California Proposition 65 Signs

Overview:

The Safe Drinking and Toxic Enforcement Act, also known as California Proposition 65 (Prop 65), is a California law passed in 1986. Its purpose is to protect drinking water sources from substances known to cause cancer, birth defects, or other reproductive harm and to warn the general public when such substances are present in consumer products or may be present in a specific area at a place of business or employment. The requirements of the law appear in Title 27 of the California Code of Regulations and are administered by The California Office of Environmental Health Hazard Assessment (OEHHA). [1]

The OEHHA publishes a list of chemicals and substances known to cause cancer or reproductive disorders. These chemicals might be present in common household products or may be used in manufacturing and construction. Listed chemicals may also be the byproducts of chemical processes, such as motor vehicle exhaust. The list is updated yearly and currently contains approximately 800 chemicals. [1]

Prop 65 requires that businesses provide a warning notice to citizens if significant amounts of the listed chemicals are present in the products they purchase, are found at a public facility or place of employment, or have been released into the environment. The law also forbids businesses from knowingly discharging significant amounts of these chemicals into sources of drinking water. Businesses with less than 10 employees and government agencies are exempt from Prop 65 requirements. [1]

Prop 65 is a “right to know” law rather than a pure product safety law. Its intent is that Californians have a right to know when they may be exposed to chemicals that cause cancer or reproductive harm so that they can make the decision whether or not to expose themselves to the specific risk in the warning. [2]

On August 30, 2016, the Office of Administrative Law approved the adoption of amendments to Title 27, Article 6, Clear and Reasonable Warning of the California Code of Regulations. The regulation will be operative on August 30, 2018. The following information reflects the amendments to Article 6. In the interim, businesses may comply with the regulation in effect on August 30, 2016, or the provisions of the new regulation.

Resources:

The Safe Drinking and Toxic Enforcement Act: (free) Browse - California Code of Regulations

List of Proposition 65 hazardous chemicals: (free) The Proposition 65 List | OEHHA
Proposition 65 in Plain Language: (free) http://oehha.ca.gov/prop65/background/p65plain.html

Proposition 65 News & Resources: (free) http://www.prop65clearinghouse.com/
Design of Proposition 65 Signs:

- **WARNING REQUIREMENTS:** Businesses are required to provide "clear and reasonable" notice before exposing the public to a listed chemical that is present at significant levels to cause harm. The warning can be delivered by a number of means including a label on a consumer product or by posting signs at a business or a workplace. The warning classifications are:
  - Consumer Products Exposure Warnings (Title 27 Sec. 25603)
  - Occupational Exposure Warnings (Title 27 Sec. 25604,25605,20506))
  - Environmental Exposure Warnings (Title 27 Sec. 25604, 25605)
  - Food Exposure Warnings (Title 27 Sec. 25607.2)
  - Alcoholic Beverages Warnings (Title 27 Sec. 25607.3)

- **WARNING CONTENT:** Signs or labels must clearly communicate that the chemical in question is known to the state to cause cancer, or birth defects or other reproductive harm. The regulation presents specific language that could be used for various risk situations but does not preclude a business from providing additional warnings or language other than that specified for other applications. (25601)

Unless otherwise specified in Section 25607.1 et seq., a warning meets the requirements of this subarticle if it is provided using one or more of the following elements:

1. A symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline. Where the sign, label or shelf tag for the product is not printed using the color yellow, the symbol may be printed in black and white. The symbol shall be placed to the left of the warning, in a size no smaller than the height of the word "WARNING".

2. The word "WARNING" in all capital letters and bold print

- Consumer product exposure warnings suggested: (25603)
  - “⚠️ WARNING: This product can expose you to chemicals [name of one or more chemicals], which is [are] known to the State of California to cause cancer. For more information go to [www.P65Warnings.ca.gov](http://www.p65warnings.ca.gov)."
  - “⚠️ 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 birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.p65warnings.ca.gov)."
  - “⚠️ 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 cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.p65warnings.ca.gov)."
(Prop 65 Signs Continued)

- **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 birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

Food Warnings (25607.2)

- **WARNING**: Consuming 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. For more information go to [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).

- **WARNING**: Consuming this product can expose you to chemicals [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/food](http://www.P65Warnings.ca.gov/food).

- **WARNING**: Consuming this product can expose you to chemicals [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/food](http://www.P65Warnings.ca.gov/food).

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

Alcoholic Beverage Warnings (25607.3)

**WARNING**: Drinking distilled spirits, beer, cooler, wine and other alcoholic beverages may increase cancer risk, and during pregnancy, can cause birth defects. For more information go to [www.P65Warnings.ca.gov/alcohol](http://www.P65Warnings.ca.gov/alcohol).

Additional signage requirement information per Sec. 25607.3 for alcoholic beverage signage:

Must comply with one or more of the following methods:

1. An 8 ½ x 11 inch sign no smaller than 22-point type, placed at eye level so that it is readable and conspicuous to customers as they enter the area or areas where, by permit or license, alcohol is served.
2. A notice or sign no smaller than 5 x 5 inches placed at each retail point of sale or display so as to assure that it is readable and conspicuous. The warning message must be in a type size no smaller than 20-point type and be enclosed in a box.
Environmental and occupational exposure warnings suggested: (25604, 25605, 25606)

- **WARNING**: Entering this area can expose you to chemicals known to the State of California to cause cancer including [name of one or more chemicals], from [name of one or more sources of exposure] For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov)

- **WARNING**: Entering this area can expose you to chemicals known to the State of California to cause birth defects or other reproductive harm, including [name of one or more chemicals], from [name of one or more sources of exposure] For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

- **WARNING**: Entering this area can expose you to chemicals known to the State of California to cause cancer and birth defects or other reproductive harm, including [name of one or more chemicals known to cause cancer and name of one or more chemicals known to cause birth defects or other reproductive harm], from [name of one or more sources of exposure]. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

- **WARNING**: Entering this area can expose you to a [name of chemical] from [name of one or more sources of exposure]. [Name of chemical] is known by the State of California to cause cancer and birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov)

Additional requirements for Environmental Exposure warning signs (Sec. 25604)

For indoor environments or outdoor spaces with clearly defined entrances, a warning sign posted at all public entrances to the affected area in no smaller than 72-point type. The warning sign must:

A) Clearly identify one or more sources of exposure
B) Be provided in a conspicuous manner and under such conditions as to make it likely to be seen, read and understood by any ordinary individual in the course of normal daily activity.
C) Be provided in English and any other language used on other signage in the affected area.

**For Prop 65 signs please visit our store:** [http://www.compliancesigns.com](http://www.compliancesigns.com)