



May 3, 2007

Senator Joe Simitian
State Capitol, Room 2080
Sacramento, CA 95814

Subject: Opposition to SB 973

Dear Senator Simitian:

BIOCOM leads the advocacy efforts of the Southern California life science community with more than 520 members including biotechnology and medical device companies, universities and basic research institutions, and service support firms. As an advocacy organization we are actively engaged in ensuring that the life science industry remains a strong and growing part of the state's economy. **In keeping with this mission, we regret to inform you of our opposition to your SB 973.**

SB 973 is very similar to Proposition 65, which requires the Governor to publish a list of chemicals that are known to the State of California to cause cancer, birth defects or other reproductive harm. As a result of Proposition 65, over 580 chemicals were listed as of September 1, 1996. A chemical is listed if the "state's qualified experts," an independent panel of scientists and health professionals appointed by the Governor, find that the chemical has been clearly shown to cause cancer or birth defects or other reproductive harm. The list is annually updated and published.

Chemicals are also listed if:

1. A body considered to be "authoritative" by the State's qualified experts has formally identified the chemical as causing cancer or reproductive toxicity; or
2. A state or federal government agency has formally required the chemical to be labeled or identified as causing cancer or reproductive toxicity.

Insofar as the California Environmental Contaminant Biomonitoring Program (SB 1379, statutes of 2006) already contains provisions for creating a listing of "designated chemicals," this bill is also duplicative of that effort. While we respect your desire to protect Californian citizens from "emerging chemicals of concern" or ECCs, we believe that this legislation is duplicative on several levels and, combined with existing statute, would require an onerous amount of reporting with little or no tangible additional benefit.

Again, we must express our opposition to SB 973. Thank you in advance for consideration of this position.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Jackson".

Jimmy Jackson
Vice President of Public Policy
BIOCOM