



California Proposition 65

What is California Proposition 65?

Proposition (Prop 65) is a California law that requires the state to keep a list of chemicals that the State of California has identified may cause cancer or reproductive toxicity.

If a product contains a chemical on the list, the State of California requires businesses doing business in the State of California to provide a 'reasonable warning' before potentially exposing Californians to the chemicals. California requires all 'persons in the course of doing business' whose products are sold in California to comply with Proposition 65, in addition to federal laws for product safety.

What does Proposition 65 require?

First, it requires the Governor of California to publish a list of chemicals that are known to the State of California to cause cancer, birth defects or other reproductive harm. The list, which must be updated annually, includes a wide variety of chemicals that can be found in dyes, solvents, drugs, food-additives, by-products of certain processes, pesticides and tobacco products. This list, which must be updated at least once a year, has grown to include approximately 800 chemicals since it was first published in 1987.

Second, it requires Manufacturers to provide a "clear and reasonable" warning before exposing anyone to a listed chemical. This warning can be given by a variety of means, such as by labeling a consumer product, by posting signs at the workplace, distributing notices at rental housing complexes, or by publishing notices in a newspaper.

What types of chemicals are on the Proposition 65 list?

The list contains a wide range of naturally occurring and synthetic chemicals that are known to cause cancer or birth defects or other reproductive harm. These chemicals include additives or ingredients in pesticides, common household products, food, drugs, dyes, or solvents. Listed chemicals may also be used in manufacturing and construction, or they may be byproducts of chemical processes, such as motor vehicle exhaust.

How is a chemical added to the list?

There are four principal ways for a chemical to be added to the Proposition 65 list. A chemical can be listed if either of two independent committees of scientists and health professionals finds that the chemical has been clearly shown to cause cancer or birth defects or other reproductive harm. These two committees—the Carcinogen Identification Committee (CIC) and the Developmental and Reproductive Toxicant (DART) Identification Committee—are part of OEHHA's Science Advisory Board. The committee members are appointed by the Governor and are designated as the "State's Qualified Experts" for evaluating chemicals under Proposition 65. When determining whether a chemical should be placed on the list, the committees base their decisions on the most current scientific information available. OEHHA staff scientists compile all relevant scientific evidence on various chemicals for the committees to review. The committees also consider comments from the public before making their decisions.

A second way for a chemical to be listed is if an organization designated as an "authoritative body" by the CIC or DART Identification Committee has identified it as causing cancer or birth defects or other reproductive harm.

The following organizations have been designated as authoritative bodies: the U.S. Environmental Protection Agency, U.S. Food and Drug Administration (U.S. FDA), National Institute for Occupational Safety and Health, National Toxicology Program, and International Agency for Research on Cancer.

A third way for a chemical to be listed is if an agency of the state or federal government requires that it be labeled or identified as causing cancer or birth defects or other reproductive harm. Most chemicals listed in this manner are prescription drugs that are required by the U.S. FDA to contain warnings relating to cancer or birth defects or other reproductive harm.

A fourth way requires the listing of chemicals meeting certain scientific criteria and identified in the California Labor Code as causing cancer or birth defects or other reproductive harm. This method established the initial chemical list following voter approval of Proposition 65 in 1986 and continues to be used as a basis for listing as appropriate.

With a label that says "This product contains chemicals known to the State of California to cause cancer and/or birth defects or other reproductive harm," how can I trust that the product is safe?

If a Proposition 65 warning is posted, it means that the business issuing the warning knows that one or more listed chemicals is merely present in its product. A warning must be given for listed chemicals unless exposure is low enough to pose no significant risk of cancer or is significantly below levels observed to cause birth defects or other reproductive harm.

For chemicals that are listed as causing cancer, the "no significant risk level" is defined as the level of exposure that would result in not more than one excess case of cancer in 100,000 individuals exposed to the chemical over a 70-year lifetime. In other words, a person exposed to the chemical at the "no significant risk level" for 70 years would not have more than a "one in 100,000" chance of developing cancer as a result of that exposure.

For chemicals that are listed as causing birth defects or reproductive harm, the "no observable effect level" is determined by identifying the level of exposure that has been shown to not pose any harm to humans or laboratory animals. Proposition 65 then requires this "no observable effect level" to be divided by 1,000 in order to provide an ample margin of safety. Businesses subject to Proposition 65 are required to provide a warning if they cause exposures to chemicals listed as causing birth defects or reproductive harm that exceed 1/1000th of the "no observable effect level."

The purpose of Proposition 65 is simply to notify consumers that they are being exposed to chemicals that are known to cause cancer and/or reproductive toxicity. A Proposition 65 warning does not necessarily mean a product is unsafe or in violation of any product-safety standards or requirements.

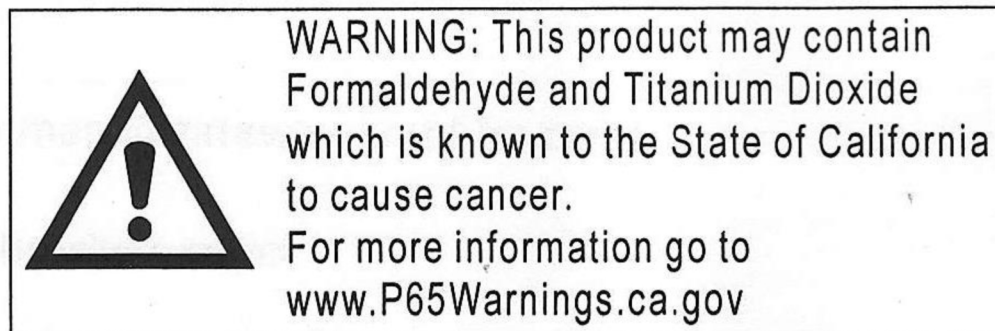
Where can I get more information on Proposition 65?

For general information on the Proposition 65 list of chemicals, you may contact OEHHA's Proposition 65 program at (916) 445-6900, or visit <http://www.oehha.ca.gov/prop65.html>.

Gemtex Abrasives will accommodate the above changes as follow:

1, labeling the product:

All Our coated abrasive products will have the following additional warning marked on the packaging.



2, SDS: Gemtex has updated all SDS for the products where the warning label is required.

Available upon request.

3. Conversion of Gemtex Abrasives Products – Customers converting our products in to any other finished abrasive products are responsible for warning labels if the converted product is sold to the State of California. All coated abrasive products sold to a convertor fall under the Proposition 65 requirements.

4, Re packing of bulk Gemtex Abrasives products – Customers re-packing our products in to any other packaging configurations are responsible for warning labels if the repackaged product is sold to the State of California. All coated abrasive products sold to a convertor fall under the Proposition 65 requirements.