NOTIFICATION

Addendum

The following communication, dated 16 November 2021, is being circulated at the request of the delegation of the United States of America.

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**Title:** Naturally Occurring Levels of Lead in Candy

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| **Reason for Addendum:** | |
| [  ] | Comment period changed - date: |
| [X] | Notified measure adopted - date: 22 September 2021 |
| [X] | Notified measure published - date: 25 October 2021 |
| [X] | Notified measure enters into force - date: 22 September 2022 |
| [X] | Text of final measure available from[[1]](#footnote-1):  <https://oehha.ca.gov/media/downloads/crnr/noticeofadoptionleadincandy102521.pdf>  <https://members.wto.org/crnattachments/2021/TBT/USA/final_measure/21_7174_00_e.pdf> |
| [  ] | Notified measure withdrawn or revoked - date:  Relevant symbol if measure re-notified: |
| [  ] | Content or scope of notified measure changed and text available from1:  New deadline for comments (if applicable): |
| [  ] | Interpretive guidance issued and text available from1: |
| [  ] | Other: |

**Description:** TITLE: Naturally Occurring Levels of Lead in Candy

AGENCY: Office of Environmental Health Hazard Assessment, State of California

ACTION: Rule Adoption

SUMMARY:  On 22 September 2021, the Office of Administrative Law approved amendments to Title 27, California Code of Regulations, section 28500.  This rulemaking adds a new chapter and section to [Title 27 of the California Code of Regulations: Chapter 3: Naturally Occurring Lead in Candy, section 28500](https://govt.westlaw.com/calregs/Document/I62549F841E70446F905202D68C31A7A4?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)). The new section  establishes a "naturally occurring level" of 0.02 ppm (parts per million) for lead in candies flavored with chili and/or tamarind.  Health and Safety Code Section 110552 required the California Environmental Protection Agency's (CalEPA) Office of Environmental Health Hazard Assessment (OEHHA) to adopt this regulation.

To facilitate compliance, the effective date of the regulation has been delayed to 22 September 2022, which is one year from the date of adoption of the regulation.

Notice of Adoption of New Chapter and Section for Naturally Occurring Lead in Candy 25 October 2021 at <https://oehha.ca.gov/risk-assessment/crnr/notice-adoption-new-chapter-and-section-naturally-occurring-lead-candy>

The California Code of Regulations is available at <https://govt.westlaw.com/calregs>.

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)