



PROPOSITION 65 REGULATORY UPDATE

Cardinal Paint & Powder and Cardinal Industrial Finishes will be in compliance with the new regulations for Proposition 65 (the Safe Drinking Water and Toxic Enforcement Act). This information is to help Cardinal's customers with the new requirements.

Effective 8/30/2018. Proposition 65's safe harbor provisions for warnings have been changed. The new regulations are effective August 30, 2018. For consumer products, the new warning requirements only apply for products manufactured after August 30, 2018. Existing warnings can be used for products manufactured before August 30, 2018.

New Format for Warning.

- The warning must include a black exclamation point in a yellow equilateral triangle with a black outline;
- The word "WARNING" must appear in bold print and in all capital letters;
- The warning must include the full chemical name of at least one chemical that prompted the warning for each endpoint (cancer and/or reproductive harm).
- The warning must include reference to website – www.Prop65Warnings.ca.gov

So, a warning may look like this:



WARNING: This product can expose you to chemicals including silica, crystalline, which is known to the State of California to cause cancer. For more information, go to www.P65Warnings.ca.gov."

New Requirements for Communicating Warning. If you are selling Cardinal products that have Proposition 65 warning labels online, you must provide a warning. For consumer products sold via the Internet to persons in California, a warning must be provided to the consumer purchaser prior to purchase. This warning can be provided by including either the warning or a clearly marked hyperlink using the word "WARNING" on the product display page, or by otherwise prominently displaying the warning to the purchaser prior to completing the purchase. If an on-product warning is provided pursuant to Section 25602(a)(4), the warning provided on the website may use the same content as the on-product warning. For purposes of this subarticle, a warning is not prominently displayed if the purchaser must search for it in the general content of the website.

Cardinal Customers Who Apply/Use Product. Depending on how you are using the product, you may need to provide warnings to your employees. However, you do not need to provide warnings to consumers for applied products as the ultimate consumer/purchaser of the product will not be exposed to a listed chemical above the significant risk or observable effects levels.

Proposition 65 Applicability. Proposition 65 only applies to those activities or products offered for sale within California. Only businesses with 10 or more employees must comply with Proposition 65.

The above is for general informational purposes only. The specific facts of a situation may change the requirements. Given the changing nature of laws, rules and regulations, and the inherent hazards of electronic communication, there may be delays, omissions or inaccuracies in the information. It should not be used as a substitute for consultation with legal or other competent advisers. While we have made every attempt to ensure that the information contained in this site has been obtained from reliable sources, Cardinal is not responsible for any errors or omissions, or for the results obtained from the use of this information. All information in this site is provided "as is", with no guarantee of completeness, accuracy, timeliness or of the results obtained from the use of this information, and without warranty of any kind, express or implied, including, but not limited to warranties of performance, merchantability and fitness for a particular purpose. For more information, please see <https://oehha.ca.gov/proposition-65>.