

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS, TOYS & JUVENILE PRODUCTS, SOFTLINES, ELECTRICAL & ELECTRONICS

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CALIFORNIA PROP 65 - RECENT SETTLEMENTS INCLUDING HALLOWEEN AND KITCHEN PRODUCTS

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 by the reformulation of consumer products containing such chemicals¹.

Over the years, Prop 65 has concluded consent agreements in a number of consumer products such as bibs, bicycles, booster cables, brass-containing products, cookware, cosmetics, covering for books and vinyl journals, ear buds, exercise mats, ceramicware and glassware, clothing, faux leather furniture, headphone cables, jewellery, lunchboxes, luggage and accessories, notepads, personal carrying products, poker chips, safety pins and vinyl lounge chairs².

A number of consent settlements were concluded recently which resulted in the reformulation of a variety of consumer products. Highlights of these settlements are summarised in Table 1.



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

² [Safeguard 100/12](#) and references therein.
[Safeguard 153/12](#)

TABLE 1

ENTRY	SUBSTANCE	SCOPE	REFORMULATION
1	Arsenic Cadmium Lead Formaldehyde Phthalates	Halloween costumes, accessories and games for children	Halloween costume accessories are defined as those that are intended to accessorise a costume, e.g. wigs, masks, gloves, footwear, belts, bags, hats, costume props, hosiery, weapons and jewellery Soluble arsenic: ≤ 25 ppm Cadmium ≤ 300 ppm total cadmium (components that a child under the age 12 can place in the mouth) ≤ 75 ppm soluble cadmium Lead ≤ 90 ppm (paint and similar surface coating) ≤ 100 ppm (substrate) Formaldehyde ≤ 20 ppm (fabric/textiles) for children under 3 ≤ 75 ppm (fabric/textiles) for children aged 3 and up Phthalates: ≤ 1000 ppm each of BBP, DBP and DEHP Exemption: Makeup
2	Arsenic Cadmium Lead Formaldehyde Phthalates	Halloween costumes, accessories and games not for children	Halloween costume accessories are defined as those that are intended to accessorise a costume, e.g. wigs, masks, gloves, footwear, belts, bags, hats, costume props, hosiery, weapons and jewellery Soluble arsenic: ≤ 25 ppm Soluble cadmium: ≤ 75 ppm Lead ≤ 90 ppm (paint and similar surface coating) ≤ 300 ppm (substrate) Formaldehyde: ≤ 75 ppm (fabric/textiles) for children aged 3 and up Phthalates: ≤ 1000 ppm each of BBP, DBP and DEHP Exemption: Makeup
3	Arsenic Cadmium Lead Formaldehyde Phthalates	Halloween indoor and outdoor home décor and games (for both children and adults) e.g. candy bowls; lawn, wall, door and table ornaments, and lights; decorative spiders/webs, lighting, ghosts, witches, goblins, bats, cats skeletons, and tombstones	Soluble arsenic: ≤ 25 ppm Cadmium ≤ 300 ppm total cadmium (components that a child under age 12 can place in the mouth) ≤ 75 ppm soluble cadmium Lead ≤ 90 ppm (paint and similar surface coating) ≤ 100 ppm (substrate in children's product) ≤ 300 ppm (substrate other than children's product) Formaldehyde ≤ 20 ppm (fabric/ textiles) for children under 3 ≤ 75 ppm (fabric/textiles) for children aged 3 and up Phthalates: ≤ 1000 ppm each of BBP, DBP and DEHP
4	DEHP	Art kits with handles	≤ 1000 ppm

To be con'd

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ENTRY	SUBSTANCE	SCOPE	REFORMULATION
6	DEHP	Craft tools with grips	≤1000 ppm
7	DEHP	Ottoman	≤1000 ppm
8	DEHP	Pencil cases Pouches Key chains Rulers	≤1000 ppm
9	DEHP	Pouches including map holders	≤1000 ppm
10	DEHP	Sink mats and kitchen tongs	≤1000 ppm
11	DEHP	Shower curtains	≤1000 ppm
12	DEHP	Stools with vinyl seats	≤1000 ppm
13	DEHP	Vinyl placemats, shower curtains, liners and table cloths	≤1000 ppm
14	DEHP	Vinyl sheet flooring	≤1000 ppm
15	DEHP Lead	i. Hand tools and tool bags with grips ii. Tape measures	Hand tools with grips or other accessible components ≤1000 ppm DEHP Tape measures and toolbags (accessible) ≤1.0 µg lead (NIOSH 9100) and ≤100 ppm lead
16	DEHP Lead	Hand tools with grips, including but not limited to paint- and wall-scrapers	≤1000 ppm DEHP and ≤1.0 µg lead (NIOSH 9100) and ≤100 ppm lead
17	Lead	Accessories for portable gaming consoles	≤100 ppm
18	Lead	Baseball or other sports belts used in athletic uniforms	≤90 ppm (surface coating) ≤100 ppm (substrate)
19	Lead	Battery powered electric light strands with wires	≤100 ppm
20	Lead	i. Beverage Dispenser ii. Drizzler bottle	Products with exterior decorations i) No detectable lead (lip and rim) ii) ≤ 50 ppm (exclusive of lip and rim) and iii) 1.0 µg (exclusive of lip and rim)
21	Lead	Photo album and scrapbooks	≤90 ppm (surface coating) ≤100 ppm (other materials)

To be con'd

Con'd

ENTRY	SUBSTANCE	SCOPE	REFORMULATION
22	Lead Phthalates	Hand-held kitchen utensils (including scissor tongs)	≤ 100 ppm lead ≤ 1000 ppm each of DEHP, BBP and DBP (accessible polyvinyl chloride, or other soft plastic, vinyl or other synthetic leather component)
23	Phthalates	Apron	≤ 1000 ppm each of DEHP and DBP
24	Phthalates	Computer cases	≤ 1000 ppm each of DEHP and DBP
25	Phthalates	i. Cases for CDs/DVDs ii. Watches iii. Calculators, flashlights and clocks/radios	≤ 1000 ppm each of DEHP and DBP
26	Phthalates	Wrenches and tool kits containing wrenches	≤ 1000 ppm DEHP, BBP or DBP (accessible polyvinyl chloride or other soft plastic, vinyl or synthetic leather)

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



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WHEN YOU NEED TO BE SURE