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Proposition 65 Safe Use Determinations (SUDs)



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A Safe Use Determination (SUD) is a written statement issued by OEHHA, which interprets and applies Proposition 65 and its implementing regulations to a specific set of facts in response to a request by a business or a trade group. Requests for SUDs seek OEHHA’s determination whether an exposure or discharge of a listed chemical resulting from specific business actions or the average use of a specific product is subject to the warning requirement or discharge prohibition. The SUD determines if the discharge or exposure is at or below the Safe Harbor number. Regulations setting out the requirements for requesting a SUD are found in Title 27, California Code of Regulations, section 25204.

Slide Presentation - [Safe Use Determination Requests: Essential Elements](#)

[More information about the Safe Use Determination \(SUD\) process.](#)

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Apr 9, 2020: [Issuance of Safe Use Determination for Exposures to Bisphenol A from Certain Polycarbonate Eyewear Products Manufactured, Distributed, or Sold by The Vision Council Member Companies](#)

OEHHA received a request for a Safe Use Determination (SUD) for exposures to bisphenol A (BPA) [2] from certain polycarbonate eyewear products manufactured, distributed, or sold by The Vision Council (TVC) member companies. The request was made by TVC, pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

Feb 21, 2020: [Issuance of Safe Use Determination for Exposures to Crystalline Silica From The Use of Four WOODWISE® Products](#)

OEHHA received a request for a Safe Use Determination (SUD) for exposures to crystalline silica in four Woodwise® wood filler products. The request was made by Design Hardwood Products, Inc. (DHPI), pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

Jan 3, 2020: [Issuance of Safe Use Determination for Styrene in Fiber Care Baths, Inc. Bathware Products Manufactured Utilizing 1st And 2nd Laminations Systems and Lv-9800 Acrylated Gel-Coat](#)

OEHHA received a request for a Safe Use Determination (SUD) for styrene in Fiber Care Baths, Inc. bathware products. The request was made by Tech America Corp. on behalf of Fiber Care Baths, Inc., pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

Nov 15, 2019: [Issuance of Safe Use Determinations and Interpretive Guidelines for Chlorothalonil Residues in Certain Foods Resulting from Pesticidal Use of the Chemical](#)

OEHHA is issuing the following SUDs to Syngenta Crop Protection, LLC for chlorothalonil exposures resulting from consumption of residues in certain foods, as specified below.

Mar 8, 2019: [Acceptance of a Request for a Safe Use Determination for Exposures to Bisphenol A in Certain Eyewear Products Manufactured, Distributed or Sold by the Vision Council Member Companies, and Opportunity for Public Comment](#)

This request is limited to exposures to bisphenol A from the specified eyewear products (prescription glasses, OTC reading glasses, non-prescription sunglasses, and safety glasses).

Mar 8, 2019: [Acceptance of a Request for a Safe Use Determination for Exposures to Crystalline Silica in WOODWISE® Products, and Opportunity for Public Comment](#)

This request is limited to exposures to crystalline silica (airborne particles of respirable size) from the four specified WOODWISE® wood filler products.

Aug 17, 2018: [Acceptance of a Request for a Safe Use Determination for Styrene in Fiber Care Baths, Inc. Bathware Products Manufactured Utilizing 1st and 2nd Laminations Systems and LV-9800 Acrylated Gel-Coat and Opportunity for Public Comment](#)

This SUD request is limited to exposures to styrene from Fiber Care Baths, Inc. bathware products manufactured utilizing 1st and 2nd laminations systems and application of the LV-9800 acrylated gel-coat. Exposure to other listed substances, if any, which may be present in these materials will not be reviewed by OEHHA in the context of this request.

Dec 15, 2017: [Issuance of Safe Use Determinations for Diisononyl Phthalate \(DINP\) in Interface Glasbac® and Glasbac®RE Modular Carpet Tiles](#)

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement

Nov 22, 2017: [Notice of Extension of Public Comment Period for Acceptance of a Request for a Safe Use Determination \(SUD\) for Chlorothalonil in Certain Foods](#)

OEHHA has received a request from California Rural Legal Assistance Foundation seeking an extension of the comment period for a SUD for chlorothalonil in certain foods. OEHHA hereby extends the public comment period until 5 p.m., Monday, December 18, 2017 for the materials on chlorothalonil.

Oct 27, 2017: [Acceptance of a Request for a Safe Use Determination for Chlorothalonil in Certain Foods Resulting from Pesticidal Use of the Chemical and Opportunity for Public Comment](#)

This Safe Use Determination (SUD) request is limited to exposures to chlorothalonil from consumption of certain foods. Exposure to other listed substances, if any, which may be present in these foods will not be reviewed by OEHHA in the context of this request.

May 19, 2017: [Acceptance of a Request for a Safe Use Determination for Diisononyl Phthalate \(DINP\) in Interface Glasbac® And Glasbac®Re Modular Carpet Tile and Opportunity for Public Comment](#)

OEHHA has received a request for a Safe Use Determination (SUD) for the use of diisononyl phthalate (DINP) in Interface GlasBac® and GlasBac®RE modular carpet tile, specifically that exposures to DINP in the carpet tile do not present significant cancer risks under Proposition 65, and therefore do not require a warning. The request is made by Interface, Inc. pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

Jan 20, 2017: [Issuance of a Safe Use Determination for Diisononyl Phthalate \(DINP\) in Phifertex® Fabric Used in Outdoor Furniture Products](#)

OEHHA is issuing a safe use determination for DINP in Phifertex® fabric containing up to 25% DINP used in outdoor furniture products.

Dec 30, 2016: [Issuance of a Safe Use Determination for Exposure to Professional Installers to Diisononyl Phthalate in Vinyl Flooring Products](#)

OEHHA is issuing a safe use determination for DINP exposures to professional vinyl flooring installers from vinyl flooring products containing 8.7% DINP by weight, or less.

Jul 1, 2016: [Issuance of a Safe Use Determination for Exposure to Residents to Diisononyl Phthalate in Vinyl Flooring Products](#)

Notice of issuance of a Safe Use Determination (SUD) for exposure to residents of homes and other facilities to diisononyl phthalate (DINP) in vinyl flooring products containing 18.9% DINP by weight, or less.

Jun 24, 2016: [Correction to Analysis Supporting a Safe Use Determination for Diisononyl Phthalate in Certain Single-Ply Polyvinyl Chloride Roofing Membrane Products Issued on December 4, 2015](#)

Some of the information used in OEHHA’s analysis supporting the issuance of the December 4, 2015 SUD has been corrected.

May 27, 2016: [Issuance of Safe Use Determinations for Diisononyl Phthalate in Tandus Centiva ER3® Modular Vinyl Carpet Tiles](#)

Safe use determinations for DINP exposures to residents of homes and other facilities, and exposures to professional carpet installers from Tandus Centiva ER3® modular vinyl carpet tiles.

Nov 25, 2015: [Issuance of a Safe Use Determination for Diisononyl Phthalate in Certain Single-Ply Polyvinyl Chloride Roofing Membrane Products](#)

OEHHA is issuing this SUD only to CFFA for DINP in SP PVC roofing membrane products with a nominal finished thickness of between 1.016 to 2.438 mm, containing no more than 15 percent DINP and heated to surface temperatures up to and including 210°C during installation.

Apr 17, 2015: [Notice of a Public Hearing on a Request for a Safe Use Determination for Diisononyl Phthalate \(DINP\) in Certain Single-Ply Polyvinylchloride \(PVC\) Roofing Membrane Products](#)

Notice of a public hearing on a request for a safe use determination for diisononyl phthalate (DINP) in certain single-ply polyvinylchloride (PVC) roofing membrane products.

Feb 13, 2015: [Notice of a Public Hearing for Comment on a Request for a Safe Use Determination for Diisononyl Phthalate \(DINP\) In Phifertex® Fabric Used in Outdoor Furniture Products](#)

OEHHA has received a request for a Safe Use Determination (SUD) for diisononyl phthalate (DINP) in outdoor furniture products made with Phifertex® fabric, specifically that exposures to DINP in these products do not present significant cancer risks under Proposition 65, and do not require a warning.

Jan 16, 2015: [Notice of a Public Hearing for Safe Use Determination for Diisononyl Phthalate \(DINP\) in carpet tile](#)

Notice of a 2015 public hearing for comment on a request for a Safe Use Determination for Diisononyl Phthalate (DINP) in Tandus Centiva ER3® Modular Vinyl carpet tile

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