



*Advancing public policy to
improve the health and safety
of workers and the community.*

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January 13, 2011

Ken Paul Alex, Supervising Deputy Attorney General
Office of the Attorney General
Sacramento, California 95814

**RE: POTENTIAL LISTING OF TITANIUM DIOXIDE AS A CARCINOGEN
UNDER PROP 65**

Dear Mr. Alex:

I am writing to you on behalf of the California Industrial Hygiene Council (CIHC). By way of background, the CIHC was founded in 1990 to provide public policy makers with good science to the California legislative and/or regulatory table which impacts the health of both workers and the public. It is supported by the local sections of the American Industrial Hygiene Association (AIHA) within California—including Northern CA, Orange County, Sacramento, San Diego, and Southern CA. Furthermore, it is affiliated with the 12,000 member National American Industrial Hygiene Association (NAIHA), as well as the International Occupational Hygiene Association (IOHA), which represents the global community of Occupational Hygiene organizations in well over 26 countries.

It is our understanding that the International Agency for Research on Cancer (IARC) is going to issue its final monograph on Titanium Dioxide. If the IARC monograph is finalized in its current form, Titanium Dioxide will be subject to listing under California's Prop 65, on the basis that some industrial exposures to the chemical, most particularly the manufacture of the chemical, may present a risk. The exposures which may be identified do not represent those presented by a number of uses. Studies reviewed by IARC of cosmetic uses of this ingredient, for example, in sunscreens, were found to present no risk. In fact, the FDA, in sunscreen proceedings, has found use of this ingredient to be both safe and effective.

If Titanium Dioxide is added to the Prop 65 list through the Labor Code, it would not allow for a qualified listing that could exempt some uses. We would instead encourage a public notice process which would allow input from the public as to why the listing should be qualified to exclude approved uses of this ingredient in thousands of foods, cosmetics, and over the counter drugs since these pose no threat and have been recognized by authoritative bodies to be safe and effective.

There is no risk that the slight delay caused by having public input on this issue will have an adverse effect on public health, particularly since the FDA has expressly approved the use of TiO₂ in many foods, drugs, cosmetics and other products.

We encourage you to consider this important issue before any action is taken on a determination to add this chemical to the Prop 65 list.

Best Regards,

A handwritten signature in purple ink that reads "Chris Laszcz-Davis". The signature is written in a cursive, flowing style.

Chris Laszcz-Davis, MS, CIH, REA, President

California Industrial Hygiene Council