

SAFEGUARDS

CONSUMER GOODS AND RETAIL

CONSUMER PRODUCTS

NO. 213/14 DECEMBER 2014

CALIFORNIA PROP 65 REFORMULATION OF CHEMICALS IN CONSUMER 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 reproductive chemicals by reformulations of consumer products containing such chemicals¹.

Prop 65 has been effective in reducing exposures of toxic chemicals in consumer products to consumers. Of the 850 or so listed chemicals, consumer products containing lead, phthalates and / or flame retardants have been consistently targeted².

On 20 December 2013, the phthalate diisononyl phthalate (DINP) was added onto the Prop 65 list of chemicals. Starting 20 December 2014, businesses are required to provide a 'clear and reasonable warning' before knowingly and intentionally exposing anyone to DINP³.

Since the middle of 2014, a number of Prop 65 settlements have been reached for the reformulation of flame retardants, lead, phthalates and other chemicals in a wide range of products, including but not limited to, beer bong, coasters, dish drainers, sunscreens and polyurethane foam in leather storage boxes.

In the latter part of 2014, a Prop 65 settlement for phthalates was concluded for seats with vinyl / PVC upholstery (Entry 21). Under the agreement, the parties agreed to reformulate the products to no more than 0.1% of each of the 6 phthalates DEHP, BBP, DBP, DIDP, DnHP and DINP. Failure to meet the reformulation requirements will require the products to carry the appropriate Prop 65 warning.

Highlights of the settlements, including the reformulation of the 6 phthalates for seats with vinyl / PVC upholstery are summarised in Table 1.



¹ <http://oehha.ca.gov/prop65.html>

² [SGS-Safeguard 93/14, 94/14, 95/14, 150/14](#) and [180/14](#)

³ [SGS-Safeguard 203/14](#)

TABLE 1.

ENTRY	SUBSTANCE	PRODUCT	REFORMULATION
1	Benzophenone	Sunscreens	Prohibited
2	DEHP	Art portfolios with vinyl / PVC handles	< 1000 ppm otherwise warning
3	DEHP	Beer bongos	≤ 1000 ppm
4	DEHP	Mats	≤ 1000 ppm
5	DEHP	Spray hose	≤ 1000 ppm
6	DEHP	Vinyl / PVC arm bands	≤ 1000 ppm
7	DEHP	Vinyl / PVC coasters	< 1000 ppm
8	DEHP	Vinyl / PVC cord protectors	≤ 1000 ppm
9	DEHP	Vinyl / PVC game cases, including, game kits, accessories and components	< 1000 ppm otherwise warning
10	DEHP	<ul style="list-style-type: none"> • Vinyl / PVC golf ball retriever grips • Vinyl / PVC golf ball monogrammer grips 	< 1000 ppm otherwise warning
11	DEHP Lead	Bell with vinyl / PVC handles	≤ 90 ppm lead, and < 1000 ppm DEHP otherwise warning
12	Lead	Floodlight holder kits	< 100 ppm
13	Lead	Hose	Brass alloys shall have (a) no intentionally added lead, and (b) ≤ 50 ppm otherwise warning
14	Lead	Instrument pouches / cases	≤ 100 ppm
15	Lead	Plumbing replacement parts	WARNING LABEL WARNING: This product contains chemicals [including lead and lead compounds] known to the State of California to cause cancer, and birth defects or other reproductive harm. [Do not use in connection with drinking water.][Wash hands after handling.]
16	Lead	Vinyl/PVC pillows	≤ 100 ppm
17	Phthalates	Dish drainers	≤ 1000 ppm each of DEHP and DBP
18	Phthalates	Greenery made from PVC/Vinyl, including, but not limited to, trees and wreaths	≤ 1000 ppm each of DEHP, BBP and DBP
19	Phthalates	Key covers with vinyl/PVC material	< 1000 ppm each of DEHP, DBP and BBP
20	Phthalates	LED lights and other string lights with Vinyl/PVC cables, whether freestanding or serving as component of another product	≤ 1000 ppm each of DEHP, BBP and DBP
21	Phthalates	Seat with Vinyl/PVC upholstery	≤ 1000 ppm each of DEHP, BBP, DBP, DIDP, DnHP and DINP otherwise warning

22	Flame retardants	Massage pillows containing foam padding	≤25 ppm each of TDCPP, TCEP and TDBPP otherwise warning
23	Flame retardants	Upholstered Chairs with foam padding	≤25 ppm each of TDCPP, TCEP and TDBPP
24	TDCPP	Polyurethane foam in leather storage boxes	Prohibited

DEFINITIONS

ITEM	ACRONYM	NAME
1	BBP	Benzylbutyl phthalate
2	DBP	Dibutyl phthalate
3	DEHP	Di-(2-ethylhexyl) phthalate
4	DnHP	Di-n-hexyl phthalate
5	DIDP	Diisodecyl phthalate
6	DINP	Diisononyl phthalate
7	TCEP	Tris-(2-chloroethyl) phosphate
8	TDBPP	Tris(2,3-dibromopropyl) phosphate
9	TDCPP	Tris(1,3-dichloro-2-propyl) phosphate

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



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