

## Prop 65 Warning Requirements – Rice

OEHHA has established the following safe harbor levels (No Significant Risk Level, “NSRL” or Maximum Allowable Daily Allowance “MADL”)<sup>1</sup> for inorganic arsenic, cadmium and lead:

- **Inorganic Arsenic.** According to OEHHA regulations, the NSRL, for inorganic arsenic is 10 micrograms ("µg") per day. OEHHA has not determined the level of exposure to inorganic arsenic that would constitute MADL.
- **Cadmium.** OEHHA has determined that cadmium is not a carcinogen by the route of ingestion. Hence, there is no NSRL for cadmium that is relevant to the consumption of rice. According to OEHHA regulations, the MADL for cadmium is 4.1 µg per day.
- **Lead.** Pursuant to OEHHA regulations, the NSRL for lead IS 15 µg per day and the MADL for lead is .5 µg per day.

OEHHA has established these exposure-based warning thresholds for inorganic arsenic, cadmium and lead expressed in terms of "micrograms per day" and apply to exposures from any source, and which are not particular to rice.

Because the exposure-based thresholds described above do not apply directly to inform interested persons of the amount of a substance in a commodity resulting in the requirement to provide a Proposition 65 warning, as part of the consent decree entered in the Proposition 65 Rice Product Cases Coordinated Proceeding found at Judicial Council Coordination Proceeding No. 4816, the parties agreed on concentration-based limits in parts per billion (ppb) that, by their own terms, identify the concentrations of inorganic arsenic, cadmium or lead in rice beneath which no Proposition 65 warning is required. These concentration-based limits are based on the above NSRLs and MADLs (safe harbor warnings) for those chemicals.

The requirement to place a warning label on the package or on the shelf for Prop 65 would only be deemed necessary if validated accredited testing methods indicated heavy metal levels exceeded the concentration base limit.

- **Inorganic arsenic.** The concentration-based limit for inorganic arsenic in rice is **500 ppb.**
- **Cadmium.** The concentration-based limit for cadmium in rice is **462 ppb.**
- **Lead.** The concentration-based limit for lead in rice is **56 ppb.**

In any case brought to enforce Proposition 65 by any private attorney general under Section 25249.7(d) of the Act in the future, the concentration-based limits set forth above shall apply.

---

<sup>1</sup> <https://oehha.ca.gov/proposition-65/general-info/current-proposition-65-no-significant-risk-levels-nsrls-maximum>