

## Are You Ready for Proposition 65 Changes in 2018?

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*Author – [Renee M. Kalmes, M.S.P.H., CIH](#)*

Dramatic changes to California's Prop 65 warning regulations will take effect on August 30, 2018. The new regulations significantly alter the safe harbor rules for providing Prop 65 warnings. If you are a company that sells product in California, you will need to prepare now before the law goes into effect.

### **What are the Most Significant Changes to the Prop 65 Warnings?**

Currently, most Prop 65 warnings simply state that a chemical is present that causes cancer or reproductive harm, but they do not identify the chemical or provide specific information about how a person may be exposed or ways to reduce or eliminate exposure. With the new requirements, warnings will have to say that the product “can expose” users to a chemical(s).

The new warnings will also need to include three elements:

- The name of at least one listed chemical that prompted the warning.
- Link to the state's [Prop 65 internet site](#), which includes additional information on the health effects of listed chemicals and ways to reduce or eliminate exposure to them.
- A triangular yellow and black warning symbol (can be white and black only if the label for the product does not use the color yellow). The warning triangle symbol can be downloaded [here](#).

The new warning regulation also:

- Adds new “tailored” warnings that provide more specific information for certain kinds of exposures, products, and places.
- Provides for website warnings for products purchased over the Internet.
- Provides for warnings in languages other than English in some cases.
- Clarifies the roles and responsibilities of manufacturers and retailers in providing warnings.

### **How Exponent Can Help**

With only one year remaining before the regulations take full effect, it is important that companies begin the process to make changes to ensure compliance. Exponent can work with companies to address a variety of Prop 65 issues including:

- Assistance in developing Prop 65 compliance programs and strategies.
- Determining if products contain Prop 65 listed chemicals.
- Assessing consumer, worker, and residential exposures, and consumer dietary consumption, including use of food market basket studies.
- Conducting product testing and use simulations for comparison to Safe Harbor Levels.
- Providing toxicological support for proposed Prop 65 listings and de-listings.

- Evaluation and development of No Significant Risk Levels (NSRLs) or Maximum Acceptable Daily Doses (MADLs).
- Conducting Safe Use Determinations for submittal to The California Office of Environmental Health Hazard Assessment (OEHHA).

OEHHA is the lead agency for implementation of Prop 65 and may adopt and modify regulations as necessary. For more information, please see the [oehha.ca.gov](http://oehha.ca.gov) [website](#).