

January 2019

## Compliance with California's Proposition 65

Dieter's Metal Fabricating Ltd. has assessed our obligations under California's Proposition 65 and analyzed our product according to its requirements.

Proposition 65 only requires warnings for knowing and intentional exposures (Health and Safety Code section 25249.6<sup>1</sup>). If no exposure occurs, no warning is required. As OEHHA explains in the Final Statement of Reasons for the Article 6 Clear and Reasonable Warnings regulations:

"The statute clearly states that warnings are required for knowing and intentional exposures to listed chemicals. Warnings are not required where a product simply "contains" a listed chemical but may not actually have the potential to cause an exposure. Using the word "contains" in the warning is confusing for both businesses and the individuals receiving the warning. For example, under the existing regulation it is not clear to many businesses that a warning is not required for a chemical that is contained in a product in such a way that it cannot foreseeably cause an exposure (e.g. where the chemical is bound in a matrix or sealed inside the product but is inaccessible to the average user of the product)..." (FSR, p. 66).

Warnings are not required where the listed chemical is inaccessible to the average user of the product.

When our product is sent to you, the consumer, there is no potential of exposure to the chemical substances that may be found in the metal, lights, harnesses, or tape therefore we are not required by Proposition 65 to place a warning label on the product or the packaging of the product.

If you have any questions or concerns, please contact Taryn Findlay, at [tfindlay@dietersaccessories.com](mailto:tfindlay@dietersaccessories.com).

1. CHAPTER 6.6. Safe Drinking Water and Toxic Enforcement Act of 1986 [25249.5 - 25249.14] ( Chapter 6.6 added November 4, 1986, by initiative Proposition 65, Sec. 2. ) 25249.6. Required Warning Before Exposure To Chemicals Known to Cause Cancer Or Reproductive Toxicity. No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual, except as provided in Section 25249.10.