Effective May 11, 2015, California’s Office of Environmental Health Hazard Assessment (OEHHA) added bisphenol A (BPA) (CAS Number 80-05-7) to its list of chemicals known to the state to cause reproductive toxicity, the Safe Drinking Water and Toxic Enforcement Act of 1986 (i.e., Proposition 65).

What is Proposition 65?
Proposition 65 is a “right to know” law that was approved by California voters in 1986. It requires the Governor of California to publish, at least annually, a list of chemicals known to the state to cause cancer or reproductive toxicity. Proposition 65 requires warnings that consumers may use to inform their decisions on whether or not to pursue or use the products that expose them to chemicals on the list.

What is BPA?
BPA is a chemical that has been used to make polycarbonate plastics and epoxy resins as well as thermal paper and adhesives since approximately the 1960s. Polycarbonate plastics are often used in containers that store food and beverages, such as water bottles. Epoxy resins are commonly used to coat the inside of metal products, such as food cans, bottle tops, and water supply lines. Some plastic stretch wrap used to cover or package food and some receipts such as cash register or gas pump receipts have been found to contain BPA.

Why did California Add BPA to the Proposition 65 List?
Attempts to place BPA on the Proposition 65 list started in 2009. In 2013, the OEHHA panel decided to list it based on a report by the National Toxicology Program’s Center for the Evaluation of Risks to Human Reproduction which found that “high” levels of exposure to BPA caused developmental harm in laboratory animals. The American Chemistry Council filed a lawsuit to stop it in March 2013, which is currently pending.

At a public meeting on May 7, 2015, BPA was considered by the DARTIC in its official capacity as the state’s qualified experts. The DARTIC determined that BPA was clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive toxicity, based on the female reproductive endpoint, and voted 7-0 to add BPA to the Proposition 65 list. The list was most recently revised on May 11, 2015, and includes BPA.

What about other States?

References: