

## **CALIFORNIA MAY COLLECT CERTAIN INFORMATION FROM BUSINESSES TO SUPPORT ITS NEW PROPOSITION 65 WEBSITE**

Jun 23, 2016

California's Office of Environmental Health Hazard Assessment (OEHHA) has launched a website, [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov), intended to provide both businesses and consumers with information regarding the requirements for Proposition 65 warnings.

The website provides information regarding [listed chemicals](#), including when they were listed, the basis for listing, and whether they are listed as a carcinogen or as causing reproductive harm. The website also identifies [products and places](#) that require a specific Prop. 65 warning under the new regulations being considered by OEHHA, such as alcoholic beverages, furniture products, amusement parks, and dental offices. It provides the current language for the current Prop. 65 warning for those products as well as the newly proposed language. It also provides information about the types of listed chemicals likely to be found in those products, the likely routes and levels of exposure, and ways to reduce that exposure.

In order to develop information for the website, OEHHA can request information from businesses concerning the Prop. 65 warnings they provide. See [27 CCR 25205](#). Within 90 days of receiving such a request, businesses must provide information concerning the manufacturer of a product, the type and concentration level of a listed chemical for which a warning is being provided, where the chemical is found within the product, the anticipated routes and level of exposure, and other relevant information.

Businesses do not need to conduct any additional tests or analysis in order to respond to OEHHA's request, and may respond that the requested information is not within their possession or control. If OEHHA requests the same information from two or more businesses about a particular product or exposure, those businesses can respond through their trade organization. Businesses can also claim that the information is protected as a trade secret.

## MEET THE TEAM



### **Merrit M. Jones**

San Francisco

[merrit.jones@bclplaw.com](mailto:merrit.jones@bclplaw.com)

+1 415 675 3435

---

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon ([kathrine.dixon@bclplaw.com](mailto:kathrine.dixon@bclplaw.com)) as the responsible attorney.