Proposition 65 Q & A’s

Below are answers to questions that are frequently asked about Proposition 65.

Q: What is California Proposition 65?
A: Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, was enacted as a ballot initiative in November 1986. The law was intended by its authors to protect California citizens and the State's drinking water sources from chemicals known to cause cancer, birth defects or other reproductive harm, and to inform citizens about exposures to such chemicals.

Proposition 65 requires the Governor to publish, at least annually, a list of chemicals known to the state to cause cancer or reproductive toxicity. There are over 950 chemicals currently on the Proposition 65 list. A product that contains a trace but detectable amount of a listed chemical may trigger the duty to provide a warning under Proposition 65.

Q: Is a Nasco product safe if it carries a Proposition 65 warning?
A: Yes, our products comply with applicable consumer safety regulations.

Q. What is the acceptable concentration in my product for chemicals listed under Proposition 65?
A. Proposition 65 applies only to exposures to listed chemicals. It does not ban or restrict the use of any given chemical. The concentration of a chemical in a product is only one part of the analysis required to determine whether a Proposition 65 warning is warranted.

Q: With a label that says "WARNING: This product contains chemicals known to the State of California to cause cancer and/or birth defects or other reproductive harm," how can I trust that the product is safe?
A: If a Proposition 65 warning is posted, it means that the business issuing the warning knows that one or more listed chemicals is present in its product. The above warning language is the standard verbiage that is already found on many consumer products sold in California.
Q: Why has Nasco placed a Proposition 65 warning on its products?

Nasco has provided a warning because it has a reasonable basis to believe that one or more of the listed chemicals are present in the product on which a warning is placed. Companies that fail to provide a Proposition 65 warning in such circumstances can face substantial liability from private plaintiffs. Nasco has provided the warning to ensure that it complies with the requirements of Proposition 65.

Sources:

• Complete language of Prop 65 law: http://oehha.ca.gov/prop65/law/P65law72003.html
• Prop 65 in plain language: http://oehha.ca.gov/prop65/background/p65plain.html
• List of chemicals that the state has identified and which require reasonable warning: http://oehha.ca.gov/prop65/prop65_list/Newlist.html
• Office of Environmental health hazard assessment (OEHHA) frequently asked questions: http://oehha.ca.gov/prop65/p65faq.html