfo.org

NEWS RELEASE

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Contact: Justin Bartolomeo
(202) 789-4365
jbartolomeo@hdmk.org

NPA Submits Comments on Prop 65 Level of Exposure to Chemicals Causing Reproductive Toxicity

Washington, DC- The Natural Products Association (NPA) today announced it submitted comments to the California Office of Environmental Health Hazard Assessment (OEHHA) on Pre-Regulatory Proposal in Response to Center for Environmental Health's Petition Requesting Repeal or Amendment of the Safe Harbor Level for Lead, Amendment to Section 25805(b). NPA rejected OEHHA's proposal in comments filed on October, 28, 2015 to limit the calculation to only use arithmetic mean as it doesn't take into effect skewed data. NPA strongly believes that the data set should determine which calculation is appropriate to use. A summary of NPA's position:

- **Arithmetic mean shouldn't be a "one-size-fits-all approach" to defining the "average" user in Prop 65**
- **Use of the arithmetic mean equates to a contrary science mixture made up of equal parts bad policy and junk science.**
- **Selection of the mean should be on done using good science on a case-by-case basis**
- **NPA supports use of the geometric mean when there is a log normal distribution**

You can view the initial OEHHA post [HERE](#) and view NPA comments [HERE](#)

"OEHHA has defended cases in court using calculations other than arithmetic mean along with supporting their scientific studies," said Fabricant. "NPA believes by limiting the calculation to just arithmetic mean will cause over-warning since arithmetic mean doesn't take skewed data into consideration and in return showing higher results. Companies will be forced to label their products with the Prop 65 warning when there is minimal risk."

NPA also rejected on October, 28, 2015 OEHHA's position on changing the daily serving of lead from 0.5ug to 0.2ug, lowering the maximum by 60%. The MADL for lead is already 150 times lower than FDA's actionable lead limit. NPA outlined the following points in its comments:

- **Selection Of The Lowest Blood Lead Level With No Observed Effect Was Not Scientifically Sound**



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- **OEHHA’s Telisman Study Does Not Predict Blood Lead Levels With Short-Term Exposure**
- **OEHHA should factor in the impact of briefer durations of exposure (less than two weeks) into their analysis and estimate for the lead MADL**
- **OEHHA’s failure to amend the 1,000 fold safety factor in determining the MADL for lead and other chemicals amounts to a complete disregard for current science**

“The proposed MADL will create “overwarning”, desensitization among consumers, and increased litigation,” said Dan Fabricant, Ph.D., Executive Director and CEO of NPA. “OEHHA did not present an economic impact analysis for the cost to the Agency, businesses or tax payers. Furthermore, the proposed change will seek to overturn 2015 “Beach-Nut” Appellate Court ruling. Lastly, NPA urges OEHHA to cease all proposed changes to MADLs for lead and other chemicals proposed in the future.”

You can view the initial OEHHA post [HERE](#) and view NPA comments [HERE](#)

Natural Products Association

The **Natural Products Association (NPA)** is *the* trade association representing the entire natural products industry. We advocate for our members who supply, manufacture and sell natural ingredients or products for consumers. NPA has set numerous industry standards, such as dietary supplement Good Manufacturing Practices (GMPs), as well as a definition of natural for home care and personal care products. NPA, which represents over 2,000 members accounting for more than 10,000 locations of retailers, manufacturers, wholesalers and distributors of natural products, including foods, dietary supplements, and health/beauty aids, has led the charge to keep the natural products industry in business for 78 years. Visit www.NPAinfo.org.

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