



California's Unique Right-To-Know Law

April, 2012





-
- safe consumer products
 - safe business practices
 - safe food, air & water



CENTER FOR ENVIRONMENTAL HEALTH
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Safe Drinking Water and Toxic Enforcement Act (Proposition 65)

Most Exposures

Businesses must provide Californians with a clear and reasonable warning before exposing them to a toxic chemical.

Drinking Water Exposure

Businesses *prohibited* from discharging a toxic chemical into a source of drinking water.

What makes Proposition 65 unique?

- Passed as a ballot initiative in 1986
- Supported by 63% of California voters
- State required to identify toxic chemicals
- Shifted burden of proof to businesses
- Authorized private enforcement

How does California identify toxic chemicals?

California uses four different processes:

- In three of them, California bases its decision on decisions made by federal and international agencies.
- The fourth mechanism uses scientific experts to make an independent assessment.

Proposition 65 Success Stories

- Toxic Trends
- Carcinogenic Coke
- Poisonous Perc
- Candy Catastrophe



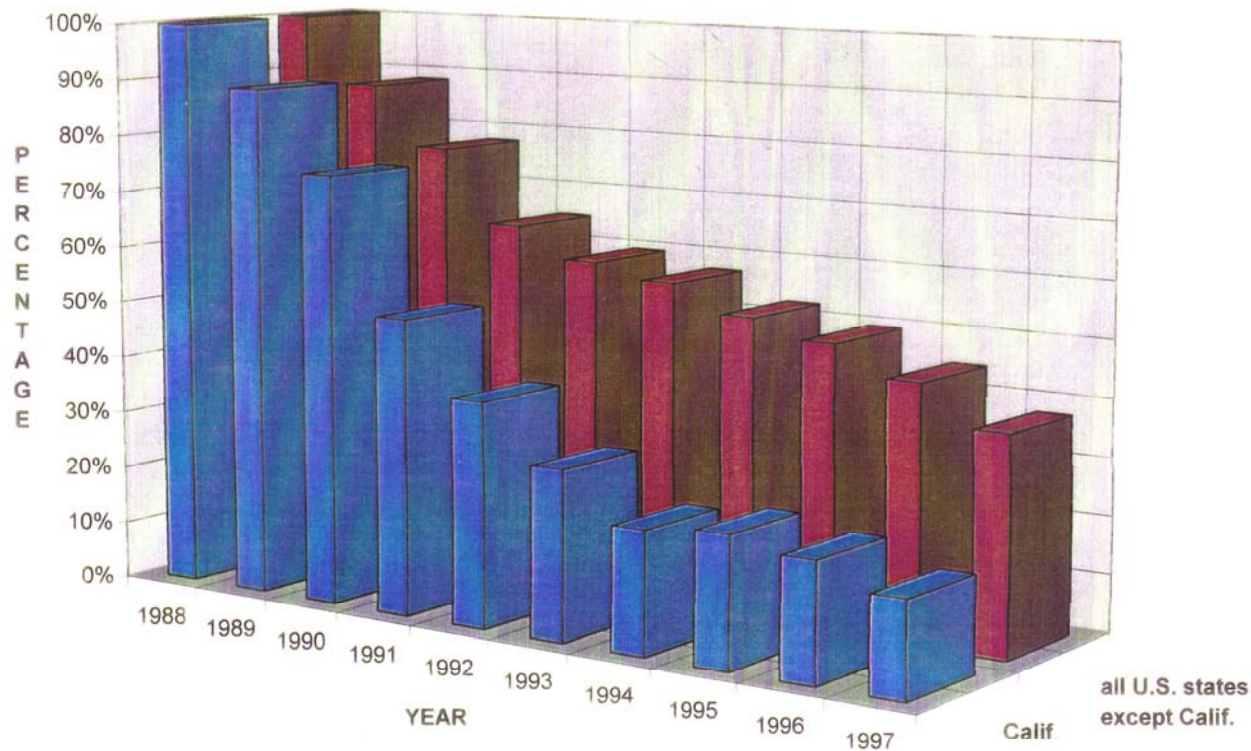
TRI chemicals that are also Proposition 65 chemicals



The Toxics Release Inventory and Proposition 65 both became law in 1986 and were implemented in 1988.

Complementary reductions

AIR EMISSIONS OF SPECIFIC TOXIC CHEMICALS, 1988-1997
Trend for U.S. and California: Carcinogens and Reproductive Toxins
(All data shown as percentage of 1988 emissions) Source: TRI Reports



4-methylimidazole



- Contaminant in the caramel color used in Coke and other colas
- Identified as cancer-causing by the National Toxicology Program
- Added to Proposition 65 in January 2012

Impact of Proposition 65

Before January 2012

UC Davis researchers and CEH found significant levels of methylimidazole in cola products.

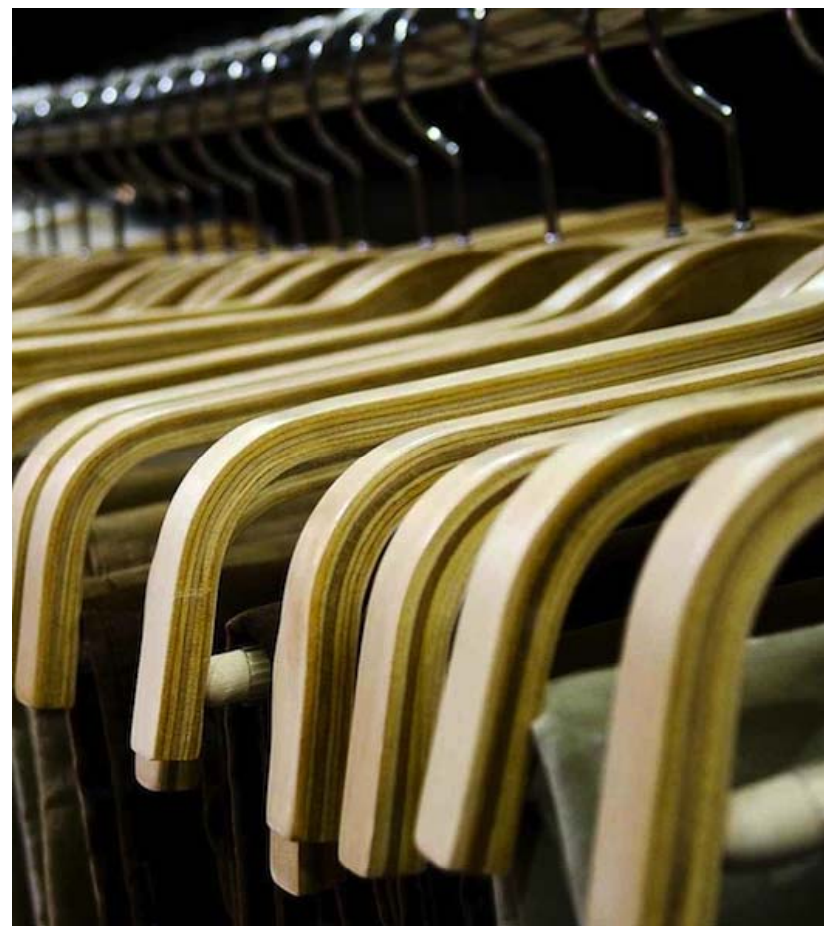
After January 2012

“We have asked our caramel manufacturers to modify their production process to reduce the amount of 4-MEI”

-- *Coca-Cola statement*



Perchloroethylene



Impact of Proposition 65

Scope

- Perc added to Proposition 65 list as a carcinogen in 1988
- Successful litigation with over 60 companies

Results

Emission reductions of over 1,000,000 pounds per year statewide

Lead



Impact of Proposition 65

Strict limits on lead content

“... a fundamental shift in the way this candy is produced -- a shift that will give untold hundreds of thousands of children a chance at a better life.”

-- *Los Angeles City Attorney Rocky Delgadillo*

Funding for safer candy

- educate consumers about lead poisoning
- lead testing services and environmental audits for candy manufacturers

A close-up photograph of a young child with dark skin and short hair, wearing an orange and black jacket, peeking over a field of tall green grass. The child's eyes are looking directly at the camera with a slight smile. The background is a soft-focus green field.

Strong right to know laws are
effective tools for reducing the
use of toxic chemicals.



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