



WARNING: This product can expose you to chemicals including Lead, which is known to the State of California to cause cancer, and/or cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

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CALIFORNIA PROPOSITION 65

Compliance Data Services

Proposition 65 Requirements

California's **Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65)** requires businesses to inform Californians about exposures to chemicals known to cause cancer, birth defects, or other reproductive harm.

If a business's products or locations cause the California public to be exposed to any of the chemicals on **California's Proposition 65 chemicals list**, then the business must inform the public prior to exposure through a **"Clear and Reasonable Warning."**

Warning Label Requirements Changed in August 2018

Amendments to the **"Clear and Reasonable Warning"** section of **Proposition 65** took effect on August 30, 2018. These changes require affected businesses to identify which product or location exposes the public to the regulated chemicals and **identify at least one of the chemicals** to which the public would be exposed, among other requirements.

In the past, many businesses would simply affix the general **Proposition 65 warning label** to their products or post it within their business locations whether or not the business was certain of the chemical exposure risk level in order to mitigate the company's liability risk for not adhering to the regulation.

The goal of the amendments was to curb this practice and provide more detailed and accurate information to the California public regarding chemical exposure risk.

Violations Can Cost Millions of Dollars


Failure to inform the public prior to exposure is prosecutable by the California Attorney General's Office, by district or city attorneys, and by "any individual acting in the public interest." That means that **"bounty hunter" lawyers** can sue businesses on behalf of the public, and they have done so regularly since the implementation of the law.

Penalties for being found in violation of **Proposition 65** can be as high as **\$2,500 per violation (per exposed person), per day.**

BEFORE

WARNING: This product contains chemicals known to the state of California to cause cancer and birth defects or other reproductive harm.

AFTER

 **WARNING:** This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer, and [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

CALIFORNIA PROPOSITION 65



Data Collection & Exposure Analysis Services

Compliance with **Proposition 65** requires affected businesses to have complex knowledge about the substances within their products or business locations, and the exposure levels of those substances.

In order to know what chemicals are exposed to the public, a business must **collect substance data** on the products that it sells to the public in California, or the products that it uses within its California business locations.

And in order to evaluate the exposure level of those substances to determine which warning label requirements are applicable, businesses must **conduct an exposure analysis**.

GreenSoft Technology, together with **RegTox Solutions**, provides companies with a complete **Proposition 65 solution** for data collection and exposure analysis.

GreenSoft Technology Data Collection

- Directly contact your suppliers on your behalf to obtain substance data on your products.
- Validate the collected data for completeness and accuracy.
- Check the collected substance data against the list of chemicals regulated under Proposition 65.

RegTox Solutions Exposure Analysis

- Assess any Proposition 65 flags identified by GreenSoft Technology to assess compliance and/or conduct an exposure assessment to estimate whether the use of substances results in exposure to any chemicals above the limits which trigger warning label requirements.

With **GreenSoft Technology** and **RegTox Solutions** to collect and analyze your substance data for you, you can focus on your core business while resting assured that you are meeting your **Proposition 65** requirements. Contact us today to learn more and get started.

GreenSoft
TECHNOLOGY, INC.



Corporate Headquarters

North America/Europe

GreenSoft Technology, Inc.
155 S. El Molino, Suite 100
Pasadena, CA 91101 USA

- Tel: (323) 254-5961
- info@greensofttech.com

Asia/China/Taiwan/Japan

Jon Wu

- +886-912-307-627
- jwu@greensofttech.com

Europe/Scandinavia

RoHS Management Oy

- +358-44-981-2787
- sales_europe@rohsmanagement.com

Israel

Rokah Technologies

- +972-3-9360688
- reuven@rokah-technologies.com