



The latest trends, services & promotions

OEHHA PROPOSE TO MODIFY PROP 65 SHORT-FORM WARNINGS

Proposition 65, short for the Safe Drinking Water and Toxic Enforcement Act of 1986, aims at reducing California's residence's exposure to chemicals that cause cancer, birth defects or other reproductive harm in products and in the environment.

In August 2016, the Office of Environmental Health Hazard Assessment (OEHHA) approved new requirements for a short-form warning. Manufacturers and distributors must put a warning label on the product if it contains the hazardous substances listed in Proposition 65.

On Dec. 13, 2021, to limit the use of the short-form warnings to small products and to provide more specific information, OEHHA published the notice of modification to text of the proposed regulation which was previously amended on Jan. 8, 2021. This notice initiates a public comment period beginning Dec. 17, 2021, that will close on Jan. 14, 2022.



Summary of these modifications are shown as below.

| 1 ST PROPOSAL PUBLISHED ON JAN. 8, 2021 | 2 ND PROPOSAL PUBLISHED ON DEC. 13, 2021 |
|---|--|
| Can be used when the size of maximum label is 5 square inches or less | Can be used when the size of maximum label is 12 square inches or less |
| "WARNING" in all capital letters and bold print | Additional signal word options: "CA WARNING" or "CALIFORNIA WARNING" |
| A type size no smaller than the largest type size used for other consumer information on the product and no smaller than 6-point type | Unchanged |
| Can no longer be provided on internet or catalogues purchases | Allow use on the internet or in catalogues when used on the product label |
| At least one chemical name included, and modified warning content | Additional warning language options and modified warning content, as shown in the examples below |
| Can be used for food products | |

For consumer products, examples of revised short-form warning label are shown below.

| | |
|--|--|
| Cancer Risk | WARNING: Cancer risk from exposure to [name of chemical] - www.P65Warnings.ca.gov . or |
| | WARNING: Exposes you to [name of chemical], a carcinogen - www.P65Warnings.ca.gov . |
| Risk of Reproductive Harm | WARNING: Risk of reproductive harm from exposure to [name of chemical] - www.P65Warnings.ca.gov . or |
| | WARNING: Exposes you to [name of chemical], a reproductive toxicant - www.P65Warnings.ca.gov . |
| Risk of Cancer and Reproductive Harm | WARNING: Cancer risk from [name of chemical] and of reproductive harm from exposure to [name of chemical] - www.P65Warnings.ca.gov . or |
| | WARNING: Exposes you to [name of chemical], a carcinogen, and [name of chemical], a reproductive toxicant - www.P65Warnings.ca.gov . |
| Substance has Risk of Cancer and Reproductive Harm | WARNING: Cancer risk and reproductive harm from [name of chemical] exposure - www.P65Warnings.ca.gov . or |
| | WARNING: Exposes you to [name of chemical], a carcinogen and reproductive toxicant - www.P65Warnings.ca.gov |

SGS' global network can help you to determine whether Prop 65 listed chemicals are present in your products and advise you on strategies for Prop 65 compliance.