

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES, SOFTLINES, ELECTRICAL & ELECTRONICS

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CALIFORNIA PROP 65 SETTLEMENT UPDATES: PART 6

In the first half of 2010, a number of companies have entered into consent agreements under California Proposition 65 (Prop 65) for a variety of consumer products. Some consent agreements have resulted in the establishment of limits for lead, phthalates and 1,4-dioxane.

Proposition 65 is the "Safe Drinking Water and Toxic Enforcement Act of 1986", a ballot initiative passed overwhelmingly by Californian residents in November 1986¹. Proposition 65 requires the State to publish a list of chemicals known to cause cancer or birth defects or other reproductive harm.

Proposition 65 requires businesses to provide a "clear and reasonable" warning before knowingly and intentionally exposing anyone to a listed chemical. Over the years, Prop 65 has concluded consent agreements on lead, phthalates and other chemicals on Prop 65 list that were present in a variety of consumer products. In 2009, there



were a total of 321 consent agreements with monetary settlement to the tune of \$14.6 million². These products have included bibs, key chains, jewelry, cords, bicycles and accessories, aluminum cookware, ceramic ware, glassware, exercise mats, luggage and accessories³.

Since the beginning of 2010, a number of consent agreements have been reached and limits have been established for concentrations in lead, phthalates and other Prop 65 chemicals. Highlights on these consent agreements are summarised in Table 1.

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

² [Proposition 65 Settlement Executive Summary 2009](#)

³ Please also refer to our previous Safeguards on California Proposition 65 updates: [129/09 dated July 2009](#); [109/09 dated June 2009](#), [081/09 dated May 2009](#); [81/08 dated October 2008](#); [063/08 dated September 2008](#); [096/07 dated November 2007](#)

The SGS logo consists of the letters "SGS" in a bold, sans-serif font. A vertical orange line is positioned to the right of the letters, and a horizontal orange line is positioned below the letters, forming a partial frame around the text.

Table 1

Item	Covered Product	Reformulation
1	Brass products used in connection with torches, welding equipment, safety and security products, pneumatics, measuring and leveling tools, janitorial equipment, hand tools, products and parts used to apply paints and chemicals, HVAC parts and tools, marking tools, maintenance-repair and operations items, corkscrews, drills and drivers tire-inflators, air hoses, welding hoses and gauges	≤ 600ppm lead (accessible) otherwise warning
2	Fashion Accessories e.g. <ul style="list-style-type: none"> • Wallets, handbags, purses, clutches and totes • Belts • Footwear 	<ul style="list-style-type: none"> • Paint or other surface coatings on accessible components ≤ 90 ppm lead (from 1 December 2010) • Leather including composite leather (accessible components) ≤ 600 ppm lead (from 1 December 2010) ≤ 300 ppm lead (from 1 December 2011) • PVC (accessible components) ≤ 300 ppm lead (from 1 December 2010) ≤ 200 ppm lead (from 1 December 2011) • All other accessible components other than cubic zirconia (sometimes called cubic zirconium, CZ), crystal, glass or rhinestone ≤ 300 ppm lead (from 1 December 2010) • NB Effective dates are extended for 1 year for belts or footwear
3	Jeweled boxes	<ul style="list-style-type: none"> • Paint and surface coating ≤ 90 ppm lead content • Metal component, or metallic material ≤ 300 ppm lead content • Other Component ≤ 200 ppm lead content

(to be continued)

(continued)

Item	Covered Product	Reformulation
4	Liquid Dish Soap	≤10 ppm 1,4-dioxane
5	<ul style="list-style-type: none"> Pillows with vinyl components Vinyl placemats 	≤ 1000 ppm DEHP
6	Pet toys	Prop 65 phthalates prohibited
7	Pet toys for cats	Prop 65 phthalates prohibited
8	Pet Toys for dogs	Lead and Prop 65 phthalates prohibited
9	<ul style="list-style-type: none"> Vinyl-coated paper fasteners Vinyl-coated craft wire Vinyl-coated measuring tapes 	<ul style="list-style-type: none"> Vinyl coated paper fasteners and craft wire with vinyl coating ≤ 300 ppm lead Vinyl coated measuring tapes ≤ 300 ppm lead and ≤ 0.1µg lead (NIOSH 9100)
10	Vinyl coated twist ties used for plants	≤ 300 ppm lead content

SGS will follow up and inform about developments on regulations or policies in consumer products as a complementary service.

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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