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*Director*

State of California—Health and Human Services Agency  
California Department of Public Health



ARNOLD SCHWARZENEGGER  
*Governor*

September 4, 2007

TO: Forensic Alcohol Analysis Laboratories

SUBJECT: Reporting Results of Laboratories' Annual Participation in Proficiency Testing Conducted by an ASCLD/LAB Approved Proficiency Test Provider

Health and Safety (H&S) Code Section 100725 requires the Department of Health Services to enforce its forensic alcohol regulations. H&S Code Section 100700.(a) requires the forensic alcohol laboratories to comply with all of the Department's regulations as they existed on December 31, 2004, until such time as these regulations are revised by a review committee process. The current regulations specifically require the Department to evaluate the ability of forensic alcohol methods to meet the standards of performance requirements using a laboratory's proficiency test results [Title 17 Section 1220.1.(b)]. Such ability must meet the requirements of the regulations. H&S Code Section 100702 also requires the laboratories to follow the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) guidelines for proficiency testing and to participate annually in an external proficiency test obtained from an ASCLD/LAB approved test provider.

As described in the Department's advisory dated July 12, 2006, we have reduced the number of required laboratory proficiency testing events from three per year to two per year, and we are substituting the forensic alcohol laboratories' required participation in an ASCLD/LAB approved proficiency-testing program for one of these two tests. In order to enable the Department to continue to evaluate the ability of forensic alcohol methods to meet the required standards of performance, laboratories will be required to submit copies of the test result reports obtained from the external proficiency test providers to the Department.

In order to satisfy the requirements of Section 1220.1.(b), laboratories which employ more than one method for forensic alcohol analysis must submit individual test reports for each method used.

Further, in order to facilitate the Department's planning of its own proficiency testing program, we are asking each laboratory to identify the test provider utilized in 2007 in compliance with Health and Safety Code Section 100702.(b). A form is enclosed to enable each laboratory to supply the requested information.

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Sincerely,

Mary A. Soliman, Ph.D., Chief  
Food and Drug Laboratory Branch

Enclosure:

Form: Laboratory Proficiency Testing in Forensic Alcohol Analysis, Annual Participation in a Proficiency Test Conducted by an ASCLD/LAB Approved Proficiency Test Provider in 2007