

Revisions to Prop 65 Short-Form Warnings on Hold; New Proposal Expected

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The California Office of Environmental Health Hazard Assessment (OEHHA) has announced that it will not be moving forward with the [current proposal to amend Proposition 65 "short-form" warnings](#) and that the agency will initiate a new rulemaking in coming weeks. The regulatory delay is due to the state's procedural rulemaking requirements, and does not signal any lack of interest in OEHHA pursuing fundamental revisions to limit use of the popular "short form" warning option.

Under California's Administrative Procedure Act, a rulemaking must be completed within one-year of the date it was first noticed to the public. While the one-year period was temporarily extended due to the COVID-19 pandemic, OEHHA was unable to complete the regulatory process within the allotted time after the initial proposal in January 2021. Accordingly, OEHHA allowed the rulemaking to lapse and "intends to restart the rulemaking process on the short-form with a new regulatory proposal, informed by comments on the previous proposal, in the next several weeks."

For full details on the most recently proposed amendments from OEHHA, [please see my prior post](#).

Stayed tuned for further developments this summer.