

DON'T BRING HOME THE BACON? PROCESSED (AND RED) MEATS MAY SOON REQUIRE A PROP 65 WARNING

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Last week, the International Agency for Research on Cancer (IARC), a research division of the World Health Organization, announced that processed meats such as bacon, sausage, ham, and hot dogs cause cancer. Specifically, IARC classified processed meats as "Group 1, Carcinogenic to Humans" relative to colorectal cancer, the same level of carcinogenicity as asbestos and tobacco. This doesn't mean processed meats are as equally dangerous, just that the strength of scientific evidence that each substance causes cancer in humans is as strong. IARC also classified all red meat as "Group 2A, Probably Carcinogenic to Humans," meaning that, based on more limited evidence, it is likely to cause cancer in humans as well.

This is more than just bad news for meat lovers everywhere. Businesses that sell such meats in California may soon be required by the state to include a Proposition 65 warning with their products.

Proposition 65, passed in 1986 by state voters, requires California to create a state list of chemicals known to cause cancer – including specifically chemicals and substances identified by IARC – and prohibits companies from exposing individuals to any listed carcinogen without first giving a clear and reasonable warning. Accordingly, the Office of Environmental Health Hazard Assessment (OEHHA), the state agency responsible for implementing Prop 65, is expected to list processed meat as a Prop 65 carcinogen. Indeed, state officials can't point to any substance that made the international list and not the state list. Group 2A substances are typically listed under Prop 65, but in the absence of stronger animal carcinogenicity data, the listing of red meat is less clear.

In any event, any efforts by OEHHA to list processed and red meat will be very contentious. If the meats are added to the state list, everyone from grocers and butchers to the local restaurant will have to include a warning with their meat products. Such a warning may come in the form of a label directly on the meat's packaging, or more likely as a sign where the product is sold, as is the case at your local coffee shop due to the fact coffee contains the listed chemical acrylamide. While, groups such as the Center for Biological Diversity are encouraging OEHHA to list these meats, expect the processed meats and cattle industries to raise quite the uproar. Indeed, this aggressive stance by IARC was not a unanimous decision and is expected to face substantial criticism in the United States, where processed and red meat still forms the base of most meals and is backed by a powerful lobbying industry.

Nevertheless, we are still waiting word from state officials as to whether they will list processed and red meats under California's unique Prop 65 statute. BLG will follow this issue closely and report back here with further developments.