



## PROP 65 LISTING FOR ROUNDUP

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OEHHA has proposed that glyphosate be listed with a No Significant Risk Level (NSRL) of 1100 micrograms per day. For chemicals assessed under Prop 65 for cancer sets a threshold risk level which represents no significant risk shall be one which is calculated to result in one excess case of cancer in an exposed population of 100,000, assuming lifetime exposure at the level in question.

This glyphosate value was based on the results of the most sensitive scientific study to be deemed by the agency to be of sufficient quality. The effective date of this listing has not been determined pending the resolution of litigation with Monsanto regarding OEHHA's use of the IARC findings.

The deadline for filing comments with OEHHA regarding this listing is May 22. California progressed in its effort to list Monsanto's herbicide a carcinogen after a judge in Fresno ruled finally in mid-March that the state could rely on international standards in its effort require cancer warnings on Roundup.

"The Labor Code listing mechanism does not constitute an unconstitutional delegation of authority to an outside agency, since the voters and the Legislature have established the basic legislative scheme and made the fundamental policy decision with regard to listing possible carcinogens under Proposition 65, and then allowed the IARC to make the highly technical fact-finding decisions with regard to which specific chemicals would be added to the list," Fresno Superior Court Judge Kristi Kapetan wrote.

The IARC refers to the International Agency for Research on Cancer, a division of the World Health Organization. The agency listed glyphosate – the main ingredient in Roundup – as a "probable carcinogen to humans" in March 2015.

The listing prompted California's Office of Environmental Health Hazards to file a notice of intent to list the chemical as a possible carcinogen as required by Proposition 65, passed by voters in 1986. After office filed the notice in September 2015 Monsanto quickly sued, claiming the reliance on the IARC guidelines was unconstitutional. Monsanto maintains glyphosate is safe.