

# PROPOSED REGULATORY TEXT

May 2022

## SAFER CONSUMER PRODUCTS REGULATIONS – Listing Motor Vehicle Tires Containing N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) as a Priority Product

Department of Toxic Substances Control reference number: R-2022-04R

Amend section 69511 and adopt section 69511.7, to article 11, chapter 55, division 4.5 of title 22 of the California Code of Regulations, to read as follows:

### Section 69511. General.

- (a) This article specifies product-chemical combinations listed as Priority Products pursuant to section 69503.5.
- (b) The following product-chemical combinations are listed as Priority Products:
  - (1) Children's foam-padded sleeping products containing tris(1,3-dichloro-2-propyl) phosphate (TDCPP) or tris(2-chloroethyl) phosphate (TCEP);
  - (2) Spray polyurethane foam systems containing unreacted methylene diphenyl diisocyanates;
  - (3) Paint or varnish strippers containing methylene chloride;
  - (4) Carpets and rugs containing perfluoroalkyl or polyfluoroalkyl substances; and
  - (5) Treatments containing perfluoroalkyl or polyfluoroalkyl substances for use on converted textiles or leathers;
  - (6) [reserved]; and
  - (7) Motor vehicle tires containing N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD)

Note: Authority cited: Sections 25252, 25253 and 58012, Health and Safety Code.

Reference: Sections 25252 and 25253, Health and Safety Code.

### **Section 69511.7. Motor Vehicle Tires Containing N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD).**

(a) “Motor vehicle tires containing N-(1,3-dimethylbutyl)-N’-phenyl-p-phenylenediamine (6PPD)” means a motor vehicle tire, as defined in subsection (a)(2), that contains the chemical N-(1,3-dimethylbutyl)-N’-phenyl-p-phenylenediamine (6PPD).

(1) “Tire” means any product that can be described or observed as a covering for a wheel, usually made of rubber reinforced with cords of nylon, fiberglass, or other material, whether filled with compressed gas (such as air or nitrogen), solid, or non-pneumatic (airless).

(2) For the purposes of this section, “motor vehicle tire” includes:

(A) Any tire, as defined in subsection (a)(1), that is intended for use on light duty vehicles (passenger cars, light trucks, vans, and sport utility vehicles); motorcycles; motor homes; medium- and heavy-duty trucks; buses; and trailers (including trailer coaches, park trailers, and semitrailers) or

(B) Tire tread material: circular or linear precured tread and raw rubber solely for use in mold cure retreading of a tire, as defined in subsection (a)(1).

(C) For the purposes of this section, “motor vehicle tire” does not include:

1. A tire imported into or sold in California as a component of a motor vehicle.
2. A tire intended for exclusive use on off-road vehicles, including aircraft; vehicles intended exclusively for off-road (e.g., dirt track) use; construction and agricultural equipment such as excavators, paving equipment, tractors, combines, bulldozers, and skidders (but not farm labor vehicles); industrial equipment such as forklifts, airport service equipment, and ice-grooming machines; and military vehicles (except those that are equivalent to civilian vehicles covered by this product definition, such as light-duty vehicles used as staff cars, buses, and delivery vehicles);
3. The used component(s) of a retreaded tire.

(b) Candidate Chemical. For purposes of this chapter N-(1,3-dimethylbutyl)-N’-phenyl-p-phenylenediamine (6PPD) is the Candidate Chemical identified as the basis for the product defined in subsection (a) being listed as a Priority Product.

(c) Hazard traits associated with 6PPD include:

- (1) Dermatotoxicity;
- (2) Hematotoxicity;

- (3) Hepatotoxicity;
  - (4) Ocular toxicity;
  - (5) Reproductive toxicity
  - (6) Phytotoxicity; and
  - (7) Wildlife survival impairment.
- (d) In accordance with 69503.3(a)(1)(G), hazard traits associated with 6PPD-quinone, a reaction product of 6PPD, include one or more of the following:
  - (1) Reactivity in biological systems;
  - (2) Respiratory toxicity;
  - (3) Loss of genetic diversity and biodiversity; and
  - (4) Wildlife survival impairment.
- (e) Toxicological and environmental endpoints associated with exposure to 6PPD include:
  - (1) Skin sensitization in guinea pigs and humans, and skin erythema in rabbits;
  - (2) Anemia in rats;
  - (3) Increased liver weight, fatty degeneration of the liver, and vacuolar degeneration of the liver in rats;
  - (4) Edema and erythema of the eye, discharge from the eye, and dullness of cornea in rabbits;
  - (5) Dystocia in rats;
  - (6) Decreased cell count in algae;
  - (7) Acute lethality in fish; and
  - (8) Immobilization or mortality in aquatic invertebrates.
- (f) Toxicological and environmental endpoints associated with exposure to 6PPD-quinone include:
  - (1) Acute lethality and pre-spawn mortality in fish;
  - (2) Erratic surface swimming, gaping, fin splaying, and loss of orientation and equilibrium in fish; and
  - (3) Increased hematocrit, dysregulation of blood plasma ions, and disruption of the blood brain barrier in fish.
- (g) For the purposes of this chapter, the Candidate Chemical identified in subsection (b) is designated as the Chemical of Concern for the product defined in subsection (a).
- (h) The Preliminary Alternatives Analysis Report for this Priority Product shall be submitted within 180 days after the effective date of this regulation.

Note: Authority cited: Sections 25252, 25253 and 58012, Health and Safety Code.

Reference: Sections 25252 and 25253, Health and Safety Code.