

## CALIFORNIA PROPOSITION 65

California residents are generally familiar with California Proposition 65 warnings because they see them so frequently. Citizens of other states who purchase goods made or sold by companies doing business in California also encounter these notices and may find them confusing or troubling. We offer the following to provide some clarity to them and hope all our customers will find it informative and beneficial.

Proposition 65 ("The Safe Drinking Water and Toxic Enforcement Act of 1986") became California state law by direct voter initiative in 1986, carrying a 63%-37% margin. Its goals are to protect drinking water sources from toxic substances that cause cancer, birth defects and other reproductive harm and also to minimize or eliminate exposure of any type to those chemicals by requiring advance warnings of their presence.

Two requirements of Proposition 65 are:

- Each year, California's Governor must publish a list of substances determined by the state to cause cancer, birth defects and other reproductive harm. More than 850 chemicals are currently listed.
- Any entity doing business in California and/or selling products to California residents must provide buyers of products containing any listed chemical with a "reasonable warning" against risk of exposure to those substances.

This is our Proposition 65 warning:

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

Similar warnings must be posted at locations where listed substances or products containing them are sold, used or stored--including but not limited to--hardware suppliers, grocery stores, drug stores, medical facilities, government agencies, retail stores and parking garages.

A warning of this type is also required for such commonly used products these: goods made of or containing leather, vinyl, foam, plastics and other synthetics; glassware, ceramics and tableware; batteries and/or products containing batteries; beauty and personal hygiene products (including first-aid kits and lotions); medicines, alcohol and even fish.

### MORE ABOUT PROPOSITION 65

Proposition 65 is unique in several ways:

Unlike California regulatory statute AB 1108 or federal regulations imposed by the US Consumer Product Safety Improvement Act of 2008 (CPSIA), Proposition 65 does not restrict or regulate sale of goods containing listed chemicals. Nor does it apply only to products used by children or to care for children. Proposition 65 warnings must be provided to California residents of every age. While this law does specify maximum permitted "safe harbor" limits for listed substances, there are no corresponding minimum amounts. Any detectable amount of a listed substance requires sellers to warn consumers against a risk of possible exposure. Proposition 65 lists only four of six phthalates regulated by AB 1108 and CPSIA (DEHP, DBP, BBP and DIDP). One additional phthalate (DnHP) not regulated by CPSIA or California AB 1108 is listed under Proposition 65:

### PHTHALATE REGULATION

Phthalates--a family of chemicals that make plastics soft and pliable--are commonly used in the manufacture of PVC vinyl material. A wide spectrum of products are fabricated from PVC vinyl including furniture, shoes, purses, toys, bags, baby bibs, sporting equipment and hand tools.

Both federal (CPSIA) and California (AB1108) law limit the amount of certain phthalates that can be used in children's toys and child care items.

A children's toy is a product designed or intended by the manufacturer to be used by children when they play. A child-care article is defined as a product designed or intended by the manufacturer to facilitate sleep, relaxation or the feeding of children, or to help children with sucking or teething.

Toys used by children over the age of 3 but under age 12 that cannot be placed in a child's mouth cannot contain phthalates known as: DEHP, DBP or BBP in concentrations greater than 0.1%.

Toys used by children younger than 3 years old or that may possibly be placed in a child's mouth--as well as all child-care items--must not contain phthalates known as DEHP, DBP, BBP, DINP, DIDP or DnOP in concentrations greater than 0.1%.

#### CWF'S SUPPORTS PROPOSITION 65, AB 1108 AND CPSIA

We at CWF's support and fully comply with Prop 65, CA AB1108 and CPSIA requirements and regulations regarding phthalate content of vinyl material with which we manufacture many of our products. We do so for the wellbeing of all children, yours and ours, and because we're dedicated to providing you with the best you can buy.

Norberts does not manufacture child-care products or, for that matter, any items for use by children under the age of 3 years old.

All vinyl fabric used in the construction or manufacture of our products is of a type called 3P vinyl because it contains less than 0.1% concentrations of DEHP, BBP and DBP permitted by both CPSIA and AB 1108 for toys used by children over the age of three.

We strongly urge California consumers (and those residing in other states as well) to avoid purchasing vinyl covered mats, pads and other equipment that that do not conform to all state and federal content and labeling regulations. If you cannot easily locate a Proposition 65 warning on these types of vinyl covered products, you should seriously consider shopping elsewhere.

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For more information about Proposition 65 and its current complete substance list, please contact OEHHA's Proposition 65 program at (916) 445-6900, or visit <http://www.oehha.ca.gov/prop65.html>.

You can find more information about California AB 1108 here: [AB 1108](#)