

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS, TOYS & JUVENILE PRODUCTS

NO. 100/12 JUN 2012

## CALIFORNIA PROP 65 - RECENT SETTLEMENTS

Proposition 65 (Prop 65) is the "Safe Drinking Water and Toxic Enforcement Act of 1986", a ballot initiative passed overwhelmingly by California residents in 1986. Since its enactment, there have been numerous lawsuits which resulted in the reduction of carcinogenic and reprotoxic chemicals through reformulations of consumer products containing such chemicals<sup>1</sup>.

Over the years, Prop 65 has concluded consent agreements in a number of consumer products such as bibs, bicycles, brass-containing products, cookware, cosmetics, exercise mats, ceramicware and glassware, clothing, faux leather furniture, headphone cables, jewelry, lunchboxes, luggage and accessories, poker chips and personal carrying products<sup>2</sup>.

Up to the latter part of 2011, a number of Prop 65 settlements were concluded that pertained to vinyl inflatable structures, vinyl lounge chairs, work lights with clamp handles, brass door handles, cadmium in jewelry, amended judgment for fashion accessories, coverings for books and jackets as well as lead in belts, car stereo audio cables, cookware, fashion jackets, FM scan radios and vinyl journals<sup>3</sup>.

Since late 2011, a number of consent settlements were concluded which resulted in the reformulation of booster cables, ceramicware with exterior



decorations, ear buds and headsets, exercise/fitness mats, externally-decorated glassware, hand tools with grips, notepads with vinyl coverings, purses, safety pins, slippers and similar items, as well as smoothing solution products. Highlights of these settlements are summarised in Table 1.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for cadmium, lead, phthalates, VOCs and other restricted substances in consumer products for compliance with Prop 65 and worldwide requirements. Please do not hesitate to contact us for further information.

<sup>1</sup> [Prop 65, Office of Environmental Health Hazard Assessment \(OEHHA\)](#)

<sup>2</sup> Safeguards [096/07](#), [063/08](#), [081/08](#), [109/09](#), [081/09](#), [129/09](#) and references therein

<sup>3</sup> Safeguards [050/11](#), [059/11](#), [065/11](#), [069/11](#), [110/11](#), [168/11](#), [009/12](#)

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TABLE 1.

ENTRY	SUBSTANCE	SCOPE	REFORMULATION	EFFECTIVE DATE
1	Cadmium Lead	Externally decorated glassware	Exterior decorations (lip and rim) ≤0.5 µg/mL (ppm) lead and ≤4.0 µg/mL (ppm) cadmium  Exterior decorations (excluding lip and rim) ≤90 ppm lead content ≤200 ppm cadmium content	December 2011
2	DEHP	Exercise/fitness mats	≤1000 ppm	May 2012
3	Lead	Booster cables	≤100 ppm	March 2012
4	Lead	Safety pins	≤300 ppm (before 1 Jan 2013) ≤100 ppm (from 1 Jan 2013)	October 2011
5	Lead Phthalates	Hand tools with grips that may be handled, touched or mouthed by consumer	≤300 ppm lead content ≤1000 ppm DEHP, BBP or DBP	April 2012
6	Lead Phthalates	<ul style="list-style-type: none"> <li>• Notepads with vinyl coverings</li> <li>• Purses</li> <li>• Ceramicware with exterior decorations</li> </ul>	≤1000 ppm DEHP (Notepads with vinyl coverings) ≤1000 ppm each of DEHP, DBP, BBP, DIDP and DnHP (Purses) ≤90 ppm lead content and ≤1.0 µg residual lead (NIOSH 9100) (Ceramicware with exterior decorations)	May 2012
7	Phthalates	Ear buds and	≤1000 ppm DEHP, DBP, BBP, DIDP or DnHP	April 2012
8	Phthalates	<ul style="list-style-type: none"> <li>• Flip flops with rhinestones</li> <li>• Plastic slippers</li> <li>• Sandals</li> </ul>	≤1000 ppm DEHP or DBP	May 2012
9	Volatile Organic Compounds (VOC)	Smoothing solution products	ARB Method 310 ≤6% VOC for aerosol and pump spray ≤2% VOC for all other forms If product contains or emits detectable levels of formaldehyde gas when used as directed, MSDS to contain the following language:  WARNING: Use of [the name of product] as directed will expose you to formaldehyde (gas), a chemical known to the State of California to cause cancer	January 2012

## FOR ENQUIRIES:

Global Competence Support Centre: [gcsc@sgs.com](mailto:gcsc@sgs.com)HK – Hingwo Tsang Tel: +852 2774 7420 or [Hingwo.Tsang@sgs.com](mailto:Hingwo.Tsang@sgs.com)Asia – Hong Kong. Tel: +852 2334 4481 Fax: +852 2144 7001 [mktg.hk@sgs.com](mailto:mktg.hk@sgs.com)Australasia – Perth. Tel: +61 (0) 3 9790 3418 Fax: +61 (0) 3 9701 0988 [au.cts@sgs.com](mailto:au.cts@sgs.com)Europe – London – UK. Tel: +44(0) 203 008 7860 Fax: +44 (0) 203 00 7870 [gb.cts.sales@sgs.com](mailto:gb.cts.sales@sgs.com)Africa & Middle East – Turkey. Tel: +90 212 368 40 00 Fax: +90 212 296 47 82 [sgs.turkey@sgs.com](mailto:sgs.turkey@sgs.com)Americas – USA. Tel: +1 973 575 5252 Fax: +1 973 575 7175 [uscts.inquiries@sgs.com](mailto:uscts.inquiries@sgs.com)[www.sgs.com/cts](http://www.sgs.com/cts) Global Competence Support Centre: [gcsc@sgs.com](mailto:gcsc@sgs.com)If you wish to unsubscribe to this technical bulletin, go here: [Unsubscribe](#)

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