

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

To: Office of Planning and Research State Clearinghouse P.O. Box 3044, 1400 Tenth Street, Room 212 Sacramento, CA 95812-3044	From: Department of Toxic Substances Control Safer Consumer Products Program P.O. Box 806, 1001 I Street, 12 th Floor Sacramento, CA 95812-0806
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Project Title: Safer Consumer Products: Clarifying Compliance Options for Importers (DTSC Regulation Reference Number R-2025-01R)

Project Location: Statewide

County: Countywide

Project Applicant: Department of Toxic Substances Control

Approval Action Under Consideration by DTSC: Regulations

Statutory Authority: Health and Safety Code Sections 25252, 25253, and 58012

Project Description: The Department of Toxic Substances Control (DTSC), pursuant to authority granted by Health and Safety Code Sections 25252, 25253, and 58012, approved a regulatory amendment to amend Sections 69501.1, 69501.2, and 69501.5 of Article 11, Chapter 55, Division 4.5 of Title 22, California Code of Regulations. The action will clarify compliance options for importers (Article 1 of the Safer Consumer Products Regulations).

Background: DTSC's Safer Consumer Products (SCP) Regulations, adopted in 2013, strive to reduce toxic chemicals in products and create safer substitutes for hazardous ingredients in consumer products sold in California. The regulations emphasize safer products and healthier lives by reducing or eliminating the use of toxic chemicals, while allowing manufacturers to determine how to best address human health or environmental concerns related to their products. The regulations require DTSC to evaluate and prioritize product/Candidate Chemical combinations and to add these product/Candidate Chemical combinations to the Priority Products List. A Candidate Chemical that is the basis for a product being listed as a Priority Product is designated as a Chemical of Concern for that product and for any alternative considered or selected to replace that product. DTSC selects Priority Products based on the potential risk of exposure to the Chemical(s) of Concern in the product and the potential for this exposure to contribute to or cause widespread or significant adverse impacts to people or the environment. Manufacturers, importers, assemblers, distributors, and retailers of

Priority Products are the responsible entities liable for complying with the regulatory requirements set forth in the Safer Consumer Products Regulations.

Project Activities: The proposed regulatory amendments largely serve to provide clarity to the SCP Regulations. Options for importer compliance are already present in the SCP Regulatory Framework, albeit not explicitly described. Thus, the proposed amendments explicitly describe the ways in which importers can comply with the SCP Regulations after manufacturers fail to comply, and the importers are notified of their responsibility pursuant to 69501.2(a)(1)(A). Rather than submit a Product Cease Ordering Notification, submitted by retailers and assemblers in cases where manufacturers fail to comply with the SCP Regulations, the proposed regulatory amendments will require importers to submit an Importer Product Removal Notification. The information required for Importer Product Removal Notifications varies in small ways from the Product Cease Ordering Notifications to target information more aptly relevant to an importer. If importers contact or otherwise incentivize upstream manufacturers of listed Priority Products to establish compliance, importers would no longer be required to comply with the SCP Regulations. Therefore, the proposed regulatory amendments provide clarity to stakeholders and support a clear and predictable implementation of the SCP Regulatory Framework.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Department of Toxic Substances Control

Exempt Status: Categorical Exemption [CCR Title 14 Sec. 15308]

Reasons Why Project is Exempt: DTSC has determined none of the exceptions to the categorical exemptions apply to this project, as described in Public Resources Code Section 21084(c), (d), and (e), and 14 CCR Section 15300.2. DTSC has determined that the proposed regulatory amendments are actions taken by DTSC to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Safer Consumer Products Program
P.O. Box 806, 1001 I Street, 12th Floor
Sacramento, California 95812-0806

Additional project information is available at: <https://dtsc.ca.gov/regs/>

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Approver's Signature:



Date: 4/17/2026

Approver's Name

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Approver's Title

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Date Received for Filing and Posting at OPR: