

# CALIFORNIA PROPOSITION 65 THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 GUIDE FOR OPHTHALMIC SUPPLIERS

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## EXECUTIVE SUMMARY

Proposition 65 is a California initiative that became a state law in 1986 (updated in 2003) known as the *Safe Drinking Water and Toxic Enforcement Act*.

“Prop 65”, as it is commonly referred to, sets out environmental regulations regarding toxic chemical substances that businesses are subject to when they sell merchandise in that State.

While some of the Prop 65 controls are intended to protect California’s drinking water sources from contamination by these chemicals, the law also seeks to allow California consumers, residents and workers the opportunity to make informed choices about products and environments that contain potentially hazardous chemicals. In this regard, Prop 65 is a “warning” or “labeling” law that looks to provide Californians notice of possible exposure to toxic substances in the products they purchase or the places they work.

Prop 65 law suits may be brought by an Attorney General or District Attorney in California; however Prop 65 includes a private right of action allowing “any person in the public interest” to bring suit, including consumer advocate groups and private citizens. Most Prop 65 cases are brought forward by “private enforcers.”

These enforcers target certain segments of the California marketplace, and recently eyewear cases, chains, plano sunglasses and over-the-counter reading glasses have been in their sights. In addition, we believe that the enforcers may target other segments of our industry. For this reason, as a trade association we believe that this guide can help keep our members informed about Prop 65 so that steps can be taken by the membership to avoid Prop 65 compliance issues.

## QUESTIONS AND ANSWERS

<b>WHO</b>	Those companies that have 10 or more employees and whose businesses: 1) are physically present in California; or, 2) whose products are sold, distributed or stored in California, including sales in California placed via the internet or catalogs.	<b>WHY</b>	A great many chemicals and other substances are understood to possibly or definitively cause cancers, birth defects/developmental delays, or other health hazards in humans. In this area California, through Prop 65, is promoting the strictest state requirements in the U.S., requiring that consumers be warned of the presence of such substances in products.
<b>WHAT</b>	Proposition (Prop) 65 (“ <i>The Safe Drinking Water and Toxic Enforcement Act</i> ”) is a California state law that requires that consumers in California be informed when products they seek to purchase contain substances that have been determined to cause cancer, birth defects or other reproductive harm. It also covers exposures to such substances in the workplace or in the environment. Over the past few years, several member companies of The Vision Council have been involved with CA Prop 65 related complaints.	<b>HOW</b>	<b>Optical-related manufacturers/distributors</b> should confirm that their products do not contain chemical substances on the Prop 65 list or, if they do contain such substances, that the amounts are below any relevant <i>de minimis</i> or “safe harbor” level for those substances. If not, then a conspicuous, clear and reasonable warning to the consumer must be provided that the product contains a substance(s) determined by California to be carcinogenic and/or teratogenic. California state regulations set out specific language and guidance for these warnings.
<b>WHERE</b>	All sales in California of products containing substances on the Prop 65 list, or exposures to such substances in the environment or workplace, except for those businesses with fewer than 10 employees.		
<b>WHEN</b>	The law has been in place since 1986 and its regulated substance listing is updated periodically. However, tort lawyers and enforcer groups have been suing many businesses, including distributors of optical-related products, for lack of Prop 65 compliance.		

## TESTING REQUIREMENTS AND CHEMICAL LISTINGS

Prop 65 requires the Governor of California to publish a list of chemical substances that are known to the State of California to cause cancer, birth defects or other reproductive harm. The list contains a wide range of chemicals, including dyes, solvents, pesticides, drugs, food additives, byproducts of certain processes, or specialty chemicals used in industrial applications and may be naturally occurring or synthetic. The list is updated quarterly so businesses that are subject to Prop 65 should review the list on a quarterly basis to ensure that they are compliant.

Companies should confirm that their products do not contain chemical substances on the Prop 65 list or, if they do contain such substances, that the amounts are below any relevant *de minimis* or “safe harbor” level for those substances. However, only about one-third of the substances set out on the Prop 65 list provide a safe harbor limit.

In the actions commenced recently against our members the “listed” substance present has been **Di (2-ethylhexyl) phthalate**, also known as “DEHP”. This phthalate is a plasticizer chemical that is found in many vinyl-like products including eyeglass cases. We strongly encourage members of The Vision Council to test for this chemical and the other phthalates on the Prop 65 list to ensure that those substances are not in their products that are sold in the state of California. This would be especially true for those who

distribute and/or sell eyeglass cases, chains, plano sunglasses and over-the-counter (OTC) reading glasses in the state of California.

While many of the law suits that implicate members of The Vision Council involve DEHP and other phthalates, it is important that you do not limit your compliance efforts to those substances. The Prop 65 substance list is very long (containing more than 900 substances) and is constantly changing. To ensure that your compliance efforts reflect the current inventory of listed substances, you should consult the following link, which is the up-to-date list of substances being regulated by California: [www.oehha.ca.gov/prop65/prop65\\_list/Newlist.html](http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html)

The Vision Council and NSL Analytical Services, Inc. (“NSL”) have created a smaller version of that list to help members better understand some of the kinds of chemicals which may be more common in ophthalmic products. We are not representing this reduced list as the only substances members must concern themselves with for compliance purposes. Members should identify and vet against the master Prop 65 list the substances in their products. The abridged list, however, represents a good faith attempt to identify some of the substances that NSL feels might be found in ophthalmic products and thus of interest to members of The Vision Council.

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Disodium cyanodithioimido-carbonate	developmental	AB	138-93-2	30-Mar-99	<b>56 (oral) 170 (oral) as 32% pesticidal formulation</b>	Fire Retardant
Polybrominated biphenyls	cancer	SQE	---	1-Jan-88	0.02	Fire Retardant
Polybrominated biphenyls	developmental	AB	---	1-Oct-94		Fire Retardant
Polychlorinated biphenyls	cancer	LC	---	1-Oct-89	0.09	Fire Retardant
Polychlorinated biphenyls	developmental	SQE	---	1-Jan-91		Fire Retardant

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	cancer	SQE	---	1-Jan-88		Fire Retardant
Benzyl chloride	cancer	AB	100-44-7	1-Jan-90	4	Halogenated Solvents
Bisphenol A (BPA)	female	SQE	80-05-7	11-May-15		Monomer
2,2-Bis(bromomethyl)-1,3-propanediol	cancer	AB	3296-90-0	1-May-96		Halogenated Solvents
Bis(2-chloroethyl)ether	cancer	SQE	111-44-4	1-Apr-88	0.3	Halogenated Solvents
Bis(chloromethyl)ether	cancer	LC	542-88-1	27-Feb-87	0.02	Halogenated Solvents
Bromoethane	cancer	AB	74-96-4	22-Dec-00		Halogenated Solvents
2-Bromopropane	female, male	AB	75-26-3	31-May-05		Halogenated Solvents
Carbon tetrachloride	cancer	SQE	56-23-5	1-Oct-87	5	Halogenated Solvents
Chlorinated paraffins (Average chain length, C12;approximately 60 percent chlorine by weight)	cancer	SQE	108171-26-2	1-Jul-89	8	Halogenated Solvents
Chloroethane (Ethyl chloride)	cancer	AB	75-00-3	1-Jul-90	150	Halogenated Solvents
Chloromethyl methyl ether (technical grade)	cancer	LC	107-30-2	27-Feb-87	0.3	Halogenated Solvents
2-Chloropropionic acid	male	LC	598-78-7	7-Aug-09		Halogenated Solvents
1,2-Dibromo-3-chloropropane (DBCP)	cancer	FR	96-12-8	1-Jul-87	0.1	Halogenated Solvents
1,2-Dibromo-3-chloropropane (DBCP)	male	LC	96-12-8	27-Feb-87	<b>3.1 (oral) 4.3 (inhalation)</b>	Halogenated Solvents
p-Dichlorobenzene	cancer	SQE	106-46-7	1-Jan-89	20	Halogenated Solvents
1,1-Dichloroethane	cancer	AB	75-34-3	1-Jan-90	100	Halogenated Solvents
Dichloromethane (Methylene chloride)	cancer	SQE	75-09-2	1-Apr-88	50 200 (inhalation)	Halogenated Solvents
1,2-Dichloropropane	cancer	AB	78-87-5	1-Jan-90	9.7	Halogenated Solvents

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Ethylene dichloride (1,2-Dichloroethane)	cancer	SQE	107-06-2	1-Oct-87	10	Halogenated Solvents
Hexafluoroacetone	male	LC	684-16-2	1-Aug-08		Halogenated Solvents
Methyl chloride	developmental	AB	74-87-3	10-Mar-00		Halogenated Solvents
Methyl chloride	male	LC	74-87-3	7-Aug-09		Halogenated Solvents
4,4'-Methylene bis(2-chloro-aniline)	cancer	FR	101-14-4	1-Jul-87	0.5	Halogenated Solvents
Tetrafluoroethylene	cancer	AB	116-14-3	1-May-97		Halogenated Solvents
Vinyl trichloride (1,1,2-Trichloroethane)	cancer	AB	79-00-5	1-Oct-90	10	Halogenated Solvents
Antimony oxide (Antimony trioxide)	cancer	AB	1309-64-4	1-Oct-90		Metals
Arsenic (inorganic arsenic compounds)	cancer	LC	--	27-Feb-87	0.06 (inhalation) 10 (except inhalation)	Metals
Arsenic (inorganic oxides)	developmental	SQE	---	1-May-97		Metals
Beryllium and beryllium compounds	cancer	SQE	---	1-Oct-87		Metals
Beryllium					0.1	Metals
Beryllium oxide					0.1	Metals
Beryllium sulfate					2E-04	Metals
Cadmium	developmental, male	SQE	---	1-May-97	<b>4.1 (oral)</b>	Metals
Cadmium and cadmium compounds	cancer	SQE	---	1-Oct-87		Metals
Cadmium					0.05 (inhalation)	Metals
Chromium (hexavalent compounds)	cancer	LC	---	27-Feb-87	0.001 (inhalation)	Metals
Chromium (hexavalent compounds)	developmental, female, male	SQE	---	19-Dec-08		Metals
Cobalt metal powder	cancer	AB	7440-48-4	1-Jul-92		Metals
Cobalt [II] oxide	cancer	AB	1307-96-6	1-Jul-92		Metals
Cobalt sulfate	cancer	LC	10124-43-3	20-May-05		Metals
Cobalt sulfate heptahydrate	cancer	AB	10026-24-1	2-Jun-00		Metals

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Gallium arsenide	cancer	LC	1303-00-0	1-Aug-08		Metals
Iodine-131	developmental	SQE	10043-66-0	1-Jan-89		Metals
Lead	developmental, female, male	LC	---	27-Feb-87	0.5	Metals
Lead and lead compounds	cancer	AB	---	1-Oct-92		Metals
Lead					<b>15 (oral)</b>	Metals
Lead acetate	cancer	SQE	301-04-2	1-Jan-88	<b>23 (oral)</b>	Metals
Lead phosphate	cancer	SQE	7446-27-7	1-Apr-88	<b>58 (oral)</b>	Metals
Lead subacetate	cancer	LC	1335-32-6	1-Oct-89	<b>41 (oral)</b>	Metals
Lithium carbonate	developmental	FR	554-13-2	1-Jan-91		Metals
Mercury and mercury compounds	developmental	AB	---	1-Jul-90		Metals
Methylmercury compounds	cancer	AB	---	1-May-96		Metals
Nickel (Metallic)	cancer	LC	7440-02-0	1-Oct-89		Metals
Nickel acetate	cancer	LC	373-02-4	1-Oct-89		Metals
Nickel carbonate	cancer	LC	3333-67-3	1-Oct-89		Metals
Nickel carbonyl	cancer	SQE	13463-39-3	1-Oct-87		Metals
Nickel carbonyl	developmental	AB	13463-39-3	1-Sep-96		Metals
Nickel compounds	cancer	LC	---	7-May-04		Metals
Nickel hydroxide	cancer	LC	12054-48-7; 12125-56-3	1-Oct-89		Metals
Nickelocene	cancer	LC	1271-28-9	1-Oct-89		Metals
Nickel oxide	cancer	LC	1313-99-1	1-Oct-89		Metals
Nickel refinery dust from the pyrometallurgical process	cancer	SQE	---	1-Oct-87	0.8	Metals
Nickel subsulfide	cancer	SQE	12035-72-2	1-Oct-87	0.4	Metals
Selenium sulfide	cancer	LC	7446-34-6	1-Oct-89		Metals
Silica, crystalline (airborne particles of respirable size)	cancer	SQE	---	1-Oct-88		Metals
Thorium dioxide	cancer	LC	1314-20-1	27-Feb-87		Metals
1,3-Butadiene	cancer	SQE	106-99-0	1-Apr-88	0.4	Monomers
1,3-Butadiene	developmental, female, male	AB	106-99-0	16-Apr-04		Monomers
Chlorendic acid	cancer	SQE	115-28-6	1-Jul-89	8	Monomers
Chloroprene	cancer	AB	126-99-8	2-Jun-00		Monomers
p-Cresidine	cancer	SQE	120-71-8	1-Jan-88	5	Monomers



Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Dimethylvinylchloride	cancer	SQE	513-37-1	1-Jul-89	20	Monomers
Dinitrotoluene (technical grade)	female, male	AB	---	20-Aug-99		Monomers
Dinitrotoluene mixture, 2,4-/2,6-	cancer	AB	---	1-May-96		Monomers
2,4-Dinitrotoluene	cancer	SQE	121-14-2	1-Jul-88	2	Monomers
2,4-Dinitrotoluene	male	AB	121-14-2	20-Aug-99		Monomers
2,6-Dinitrotoluene	cancer	SQE	606-20-2	1-Jul-95		Monomers
2,6-Dinitrotoluene	male	AB	606-20-2	20-Aug-99		Monomers
Ethyl acrylate	cancer	SQE	140-88-5	1-Jul-89		Monomers
Ethylene oxide	cancer	FR	75-21-8	1-Jul-87	2	Monomers
Ethylene oxide	female	LC	75-21-8	27-Feb-87	20	Monomers
Ethylene oxide	developmental, male	LC	75-21-8	7-Aug-09		Monomers
Glycidol	cancer	AB	556-52-5	1-Jul-90		Monomers
Isoprene	cancer	AB	78-79-5	1-May-96		Monomers
4,4'-Methylenedianiline	cancer	SQE	101-77-9	1-Jan-88	0.4	Monomers
Methyl isocyanate (MIC)	developmental, female	SQE	624-83-9	12-Nov-10		Monomers
o-Phenylenediamine and its salts	cancer	AB	95-54-5	15-May-98		Monomers
o-Phenylenediamine					26	Monomers
o-Phenylenediamine dihydrochloride					44	Monomers
Propylene oxide	cancer	SQE	75-56-9	1-Oct-88		Monomers
Toluene diisocyanate	cancer	LC	26471-62-5	1-Oct-89	20	Monomers
Trientine hydrochloride	developmental	FR	38260-01-4	27-Feb-01		Monomers
Trimethyl phosphate	cancer	AB	512-56-1	1-May-96	24	Monomers
Vinyl bromide	cancer	SQE	593-60-2	1-Oct-88		Monomers
Vinyl chloride	cancer	LC	75-01-4	27-Feb-87	3	Monomers
Vinyl fluoride	cancer	AB	75-02-5	1-May-97		Monomers
Naphthalene	cancer	AB	91-20-3	19-Apr-02	5.8	PAH
Butyl benzyl phthalate (BBP)	developmental	AB	85-68-7	2-Dec-05		Phthalates
Di- <i>n</i> -butyl phthalate (DBP)	developmental, female, male	AB	84-74-2	2-Dec-05	8.7	Phthalates
Di(2-ethylhexyl)phthalate (DEHP)	cancer	SQE	117-81-7	1-Jan-88	310	Phthalates

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	AB	117-81-7	24-Oct-03	For intravenous exposure: 4200 (adults) 600 (infant boys, age 29 days- 24 mos.) 210 (neonatal infant boys, age 0-28 days).	Phthalates
Di- <i>n</i> -hexyl phthalate (DnHP)	female, male	AB	84-75-3	2-Dec-05	2200 (oral)	Phthalates
Di-isodecyl phthalate (DIDP)	developmental	AB	68515-49-1/ 26761-40-0	20-Apr-07	2200	Phthalates
Diisononyl phthalate (DINP)	cancer	SQE	---	20-Dec-13		Phthalates
Acetaldehyde	cancer	SQE	75-07-0	1-Apr-88	90 (inhalation)	Solvents
Acetamide	cancer	AB	60-35-5	1-Jan-90	10	Solvents
Acrylonitrile	cancer	FR	107-13-1	1-Jul-87	0.7	Solvents
4-Aminobiphenyl (4-amino-diphenyl)	cancer	LC	92-67-1	27-Feb-87	0.03	Solvents
Aniline	cancer	AB	62-53-3	1-Jan-90	100	Solvents
Aniline hydrochloride	cancer	AB	142-04-1	15-May-98		Solvents
Benzene	cancer	LC	71-43-2	27-Feb-87	6.4 (oral) 13 (inhalation)	Solvents
Benzene	developmental, male	SQE	71-43-2	26-Dec-97	24 (oral) 49 (inhalation)	Solvents
Butylated hydroxyanisole	cancer	AB	25013-16-5	1-Jan-90	4000	Solvents
4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)	cancer	SQE	101-80-4	1-Jan-88	5	Solvents
N,N-Dimethylacetamide	developmental	LC	127-19-5	21-May-10		Solvents
3,3'-Dimethylbenzidine (ortho-Tolidine)	cancer	SQE	119-93-7	1-Jan-88	0.044	Solvents
Ethylbenzene	cancer	AB	100-41-4	11-Jun-04	54 (inhalation) 41 (oral)	Solvents
2-Ethylhexanoic acid	developmental	LC	149-57-5	7-Aug-09		Solvents
Hexamethylphosphoramide	cancer	SQE	680-31-9	1-Jan-88		Solvents

Chemical	Type of Toxicity	Listing Mechanism	CAS No.	Date Listed	NSRL or MADL (µg/day) <sup>a</sup>	Classification
Hexamethylphosphoramide	male	AB	680-31-9	1-Oct-94		Solvents
Hydrazine	cancer	SQE	302-01-2	1-Jan-88	0.04	Solvents
Hydrazobenzene (1,2-Diphenylhydrazine)	cancer	SQE	122-66-7	1-Jan-88	0.8	Solvents
Methylhydrazine and its salts	cancer	AB	---	1-Jul-92		Solvents
Methylhydrazine					<b>0.058 (oral)</b> <b>0.090 (inhalation)</b>	Solvents
Methylhydrazine sulfate					0.18	Solvents
N-Methylpyrrolidone	developmental	<b>AB</b>	872-50-4	15-Jun-01	<b>3200 (inhalation)</b> <b>17000 (dermal)</b>	Solvents
Nitrobenzene	cancer	<b>AB</b>	98-95-3	26-Aug-97		Solvents
Nitrobenzene	male	<b>AB</b>	98-95-3	30-Mar-10		Solvents
2-Nitropropane	cancer	SQE	79-46-9	1-Jan-88		Solvents
N-Nitrosodiphenylamine	cancer	SQE	86-30-6	1-Apr-88	80	Solvents
p,p'-Oxybis(benzenesulfonyl hydrazide)	developmental	<b>LC</b>	80-51-3	7-Aug-09		Solvents
Thiourea	cancer	SQE	62-56-6	1-Jan-88	10	Solvents
Toluene	developmental	SQE	108-88-3	1-Jan-91	7000b	Solvents
Toluene	female	<b>LC</b>	108-88-3	7-Aug-09		Solvents

## LABELING

Labeling is a way to insulate your company from Prop 65 law suits. For example, a warning, typically on a label, or in certain circumstances in the retail setting renders your product Prop 65 compliant as long as the warning is conspicuous, clear and reasonable and it alerts the consumer that the product contains a substance(s) determined by California to be carcinogenic and/or teratogenic. The law allows for the warning to be provided by a variety of means, such as direct labeling of the product, posting signs at the workplace, or at the point of sale, depending on the circumstances and provided the warning is clear and reasonable. Also, California state regulations set out specific language for these warnings, for example, “*WARNING: The following products contain a chemical known to the State of California to cause cancer [OR to cause birth defects or other reproductive harm].*” With that in mind, you are not required to warn, but if you do not and your product is found to contain a listed substance, then you can be sued.

Prop 65 covers sales of goods to customers in California; however it also covers sales into California over the internet. If you are selling product over the internet, and that product contains listed substances so that a warning label would be required on the product if it physically were sold in California, then that warning must be associated with the product’s internet presence.

If you elect to label your product with the warning, then the obligation to do so is on the producer or packager rather than on the retail vendor (except where the retail seller itself is responsible for introducing a chemical known to the state to cause cancer or reproductive toxicity into the consumer product in question). As mentioned above, if the warning is on a label, it must be conspicuous enough to be read and understood by the consumer, and convey the information set out above. You can also have a sign in the product’s point of sale display. In that situation, the signage must make it clear that the warning covers the products in the display. A retail outlet can provide warning signs throughout its store in lieu of the producer placing a warning on its label, but the retailer has to implement that signage correctly. Even if the producer or packager does not provide a warning label on its product’s packaging, according to Prop 65 the warning requirements

can still be satisfied if the retail outlet provides a sufficiently descriptive warning through shelf-labeling, signs, menus, or a combination thereof. So, for example, the retailer can post signage to the effect that: “*WARNING: The following products contain a chemical known to the State of California to cause cancer [OR to cause birth defects or other reproductive harm]: Product X, Product Y, and Product Z.*”

To satisfy Prop 65 by using retail signage, each product sold at that retailer containing a Proposition 65 chemical above any safe harbor level is to be listed by name. We discussed this issue with the California Attorney General’s (AG) office and were advised that such a sign needs to be in close proximity to the identified product(s), applying a reasonableness standard, in order for it to satisfy the law as it relates to those product(s). The representative from the AG’s office said that the sign has to be close enough that it would be reasonable to expect the consumer to see it when making a decision whether to purchase the product. Any member of The Vision Council who elects to rely on retail store signage in lieu of actually labeling their products must be mindful that they will be ultimately responsible if the retailer’s signage falls short of any Prop 65 requirements or is not conspicuous enough. For more information on the labeling regulations please visit [http://www.oehha.ca.gov/prop65/law/pdf\\_zip/RegsArt6.pdf](http://www.oehha.ca.gov/prop65/law/pdf_zip/RegsArt6.pdf).

## PENALTIES AND ACCOUNTABILITY

The penalties for violations of Prop 65 are not insignificant: any business that violates or threatens to violate Prop 65 is liable for a civil penalty not to exceed \$2,500 per day for each violation.

Under Prop 65, if the enforcer prevails at trial or by forcing a settlement that benefits the public then the defendant can be ordered to pay all the legal fees. In other words, not just your fees but also the fees for the attorney representing the person or company suing you. This could mean having to pay such fees ranging up to tens of thousands of dollars as conditions of settling law suits, in addition to civil penalties on top of this amount.

This means that defending each small product complaint can easily exceed \$50,000 when you add your company costs (e.g., your time, your legal team) to the costs and penalties

assessed against you. In addition to direct financial cost, your company, brand licensor and/or distributor could likely suffer damage to the brand because of negative press arising from being a defendant in a Prop 65 action.

### WHAT MORE CAN I DO?

If you are interested in more information about how to have your California offices or plant assessed for toxic materials there are many organizations that exist that can help you. Likewise, private labs are available to conduct product testing.

Below is a list of some of those entities who can provide assistance. This is not meant to be an exhaustive or recommended list, but simply some resources that are available should you wish to explore further:

- Healthy Buildings Network ([www.healthybuilding.net](http://www.healthybuilding.net))
- Centers for Environmental Health ([www.ceh.org](http://www.ceh.org))
- Health Care Without Harm ([www.noharm.org](http://www.noharm.org))
- Californians for a Healthy & Green Economy ([www.changeocalifornia.org/](http://www.changeocalifornia.org/))

### LEGAL DISCLAIMER

This document has been prepared by The Vision Council for its members for informational purposes only, and does not constitute legal advice. This information is not intended to create, and receipt of it does not constitute, a lawyer-client relationship, and you must not rely on this information as an alternative to legal advice from your attorney or other professional legal services provider. Consult with your attorney if you have specific questions about any legal matter, including questions involving Proposition 65.

### RESOURCES

**Online at [www.thevisioncouncil.org](http://www.thevisioncouncil.org)** (Recordings, Links, Ongoing Documents) or **Proposition 65 Website**

#### Legal Questions:

Rick VanArnam, The Vision Council's regulatory affairs counsel, at [rvanarnam@barnesrichardson.com](mailto:rvanarnam@barnesrichardson.com) or (212) 725-0200 ex. 126.

#### Technical & Testing Questions:

Michael Vitale, technical director, at [mvitale@thevisioncouncil.org](mailto:mvitale@thevisioncouncil.org) or (703)548-2684.

#### Regulatory & Legislative Questions:

Jason McElvaney, government and regulatory affairs liaison, at [jason@mcelvaneypublicaffairs.com](mailto:jason@mcelvaneypublicaffairs.com) or (512) 751-5555.

#### NSL Analytical Testing Laboratories:

Larry Somrack, president, at [nsl@nslanalytical.com](mailto:nsl@nslanalytical.com), or (800) 497-6752, [www.nslanalytical.com](http://www.nslanalytical.com)