

Prop 65 Affects You

What is Proposition 65?

Proposition 65, officially known as the Safe Drinking Water and Toxic Enforcement Act of 1986, is a law that "requires California to publish a list of chemicals known to cause cancer or reproductive toxicity, and for businesses with 10 or more employees to provide warnings when they knowingly and intentionally cause significant exposures to listed chemicals."

Who is impacted?

Prop 65 affects California and any product shipped to, or product parts that will be assembled in California.

Prop 65 has been around for years, why does it impact me now?

The Prop 65 regulations were amended in August 2018 to include new and more detailed warning requirements. For an up-to-date list of the recent amendments, please visit: <https://www.p65warnings.ca.gov/proposition-65-warning-regulations-and-recent-amendments>.

Why are Prop 65 warnings required?

The goal of these labels is to make "warnings more meaningful and useful for the public, reduce 'over-warning' in which business provide unnecessary warnings, and giving businesses clearer guidelines on how and where to provide warnings."

What products does Prop 65 apply to?

Any product containing one of the 800+ chemicals* listed on the Prop 65 website. For a full list visit: <https://www.p65warnings.ca.gov/chemicals>.

What happens if parts are not Prop 65 compliant?

Violating Prop 65 by failing to provide warnings can result in fines as high as \$2,500 per violation per day.

How can businesses determine if a warning is required?

"Using its knowledge of its business operations and the chemicals it uses, a business can review the Proposition 65 list to determine whether its operations or products are likely to expose people in California to any listed chemicals. Depending on the level of exposure, the business may be required to provide a warning for those exposures. A business that determines it is causing exposures to a listed chemical may be able to use OEHHA's safe harbor numbers to determine if it needs to provide a warning." For more information, go to: <https://oehha.ca.gov/proposition-65/businesses-and-proposition-65>.

How can I comply with these regulations?

Providing a "clear and reasonable" warning to consumers that products contain chemicals listed on the Prop 65 chemical list. For companies shipping products or products parts that will be assembled in California, labeling consumer products in accordance with Prop 65 guidelines is an effective way to stay compliant with regulations.

Information in this article was found on www.p65warnings.ca.gov.
*Applies to products manufactured after August 30, 2018
No part of this article is legal advice and should not be taken as so.