



# MANAGING RISK: A BUSINESS APPROACH TO PROPOSITION 65

Presented by

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# Responsibility

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- Primary responsibility for providing warnings falls to:



- Manufacturers
- Producers
- Packagers
- Importers
- Distributors
- (“Suppliers”)

# IGNORANCE IS NOT BLISS

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# August 30, 2018

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# Duty to Provide One of the Newly Modified WARNINGS

**NOTICE:** *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](http://www.P65Warnings.ca.gov).*

**NOTICE:** *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).*

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



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# Things for a Responsible Company to Think About

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1. Ownership
2. Communication
3. Document and Retain
4. Review and Maintain

# Ownership

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Who in my organization  
owns this project?



# Ownership

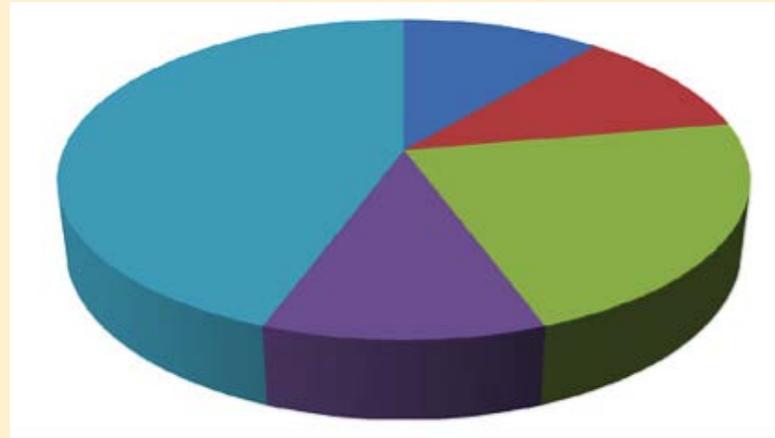
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- ❑ Read the Regulation and pertinent commentary
- ❑ Read the FAQs and the other information at [www.prop65warnings.ca.gov](http://www.prop65warnings.ca.gov)
- ❑ Get on the email list

# Ownership

- Identify each part of your business that is affected.

- Products
- Website
- Vendor Websites
- Catalogues
- Additional Language Editions



**MAKE A LIST AND DOCUMENT**

# Ownership

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**Review and approve the appropriate warnings you will need.**

**MAKE A LIST AND DOCUMENT**



# Communication

Communication will help you  
avoid mistakes



# Communicate

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- ✓ **Retailers**
- ✓ **Vendors**
- ✓ **Suppliers**

**MAKE A LIST AND DOCUMENT**



# Communicate

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**All key internal personnel should be informed:**

- ❑ **What the new Requirements say**
- ❑ **What the company is doing**

**MAKE A LIST AND DOCUMENT**



# Communicate

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Talk to professionals who can help/ask questions

- Packaging/Labeling
- Chemical/Technical
- Legal

**MAKE A LIST AND DOCUMENT**

# Document and Retain

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- ❑ Formalize Corporate Plan
- ❑ Centralize and maintain record



# Review and Maintain

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## Regular Check Ups



- Confirm Best Practice
- Make Change When Needed

**MAKE A LIST AND DOCUMENT**



# Review and Maintain

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Make sure changes  
in personnel  
do not defeat the system

Hand off responsibility

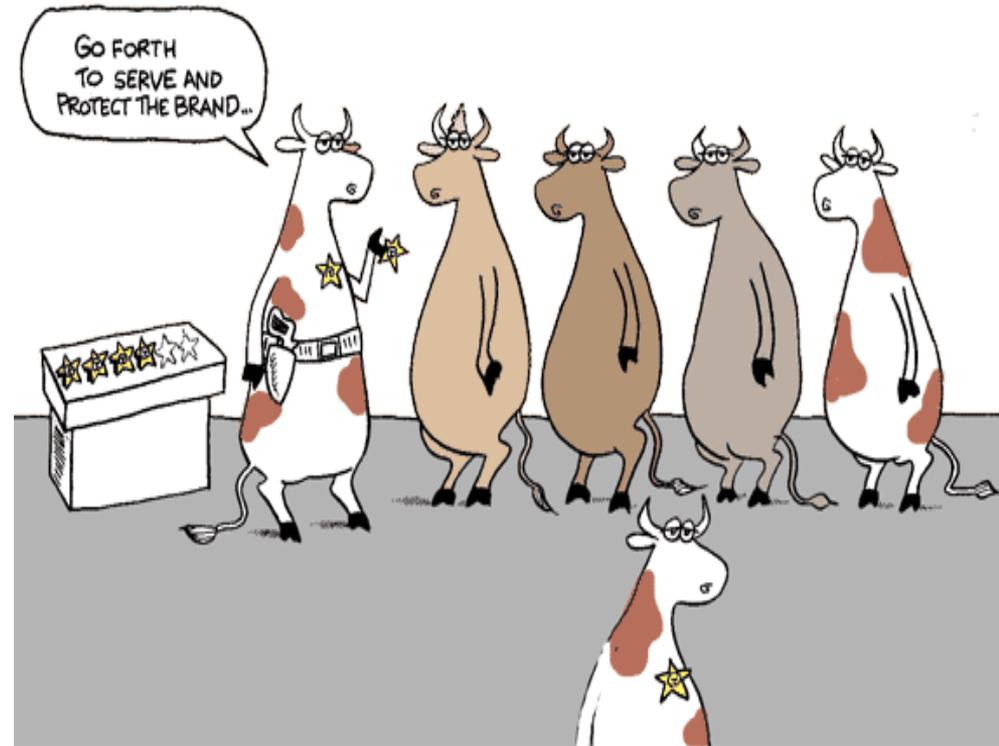


## MAKE A LIST AND DOCUMENT



# Things for a Responsible Company to Think About

- ❑ **Ownership**
- ❑ **Communication**
- ❑ **Document and Retain**
- ❑ **Review and Maintain**





# The transatlantic law firm close to home

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