

TITLE 27 CAL CODE OF REGS. ARTICLE 6
CLEAR & REASONABLE WARNINGS:
Side-by-Side Comparison

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Subarticle 1: General

§ 25600 General

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>(a) Article 6, subarticles 1 and 2 apply when a clear and reasonable warning is required under Section 25249.6 of the Act. Subarticle 1 sets forth general provisions applicable throughout this Article, including the allocation of responsibility among parties when a warning for a product is required under the Act. Subarticle 2 provides “safe harbor” content and methods for providing a warning that have been determined “clear and reasonable” by the lead agency. Nothing in Article 6 or Subarticles 1 and 2 shall be interpreted to determine whether a warning is required for a given exposure under Section 25249.6 of the Act.</p> <p>(b) This Article will become effective two years after the date of adoption. A person may provide a warning that complies with this Article prior to its two-year effective date.</p> <p>(c) If the lead agency has not adopted a warning method or content specific to a product, area, or chemical in Section 25608, an interested party may request that the lead agency adopt one pursuant to Government Code Section 11340.6 et seq. (Petition for Rulemaking), or may request guidance from the lead agency pursuant to Article 2, section 25203 (Interpretive Guideline Request) or Article 2, section 25204 (Safe Use Determination).</p> <p>(d) A person may provide information to the exposed individual that is supplemental to the warning required by Section 25249.6 of the Act, such as further information about the form or nature of the exposure and ways to avoid exposure. In order to comply with this Article, supplemental information may not contradict, dilute, or diminish the warning. Supplemental information may not be substituted for the warning required by Section 25249.6 of the Act.</p> <p>(e) A person is not required to provide separate warnings to each exposed individual.</p>

§ 25600.1 Definitions

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p><i>§ 25602 Definitions</i></p> <p>(a) "Affected area" means the area in which an exposure to a chemical known to the state to cause cancer or reproductive toxicity is at a level that requires a warning.</p> <p>(b) "Consumer products exposure" is an exposure that results from a person's acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or any exposure that results from receiving a consumer service.</p> <p>(c) "Environmental exposure" is an exposure that may foreseeably occur as the result of contact with an environmental medium, including, but not limited to, ambient air, indoor air, drinking water, standing water, running water, soil, vegetation, or manmade or natural substances, either through inhalation, ingestion, skin contact, or otherwise. Environmental exposures include all exposures that are not consumer products exposures, or occupational exposures.</p> <p>(d) "Label" means a display of written, printed or graphic matter upon a product or its immediate container.</p> <p>(e) "Labeling" means any label or other written, printed or graphic matter affixed to or accompanying a product or its container or wrapper.</p> <p>(f) "Occupational exposure" means an exposure to any employee in his or her employer's workplace.</p> <p>(g) "Sign" means a presentation of written, printed, or graphic matter.</p>	<p>(a) "Affected area" means the area in which an exposure to a chemical known to the state to cause cancer or birth defects or other reproductive harm is reasonably calculated to occur at a level that requires a warning.</p> <p>(b) "Environmental exposure" means an exposure that occurs as the result of contact with an environmental medium, including but not limited to ambient air, indoor air, drinking water, standing water, running water, soil, vegetation, or manmade or natural substances, through inhalation, ingestion, or skin or other contact with the body. All exposures that are not product exposures or occupational exposures are environmental exposures.</p> <p>(c) "Food" has the same meaning as defined in Health and Safety Code Section 109935 and includes "dietary supplements" as defined in California Code of Regulations, title 17, section 10200.</p> <p>(d) "Knowingly" has the same meaning as defined in Article 1, section 25102(n).</p> <p>(e) "Label" means a display of written, printed or graphic material that is affixed to a product or its immediate container or wrapper.</p> <p>(f) "Labeling" means any written, printed graphic or electronically provided communication that accompanies a product, including shelf signs or tags provided at the point of sale or display of a product.</p> <p>(g) "Occupational exposure" means an exposure to any employee at his or her place of employment.</p> <p>(h) "Product exposure" means an exposure that results from a person's acquisition, purchase, storage, consumption, or any reasonably foreseeable use of a product, including consumption of a food or dietary supplement.</p> <p>(i) "Retailer" means a person or business that sells products, including foods, directly to purchasers by any means, including via the internet. For purposes of this Article, a retailer includes</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>those functions of a business involved in the sale of products, including foods, directly to purchasers, even if the business or facility is primarily devoted to non-retail activities.</p> <p>(j) “Sign” means a physical presentation of written, printed, graphic or electronically provided communication, other than a label or labeling, posted in a conspicuous manner that is associated with the exposure and under such conditions as to make it likely to be read, seen and understood by an ordinary person.</p>

§ 25600.2 Responsibility to Provide Product Warnings

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>[No equivalent rule]</p>	<p>(a) Section 25249.11 of the Act requires the lead agency to minimize the burden on retail sellers of products when it adopts regulations concerning clear and reasonable warnings except where the retail seller itself is responsible for introducing a listed chemical into the product.</p> <p>(b) The manufacturer, producer, packager, importer or distributor of a product may comply with this section either by affixing a label to the product bearing a warning that satisfies Section 25249.6 of the Act, or by providing a written notice directly to the authorized agent for a retailer who is subject to Section 25249.6 of the Act, which:</p> <ol style="list-style-type: none"> (1) States that a warning is required for the product under Section 25249.6 of the Act; (2) Includes the exact name or description of the product or specific identifying information for the product such as a Universal Product Code or other identifying designation; (3) Either includes all necessary warning materials such as labels, labeling, shelf signs or tags that satisfies Section 25249.6 of the Act, or offers to provide such materials at no charge to the retailer; (4) Has been received and acknowledged in writing by the retailer; and (5) Has been renewed and acknowledged in writing by the retailer at least every 180 days during the period in which the product is sold in California by the retailer. <p>(c) The placement and maintenance of warning materials that the retailer receives pursuant to section (b) is the responsibility of the retailer.</p>

(d) The retailer is responsible for providing the warning required by Section 25249.6 of the Act for a product exposure only when one or more of the following circumstances exist:

- (1) The retailer is selling the product under a brand or trademark that is owned or licensed by the retailer or an affiliated entity;
- (2) The retailer has knowingly and intentionally introduced a listed chemical into the product, or caused a listed chemical to be created in the product;
- (3) The retailer has covered, obscured or altered a warning label that has been affixed to the product pursuant to subdivision (b); or
- (4) The retailer has received warning information and materials (or an offer to provide warning materials) for the exposure pursuant to subdivision (b) and the retailer has sold the product without conspicuously posting those warning materials.

(5) The retailer has actual knowledge of the potential product exposure requiring the warning, and either of the following apply:

- (A) There is no product manufacturer, producer, packager, importer or distributor of the product that is subject to Section 25249.6 of the Act; or
- (B) The manufacturer, producer, packager, importer or distributor of the product who have the duty to provide warnings for the exposure cannot readily be compelled to comply with Section 25249.6 of the Act because they are foreign persons with no agent for service of process in the United States.
- (C) For purposes of subdivision (5), “actual knowledge” means specific knowledge of the product exposure that the retailer receives from any reliable source. If the source of this knowledge is a notice served pursuant to Section 25249.7 (d)(1) of the Act, the retailer shall not be deemed to have actual knowledge of any product exposure that is alleged in the notice until two business days after the retailer receives the notice;

(e) The retailer of a product that can cause a product exposure shall provide the name and contact information for the manufacturer, producer, packager, importer and distributor of the product to the following persons on written request, to the extent that this information is reasonably available to the retailer:

- (1) The lead agency, the Attorney General, any district attorney, or any city attorney with authority to bring an action under the Act.
- (2) Any person who has served notice under Section 25249.7(d)(1) of the Act alleging that the product causes a product exposure that requires a warning

	<p>under the Act.</p> <p>(3) The person or entity making the request must provide a reasonable description of the product so that the retailer can readily identify it.</p> <p>(f) The manufacturer, producer, packager, importer or distributor of a product that may cause a product exposure may enter into a written agreement with the retailer of the product to allocate legal responsibility among themselves for providing a warning for the product, which shall bind the parties to that agreement and which shall supersede the requirements of subparagraphs (b) and (d) to the extent that the warning provided to the purchaser of the product meets the requirements of Section 25249.6 of the Act.</p>
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Subarticle 2: Safe Harbor Methods and Content

§ 25601 Safe Harbor Clear and Reasonable Warnings - Methods and Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25601 Clear and Reasonable Warnings Whenever a clear and reasonable warning is required under Section 25249.6 of the Act, the method employed to transmit the warning must be reasonably calculated, considering the alternative methods available under the circumstances, to make the warning message available to the individual prior to exposure. The message must clearly communicate that the chemical in question is known to the state to cause cancer, or birth defects or other reproductive harm. Nothing in this section shall be construed to preclude a person from providing warnings other than those specified in this article that satisfy the requirements of this article, or to require that warnings be provided separately to each exposed individual.</p>	<p>(a) A warning is “clear and reasonable” within the meaning of Section 25249.6 of the Act if the warning complies with all applicable requirements of this Article.</p> <p>(b) Nothing in this section shall be construed to preclude a person from providing a warning using content or methods other than those specified in this Article that nevertheless complies with Section 25249.6 of the Act.</p>

§ 25602 Chemicals Included in the Text of a Warning

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>[No equivalent rule]</p>	<p>(a) Except as provided in Section 25604(c), a warning meets the requirements of this Article if the name or names of the chemicals listed in this section are included in the text of the warning, to the extent that an exposure to that chemical is reasonably calculated</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>to occur at a level that requires a warning.</p> <ol style="list-style-type: none"> (1) Acrylamide (2) Arsenic (3) Benzene (4) Cadmium (5) Carbon monoxide (6) Chlorinated Tris (7) Formaldehyde (8) Hexavalent Chromium (9) Lead (10) Mercury (11) Methylene Chloride (12) Phthalate[s] <p>(b) For purposes of this section, the general chemical name includes all chemicals in the same category or group that are listed as known to cause cancer or reproductive toxicity under Section 25249.8 of the Act.</p> <p>(c) A person may voluntarily include in a warning the names of other chemicals, substances or mixtures that are listed under Section 25249.8 of the Act.</p>

§ 25603 Product Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p><i>§ 25603 Consumer Products Warnings</i></p> <p>(a) Warnings for consumer products exposures that include the methods of transmission and the warning messages as specified by this section shall be deemed to be clear and reasonable.</p> <p>(b) To the extent practicable, warning materials such as signs, notices, menu stickers, or labels shall be provided by the manufacturer, producer, or packager of the consumer product, rather than by the retail seller.</p> <p>(c) A person in the course of doing business, who manufactures, produces, assembles, processes, handles, distributes, stores, sells, or otherwise transfers a consumer product which he or she knows to contain a chemical known to the state to cause cancer or reproductive toxicity in an amount that requires a warning shall provide a warning to any person to</p>	<p>(a) Unless otherwise specified in Section 25608, a warning meets the requirements of this Article if it complies with the content requirements in Section 25604, and is provided using one or more of the following methods:</p> <ol style="list-style-type: none"> (1) A product-specific warning provided on a shelf tag or on a shelf sign for the product at each point of display of the product. The entire warning message must be in a font no smaller than the largest type size used for other information on the shelf tag or shelf signs for the same or similar products. (2) A product-specific warning provided via any electronic device or process that automatically provides the warning to the purchaser prior to or during the purchase of the product, without requiring the purchaser to seek out the warning. (3) A label on the product that includes all the elements specified in Section 25604. <p>(b) For internet purchases, the warning message must be provided by a clearly</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>whom the product is sold or transferred unless the product is packaged or labeled with a clear and reasonable warning.</p> <p><i>§25603.1 Consumer Products Exposure Warnings – Method of Transmission</i></p> <p>The warning may be provided by using one or more of the following methods singly or in combination:</p> <p>(a) A warning that appears on a product's label or other labeling.</p> <p>(b) Identification of the product at the retail outlet in a manner which provides a warning. Identification may be through shelf labeling, signs, menus, or a combination thereof.</p> <p>(c) The warnings provided pursuant to subparagraphs (a) and (b) shall be prominently placed upon a product's label or other labeling or displayed at the retail outlet with such conspicuousness, as compared with other words, statements, designs, or devices in the label, labeling or display as to render it likely to be read and understood by an ordinary individual under customary conditions of purchase or use.</p> <p>(d) A system of signs, public advertising identifying the system and toll-free information services, or any other system that provides clear and reasonable warnings.</p>	<p>marked hyperlink on the product display page, or otherwise prominently displayed to the purchaser before the purchaser completes his or her purchase of the product. For purposes of this Article, a warning is not prominently displayed if the purchaser must search for it in the general content of the website.</p> <p>(c) For catalog purchases, the warning message must be provided in the catalog in a manner that clearly associates it with the item being purchased.</p> <p>(d) If any label, labeling or sign about a product is provided in a language or languages other than or in addition to English, then a warning for that product meets the requirements of this Article only if the warning is also provided in the same language or languages on the label, labeling or sign.</p>

§ 25604 Product Exposure Warnings– Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p><i>§ 25603.2 Consumer Products Exposure Warnings – Content</i></p> <p>(a) The warning message must include the following language:</p> <p>1. For consumer products that contain a chemical known to the state to cause cancer: "WARNING: This product contains a chemical known to the State of California to cause cancer."</p> <p>2. For consumer products that contain a chemical known to the state to cause reproductive toxicity: "WARNING: This product contains a chemical known to the</p>	<p>(a) Unless otherwise specified in Section 25608, a warning meets the requirements of this Article if it is provided using one or more of the methods required in Section 25603 and includes all the following elements.</p> <p>(1) A symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline. Where other signage or labeling for the product is not provided in color, the symbol may be printed in black and white. The symbol shall be placed to the left of the text of the warning, in a size no smaller than the height of the word "WARNING".</p> <p>(2) The word "WARNING" in all capital letters and bold print, and:</p> <p>(A) For exposures to listed carcinogens, the words, "This product can expose you to a chemical [or chemicals] known to the State of California to</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>State of California to cause birth defects or other reproductive harm."</p>	<p>cause cancer. For more information go to www.P65Warnings.ca.gov/product.”</p> <p>(B) For exposures to listed reproductive toxicants, the words, “This product can expose you to a chemical [or chemicals] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/product.”</p> <p>(C) For exposures to listed carcinogens and reproductive toxicants, the words, “This product can expose you to a chemical [or chemicals] known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/product.”</p> <p>(D) Where the name or names of chemicals are required to be included in the warning pursuant to Section 25602, or the person providing the warning includes the name or names of other chemicals, the words, “This product can expose you to a chemical [or chemicals] such as [name or names of chemicals] that is [are] known to the State of California to cause cancer [or birth defects or other reproductive harm or cancer and birth defects or other reproductive harm]. For more information go to www.P65Warnings.ca.gov/product.”</p> <p>(b) An on-product warning label may be provided using all the following elements:</p> <p>(1) The symbol required in subsection (a)(1).</p> <p>(2) The word “WARNING” in all capital letters, in bold print and no smaller than 10-point type.</p> <p>(A) For products that cause exposure to a listed carcinogen, the words, “Cancer - www.P65Warnings.ca.gov/product,” in no smaller than 8-point type.</p> <p>(B) For products that cause exposures to a listed reproductive toxicant, the words, “Reproductive Harm - www.P65Warnings.ca.gov/product,” in no smaller than 8-point type.</p> <p>(C) For products that cause exposures to both a listed carcinogen and a reproductive toxicant the words, “Cancer and Reproductive Harm - www.P65Warnings.ca.gov/product,” in no smaller than 8-point type.</p> <p>(c) A person providing an on-product warning label pursuant to subsection (b) is not required to include within the text of the warning the name or names of listed chemicals required under Section 25602</p>

§ 25605 Environmental Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25605 <i>Environmental Exposure</i> (a) Warnings for environmental exposure that include the methods of transmission and the warning messages content as specified by this section shall be deemed clear and reasonable. § 25605.1 <i>Environmental Exposure Warnings – Methods of Transmission</i> (a) The method employed to transmit the warning must include the most appropriate of the following alternative methods under the circumstances:</p> <ol style="list-style-type: none"> 1. A warning that appears on a sign in the affected area. 2. A posting of signs in the manner described in Section 6776(d) of Title 3 of the California Code of Regulations as amended on May 10, 1999 shall be sufficient for purposes of this paragraph. 3. A warning which is in a notice mailed or otherwise delivered to each occupant in the affected area. Such notice shall be provided at least once in any three-month period. 4. A warning provided by public media announcements which target the affected area. Such announcements shall be made at least once in any three-month period. <p>(b) Environmental exposure warnings shall be provided in a conspicuous manner and under such conditions as to make it likely to be read, seen or heard and understood by an ordinary individual in the course of normal daily activity, and reasonably associated with the location and source of the exposure.</p>	<p>(a) Unless otherwise specified in Section 25608, a warning meets the requirements of this Article if it includes all the elements specified in Section 25606 and is provided using one or more of the following methods:</p> <ol style="list-style-type: none"> (1) A sign posted at all public entrances to the affected area in no smaller than 72-point type that clearly identifies the area for which the warning is being provided. The warning must be provided in a conspicuous manner and under such conditions as to make it likely to be read, seen and understood by an ordinary individual in the course of normal daily activity, must clearly identify the area for which the warning is being provided and must be reasonably associated with the location and source of the exposure. The warning must be provided in English and in any other language used on other signage in the affected area. (2) A warning provided in a notice mailed, or sent electronically or otherwise delivered to each occupant in the affected area. The notice must be provided at least every three months, in English and in any other language ordinarily used by the business to communicate with the public. (3) A warning published in a newspaper at least once every three months. <ol style="list-style-type: none"> (A) The warning must be at least a quarter-page in size, and must include a map that clearly delineates the affected area. (B) The warning must also be published in the electronic version of the publication, if any. (C) If a newspaper published in a language other than English is circulated in the affected area, the warning must be published in that newspaper and in that language, in addition to being published in English in at least one English-language newspaper that circulates in that area.

§ 25606 Environmental Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25605.2 <i>Environmental Exposure – Content</i> (a) For purposes of subsection (a)(1) of section 25605.1, the following specific warning messages shall be deemed to clearly communicate that an individual is being exposed to a chemical known to the state to cause cancer, or birth defects or other reproductive harm.</p>	<p>(a) Unless otherwise specified in Section 25608, a warning meets the requirements of this Article if it is provided using one or more of the methods required in Section 25605 and includes all the following elements:</p> <ol style="list-style-type: none"> (1) The symbol required in Section 25604(a)(1). (2) The word “WARNING” in all capital letters and bold print. (3) For exposures to listed carcinogens, the words, “Entering this area can

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>1. For exposure to a chemical known to the state to cause cancer: "WARNING: This area contains a chemical known to the State of California to cause cancer."</p> <p>2. For exposure to a chemical known to the state to cause reproductive toxicity: "WARNING: This area contains a chemical known to the State of California to cause birth defects or other reproductive harm."</p>	<p>expose you to a chemical [or chemicals] known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov/environmental."</p> <p>(4) For exposures to listed reproductive toxicants, the words, "Entering this area can expose you to a chemical [or chemicals] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/environmental."</p> <p>(5) For exposures to listed carcinogens and reproductive toxicants, the words, "Entering this area can expose you to a chemical [or chemicals] known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/environmental."</p> <p>(6) Where the name or names of chemicals are required to be included in the warning pursuant to Section 25602, or the noticing party wishes to include the name or names of other chemicals, the words, "Entering this area can expose you to a chemical [or chemicals] such as [name or names of chemical or chemicals] that is [are] known to the State of California to cause [cancer or birth defects or other reproductive harm or cancer and birth defects or other reproductive harm]. For more information go to www.P65Warnings.ca.gov/environmental".</p> <p>(7) In all cases the specific area in which the exposure can occur must be clearly described in the warning message.</p>

§ 25607 Occupational Exposure Warnings

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p><i>§ 25604 Occupational Exposure</i> (a) Warnings for occupational exposures that include the methods of transmission and the warning messages as specified by this section shall be deemed clear and reasonable. <i>§ 25604.1 Occupational Exposure Warnings – Methods of Transmission</i> (a) The method employed to transmit the warning must include one of the following alternative methods: 1. A warning that appears on the label or labeling of a product or substance present or used in the workplace. The label or labeling shall be prominently displayed on the product or</p>	<p>(a) A warning to an exposed employee about the chemical in question which fully complies with all information, training and labeling requirements of the federal Hazard Communication Standard (29 Code of Federal Regulations, section 1910.1200), the California Hazard Communication Standard (Title 8, California Code of Regulations section 5194), or, for pesticides, the Pesticides and Worker Safety requirements (Title 3, California Code of Regulations section 6700 <i>et seq.</i>) meets the requirements of this Article.</p>

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<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>substance and the product or substance shall be used under circumstances which make it likely that the warnings will be read and understood by employees or other individuals prior to the exposure for which the warning is given.</p> <p>2. A warning that appears on a sign in the workplace posted in a conspicuous place and under conditions that make it likely to be read and understood by employees and other individuals prior to the exposure for which the warning is given.</p> <p>3. A warning to the exposed employee about the chemical in question which fully complies with all information, training and labeling requirements of the federal Hazard Communication Standard (29 CFR section 1910.1200, as amended on March 7, 1996), the California Hazard Communication Standard (Cal. Code Regs., title 8, section 5194, as amended on July 6, 2004), or, for pesticides, the Pesticides and Worker Safety requirements (Cal. Code Regs., title 3, section 6700 et seq., as amended on June 20, 2001) authorized in Food and Agricultural Code section 12981 as amended by Governor's Reorganization Plan No. 1 of 1991.</p> <p><i>§ 25604.2 Occupational Exposure Warnings – Content</i></p> <p>(a) For purposes of subparagraph (a)1. of section 25604.1, the warning shall be provided in terms which would provide a clear warning for a consumer product as specified above.</p> <p>(b) For purposes of subparagraph (a)2. of section 25604.1, the following specific warning messages shall be deemed to clearly communicate that an individual is being exposed to a chemical known to the state to cause cancer, or birth defects or other reproductive harm.</p> <p>1. For exposure to a chemical known to the state to cause cancer: "WARNING: This area contains a chemical known to the State of California to cause cancer."</p> <p>2. For exposure to a chemical known to the state to cause reproductive toxicity: "WARNING: This area contains a chemical known to the State</p>	

January 16, 2015

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
of California to cause birth defects or other reproductive harm."	

§ 25608 Specific Product, Chemical and Area Exposure Warnings

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
§25603.3 Warnings for Specific Consumer Products Exposure [Relevant excerpts of current regulation are included in corresponding section of proposed regulation, i.e., food, alcoholic beverages, etc.]	(a) This section provides warning methods and content for specific types of exposures that are subject to the warning requirements of Section 25249.6 of the Act. Where such warning methods or content are included in this section, a person must use the warnings specified in this section in order to satisfy the requirements of this Article.

§ 25608.1 Food Exposure Warnings - Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
25603.3 Warnings for Specific Consumer Products Exposure [Only relevant portion excerpted] (a) For food, other than alcoholic beverages, sold, served, or otherwise provided in food facilities, as defined in Health and Safety Code Section 27521(a), which is intended for immediate consumption: "WARNING: Chemicals known to the State of California to cause cancer, or birth defects or other reproductive harm may be present in foods or beverages sold or served here." (b) For fresh fruits, nuts, and vegetables: "WARNING: This product may contain a chemical known to the State of California to cause cancer, or birth defects or other reproductive harm."	(a) A warning for food exposures, including dietary supplements, meets the requirements of this Article if it is provided using one or more of the methods required in Section 25603 and contains all the elements required in Section 25608.2. (b) If any label, labeling or sign about a food or dietary supplement is provided in a language or languages other than or in addition to English, then a warning for that product meets the requirements of this Article only if the warning is also provided in the same language or languages on the label, labeling or sign.

§ 25608.2 Food Exposure Warnings - Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
25603.3 Warnings for Specific Consumer Products Exposure [Only relevant portion excerpted] (a) For food, other than alcoholic beverages, sold, served, or otherwise provided in food facilities, as defined in Health and Safety Code Section 27521(a), which is intended for immediate consumption: "WARNING: Chemicals known to the State of California to	(a) A warning for food exposures, including dietary supplements meets the requirements of this Article if it is provided via one or more of the methods specified in 25608.1 and includes the following elements: (1) The word “ WARNING ” in all capital letters and bold print no smaller than 10-point type. (2) For exposure to a listed carcinogen, the words, “Consuming this product can expose you to a chemical [or chemicals] known to the State of California

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<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>cause cancer, or birth defects or other reproductive harm may be present in foods or beverages sold or served here."</p> <p>(b) For fresh fruits, nuts, and vegetables: "WARNING: This product may contain a chemical known to the State of California to cause cancer, or birth defects or other reproductive harm."</p>	<p>to cause cancer. For more information go to www.P65Warnings.ca.gov/food," in no smaller than 8-point type.</p> <p>(3) For exposure to a listed reproductive toxicant, the words, "Consuming this product can expose you to a chemical [or chemicals] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/food," in no smaller than 8-point type.</p> <p>(4) For exposures to chemicals listed as carcinogens and reproductive toxicants, the words, "Consuming this product can expose you to a chemical [or chemicals] known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/food," in no smaller than 8-point type.</p> <p>(5) Where the name or names of chemicals are required to be included in the warning pursuant to Section 25602, or the noticing party wishes to include the name(s) of other chemical(s) the words, "Consuming this product can expose you to a chemical [or chemicals] such as [name or names of chemical or chemicals] that is [are] known to the State of California to cause [cancer or birth defects or other reproductive harm]". For more information go to www.P65Warnings.ca.gov/food" in no smaller than 8-point type.</p> <p>(b) The warning may be provided in the form of a label on the product that is set off from other surrounding information and enclosed in a box. The label must include the elements and text size specified in Section 25604(b)(2).</p>

§ 25608.3 Alcoholic Beverage Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25603.3 <i>Warnings for Specific Consumer Products Exposure [Only relevant portion excerpted]</i></p> <p>...(e) Alcoholic Beverages. For alcoholic beverages, including, without limitation, beer, malt beverages, wine and distilled spirits:</p> <p>1. The warning message must include the following language: "WARNING: Drinking Distilled Spirits, Beer, Coolers, Wine and Other Alcoholic Beverages May Increase Cancer Risk, and, During Pregnancy, Can Cause Birth Defects." 2. Beverages primarily intended for consumption off the</p>	<p>(a) A warning for exposures to alcoholic beverages meets the requirements of this Article if it contains the minimum elements specified in Section 25608.4 and is provided using at least one of the following methods:</p> <p>(1) An 8½ by 11 inch sign placed at eye level so that it is readable and conspicuous to patrons as they enter the area or areas where, by permit or license, alcoholic beverages are served.</p> <p>(2) A notice or sign no smaller than 5 by 5 inches placed at each retail point of sale or display so as to assure that it is readable and conspicuous. The warning message must be in a legible print size no smaller than 20-point type and be enclosed in a box.</p>

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<p>premises where sold or distributed:</p> <p>(A) at least one notice or sign, no smaller than 10 inches wide by 10 inches high, and bearing the warning message set forth in subparagraph (e)(1) of this subsection; or</p> <p>(B) at least one horizontal strip marker no smaller than 10 1/2 inches wide by 1 1/4 inches high, and bearing the warning message set forth in paragraph (e)(1) of this subsection; or</p> <p>(C) a notice no smaller than 5 inches by 5 inches, and bearing the warning message set forth in subparagraph (e)(1) of this subsection.</p> <p>(D) If signs 10 inches high by 10 inches wide are used, the word "warning" shall be centered three-quarters of an inch from the top of the sign in ITC Garamond bold condensed type face all in one-inch capital letters. Three-sixteenths of an inch from the base of the word "warning" shall be a line extending from left to right across the width of the sign one-sixteenth of an inch in thickness. Centered one-half inch below the line shall be the body of the warning message in 36/50 ITC Garamond bold condensed type face with the initial letter of each word, other than the conjunctive "and," capitalized. For the body of the warning message, left and right margins of at least one-half of an inch, and a bottom margin of at least one-half inch shall be observed. Larger signs shall bear substantially the same proportions of type size and spacing to sign dimension as the sign 10 inches high by 10 inches wide.</p> <p>(E) If the 10 1/2 inch by 1 1/4 inch horizontal strip markers are used, the word "WARNING," punctuated by a colon, shall be justified left and located three-sixteenths of an inch from the top of the strip notice in ITC Garamond bold condensed type face all in capital letters measuring eleven sixteenths of an inch in height. Three thirty-seconds of an inch from the base of the word "WARNING" shall be a line extending from left to right across the width of the word "WARNING" and the punctuating colon one thirty-second of an inch in thickness. Located one-fourth of an inch from the top and one-fourth of an inch from</p>	<p>(3) For alcoholic beverages provided for consumption on the premises served by food or beverage persons, or sold through an over-the-counter service, the warning message is provided on a menu or list identifying the alcoholic beverages served on the premises. If there is no menu or list identifying the alcoholic beverages served on the premises, then the warning message is provided on the menu or list identifying the food or other beverages sold on the premises.</p> <p>(4) For alcoholic beverages sold or distributed to purchasers within California through package delivery services, a warning provided by incorporating or placing the warning message on or in the shipping container or delivery package in a manner that ensures the warning message is readable and conspicuous to the recipient prior to consumption of the alcoholic beverages.</p> <p>(b) The warning must be provided in English and in any other language used for labeling or advertising the product on the premises.</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>the bottom of the strip notice, and to the immediate right of the word "WARNING," shall be the body of the warning message in 12/16 point ITC Garamond bold condensed type face with the initial letter of each word, other than the conjunctive "and," capitalized. The word "WARNING" shall be one-half inch from the left edge of the strip notice and the requisite warning message shall extend to within one-half inch from the right edge.</p> <p>(F) If the 5 inch by 5 inch signs are used, they shall bear substantially the same proportions of type size and spacing to sign dimension as the sign 10 inches high by 10 inches wide, with both the word "WARNING" and the warning text initial letter of each word, other than the conjunctive "and," capitalized. For the body of the warning message, left and right margins of at least one-half of an inch, and a bottom margin of at least one-half inch shall be observed. Larger signs shall bear substantially the same proportions of type size and spacing to sign dimension as the sign 10 inches high by 10 inches wide.</p> <p>(E) If the 10 1/2 inch by 1 1/4 inch horizontal strip markers are used, the word "WARNING," punctuated by a colon, shall be justified left and located three-sixteenths of an inch from the top of the strip notice in ITC Garamond bold condensed type face all in capital letters measuring eleven sixteenths of an inch in height. Three thirty-seconds of an inch from the base of the word "WARNING" shall be a line extending from left to right across the width of the word "WARNING" and the punctuating colon one thirty-second of an inch in thickness. Located one-fourth of an inch from the top and one-fourth of an inch from the bottom of the strip notice, and to the immediate right of the word "WARNING," shall be the body of the warning message in 12/16 point ITC Garamond bold condensed type face with the initial letter of each word, other than the conjunctive "and," capitalized. The word "WARNING" shall be one-half inch from the left edge of the strip notice and the requisite warning message shall extend to within one-half inch from the right</p>	

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>edge.</p> <p>(F) If the 5 inch by 5 inch signs are used, they shall bear substantially the same proportions of type size and spacing to sign dimension as the sign 10 inches high by 10 inches wide, with both the word "WARNING" and the warning text set in white on a contrasting red background.</p> <p>(G) Such sign or notice shall be placed in the retail establishment so as to assure that it is readable and likely to be read either at each retail point of sale or each point of display. Such sign or notice shall be placed either at all retail points of sale or all points of display, but need not be placed at both. If 10 inch by 10 inch signs or notices are placed at the point of display, each shall be placed no more than ten feet from any alcoholic beverage container and in a manner associating the sign or notice with the display. If horizontal strip notices are used, they shall be placed at ten-foot intervals horizontally along the display. If a 5 inch by 5 inch sign is used, it shall be conspicuously placed at each retail point of sale (e.g., check-out counter, cash register, cash box) so that it is likely to be read and understood during the sales transaction.</p> <p>(H) All measurements specified or referred to in paragraphs (D), (E) and (F), above, are not required to be precisely accurate.</p> <p>3. For beverages provided for consumption on the premises at tables served by food or beverage persons, or sold or distributed through over the counter service;</p> <p>(A) a notice or sign displayed at each of the tables where alcoholic beverages are served or may be consumed at least 5 inches high by 5 inches wide bearing substantially the same type face and substantially the same proportion of type size and spacing to sign dimension as described in paragraph (e)2. (F); or</p> <p>(B) the warning message set forth in subparagraph (e)(1) of this subsection, placed upon a menu or list in association with the alcoholic beverages listed thereon and served at such premises,</p>	

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>or if alcoholic beverages are not listed thereon, on any menu or list provided to patrons in association with the listing of food or beverage offerings, in type size and design, such that the text is conspicuous and likely to be read prior to consumption of alcoholic beverages or,</p> <p>(C) At least one 10 inch by 10 inch sign, meeting the specifications set forth in subparagraph (e)2. (D) Of this subsection, placed so that it is readable and likely to be read by patrons as they enter each public entrance to the establishment. If the establishment does not have clearly defined physical boundaries delineating those areas where, by permit or license, alcoholic beverages are served, the 10 inch by 10 inch sign shall be posted so that it is readable and likely to be read by patrons as they enter the area or areas where, by permit or license, alcoholic beverages are served; and</p> <p>(D) If sold or distributed through over-the-counter service, at least one sign, meeting the specifications set forth in paragraph (e)2. (D) Of this subsection, placed in the retail establishment so that the warning message is, prior to the consumption of alcoholic beverages, readable and likely to be read from all counter locations available to the public. Therefore, a retail establishment providing a warning pursuant to the preceding sentence, also would be required to provide a warning in accordance with either paragraph 3. (A), 3.(B) or 3.(C) of this subsection.</p> <p>4. For premises which are specially licensed to sell and serve alcoholic beverages both on and off the licensed premises (e.g., in facilities that offer both "tasting" and retail sales), the off-sale portion of the premises shall comply with the provisions of subparagraph (e)2, above, and the portion of the premises where alcoholic beverages are served shall comply with the provisions of subparagraph (e)3, above.</p> <p>5. For alcoholic beverages sold or distributed to consumers through the mail or package delivery services, warnings may be provided by incorporating or placing the warning message set</p>	

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>forth in subparagraph (e)(1) on or in the shipping container or delivery package in such a manner so that the warning message is likely to be read by the recipient prior to consumption of the alcoholic beverage(s).</p> <p>6. All signs or notices referred to in subparagraphs (e)2., (e)3. And (e)4., above, shall be displayed so that they are clearly visible under all lighting conditions normally encountered during business hours.</p> <p>7. For alcoholic beverages, the placement and maintenance of the warning shall be the responsibility of the manufacturer or its distributor at no cost to the retailer, and any consequences for failure to do the same shall rest solely with the manufacturer or its distributor, provided that the retailer does not remove, deface, or obscure the requisite signs or notices, or obstruct, interfere with, or otherwise frustrate the manufacturer's reasonable efforts to post, maintain, or periodically replace said materials.</p> <p>[End of relevant portion]</p>	

§ 25608.4 Alcoholic Beverage Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25603.3 Warnings for Specific Consumer Products Exposure</p> <p>[See § 25603.3 Warnings for Specific Consumer Products Exposure excerpted above]</p>	<p>(a) A warning for alcoholic beverages, including beer, malt beverages, wine and distilled spirits, complies with this Article if it is provided using one or more of the methods required in Section 25608.3 and includes all the following elements:</p> <p>(1) The word “WARNING” in all capital letters and bold print.</p> <p>(2) The words, “ Drinking distilled spirits, beer, coolers, wine and other alcoholic beverages may increase cancer risk, and, during pregnancy, can cause birth defects. For more information go to: www.P65Warnings.ca.gov/alcohol.”</p>

§ 25608.5 Food and Non-Alcoholic Beverage Exposure Warnings for Restaurants – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>[No equivalent rule]</p>	<p>(a) A warning at restaurants or other facilities that sell food or beverages primarily for on-site consumption, not including alcoholic beverages, meets</p>

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<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>the requirements of this Article if it contains the minimum elements specified in Section 25608.6 and is provided using one or more of the following methods. All signs or notices must be displayed so that they are clearly visible under all lighting conditions normally encountered during business hours.</p> <p>(1) An 8½ by 11 inch sign, placed so that it is readable and conspicuous to customers as they enter each public entrance to the restaurant or facility printed in no smaller than 28-point type.</p> <p>(2) A notice or sign no smaller than 5 by 5 inches placed at each point of sale so as to assure that it is readable and conspicuous printed in no smaller than 20 point type.</p> <p>(b) The warning must be provided in English and in any other language used on other signage on the premises.</p>

§ 25608.6 Food and Non-Alcoholic Beverage Exposure Warnings for Restaurants – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning at restaurants or other facilities that sell food or beverages primarily for on-site consumption, not including alcoholic beverages, meets the requirements of this Article if it is provided using one or more of the methods required in Section 25608.5 and includes all the following elements:</p> <p>(1) The word “WARNING” in all capital letters and bold print.</p> <p>(2) The words “Certain foods and beverages sold or served here can expose you to chemicals such as acrylamide or mercury that are known to the State of California to cause cancer or birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/restaurant.”</p>

§ 25608.7 Prescription Drug Exposure Warnings

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>§ 25603.3 Warnings for Specific Consumer Products Exposure [<i>Only relevant portion excerpted</i>]</p> <p>... (c) For prescription drugs, the labeling approved or otherwise provided under federal law and the prescriber's accepted practice of obtaining a patient's informed consent shall be deemed to be a clear and reasonable warning.</p> <p>(d) For exposures resulting from emergency or urgent medical or dental care as defined in Section 25102(g), the accepted</p>	<p>(a) For prescription drugs the labeling approved or otherwise provided under federal law or the prescriber's accepted practice of obtaining a patient's informed consent complies with this Article.</p> <p>(b) For exposures resulting from emergency or urgent medical or dental care as defined in Article 1, section 25102(g), a warning is not required if the medical or dental care is undertaken on a person legally incapable of giving consent, because the licensed medical personnel, licensed dental personnel, or certified emergency medical personnel responsible for administering the care, as these</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p>practice of obtaining the patient's informed consent shall be deemed to be a clear and reasonable warning when any of the following circumstances exists:</p> <ol style="list-style-type: none"> 1. the patient is unconscious; or 2. the procedure must be undertaken because the licensed medical personnel, licensed dental personnel, or certified emergency medical personnel responsible for administering the care, as these terms are defined in Sections 25102(q), 25102(d), and 25102(b), respectively, reasonably believes that the procedure should be undertaken immediately; and therefore, there is insufficient time to fully inform the patient; or 3. the procedure must be performed on a person legally incapable of giving consent, and the licensed medical personnel, licensed dental personnel, or certified emergency medical personnel responsible for administering the care reasonably believes the procedure should be undertaken immediately; and therefore, there is insufficient time to obtain the informed consent of a person authorized to give such consent for the patient. ... <p><i>[End of relevant portion. Regulatory section continued below]</i></p>	<p>terms are defined in Article 1, section 25102, subsections (q), (d), and (b), respectively, reasonably believes that the procedure should be undertaken immediately; and therefore, there is insufficient time to fully inform the patient and there is insufficient time to obtain the informed consent of a person authorized to give such consent for the patient.</p>

§ 25608.8 Dental Care Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
<p><i>[No equivalent rule]</i></p>	<p>(a) A warning for exposure that occurs during delivery of dental care, including an exposure from the use of dental appliances, meets the requirements of this Article if it includes all the elements required by Section 25608.9 and is provided using either of the following methods.</p> <ol style="list-style-type: none"> (1) A sign posted at all public points of entry to the dental office or in each location within the office where an exposure is reasonably likely to occur. The notice or sign must be no smaller than 5 by 5 inches and printed in no smaller than 20-point type. All signs or notices must be displayed so that they are clearly visible under all lighting conditions normally encountered during business hours. (2) A warning provided with or in an informed consent form signed by the patient prior to exposure.

§ 25608.9 Dental Care Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for exposures that occur during the delivery of dental care services meets the requirements of this Article if it is provided using one or both of the methods required in Section 25608.8 and contains all the following elements:</p> <p>(1) The word “WARNING” in all capital letters and bold print.</p> <p>(2) The words, “Certain dental procedures performed in this office can expose you to chemicals known to the State of California to cause cancer or birth defects or other reproductive harm or both. Those procedures can include sedation with nitrous oxide, root canals, placement or removal of crowns, bridges, and restorations such as mercury-containing fillings and use of dental appliances. Consult your dental care provider about these exposures and which materials are appropriate for your treatment. Additional information is also available at www.P65Warnings.ca.gov/dental.”</p>

§ 25608.10 Raw Wood Product Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for exposures to wood dust by drilling, sawing, sanding or machining wood products meets the requirements of this Article if the warning message is provided using one or both of the following methods and includes the elements required in Section 25608.11:</p> <p>(1) The warning is displayed either at the point of sale or display of the wood products in a manner likely to be seen by the purchaser. The notice or sign must be no smaller than 8 ½ inched 5 by 5 inches and printed in no smaller than 20-point type. All signs or notices must be displayed so that they are clearly visible under all lighting conditions normally encountered during business hours.</p> <p>(2) Where the product is sold in bulk form, the warning may be provided on an invoice or receipt for the wood products in no smaller than 12-point type.</p>

§ 25606.11 Raw Wood Product Exposure Warnings - Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning meets the requirements of this Article if it is provided using one or more of the methods required in Section 25608.10 and includes all the</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>following elements:</p> <p>(1) The symbol required in Section 25604(a)(1).</p> <p>(2) The word “WARNING” in all capital letters, in bold print.</p> <p>(3) The words, “Drilling, sawing, sanding or machining wood products can expose you to wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection. For more information go to www.P65Warnings.ca.gov/wood.”</p>

§ 25608.12 Furniture Product Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning meets the requirements of this Article if it is provided using the following:</p> <p>(1) A notice or sign no smaller than 8 ½ by 11 inches, displayed either at each public entrance or point of display printed in no smaller than 28-point type using the content provided in section 25608.13(a)(1), or;</p> <p>(2) A notice printed or stamped in no smaller than 12-point type on each receipt using the content provided in subsection 25608.13(a)(1).</p> <p>(3) In addition to one of the methods for providing the notice described in subsection (a)(1) and (2), a warning containing all the elements provided in Section 25608.13(a)(2), that is affixed to the furniture product in the same manner as other information or warning materials provided on the product. The warning message must be printed in a font size no smaller than those used for other warning information on the product.</p>

§ 25608.13 Furniture Product Exposure Warnings - Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning message for furniture products meets the requirements of this Article if it is provided using the combination of materials required in Section 25608.12 and it includes the following elements.</p> <p>(1) A notice displayed pursuant to Section 25608.12(a)(1) or stamped on a receipt pursuant to Section 25608.12(a)(2) must contain all the following elements:</p> <p>(A) The word “NOTICE” in all capital letters and bold print.</p> <p>(B) The words “Some furniture products can expose you chemicals known to</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>the State of California to cause cancer, birth defects or reproductive harm. Please check on-product labeling for warning information.”</p> <p>(2) An on-product warning label provided pursuant to Section 25608.12(a)(3), must contain all the following elements:</p> <p>(A) The symbol described in 25604(a)(1).</p> <p>(B) The word “WARNING” in all capital letters and bold print.</p> <p>(C) The words “”This product can expose you to chemicals such as [name or names of chemicals listed in Section 25602 that are present in the product], which are known to the State of California to cause cancer, birth defects or other reproductive harm, or both. For more information go to www.P65Warnings.ca.gov/furniture.”</p>

§ 25608.14 Diesel Engine Exposure Warnings (Except Passenger Vehicle Engines) -Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for exposure to diesel engine exhaust from products other than passenger vehicle engines meets the requirements of this Article if it is provided using all of the following methods and includes the elements required in Section 25608.15.</p> <p>(1) The warning is printed in the owner’s manual for the specific vehicle, engine or other equipment. Such notice must be printed in no smaller than 12-point type and be enclosed in a box and appear inside or outside the front or back cover of the manual or on the first page of the text, and;</p> <p>(2) The warning is provided on a label permanently attached to the product in a location that is easily visible to the operator of the vehicle, engine or other equipment when it is being operated, and;</p> <p>(3) If other warnings or operating instructions are provided in an on-screen display, the warning is provided in that manner, using the same size and font as other operator warnings.</p>

§ 25608.15 Diesel Engine Exposure Warnings (Except Passenger Vehicle Engines) – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning meets the requirements of this Article if it is provided using the methods described in Section 25608.14 and includes all the following elements.</p> <p>(1) The symbol required in Section 25604(a)(1).</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>(2) The word “WARNING” in all capital letters and bold print.</p> <p>(3) The words: “Breathing diesel engine exhaust can expose you to chemicals known to the State of California to cause cancer and birth defects or other reproductive harm.</p> <ul style="list-style-type: none"> • Always start and operate the engine in a well-ventilated area. • If in an enclosed area, vent the exhaust to the outside. • Do not modify or tamper with the exhaust system. <p>For more information go to: www.P65warnings.ca.gov/diesel.”</p>

§ 25608.16 Passenger Vehicle Exposure Warnings – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for exposures that occur during the operation of a passenger vehicle, as defined in Vehicle Code section 465, meets the requirements of this Article if it is provided using both of the following methods and includes the elements required in Section 25608.17.</p> <p>(1) The warning is printed in the owner’s manual for the specific passenger vehicle, printed in no smaller than 12 point-type enclosed in a box printed or affixed to the inside or outside the front or back cover of the manual or on the first page of the text, and;</p> <p>(2) The warning is provided on a label attached to the front window on the driver’s side of the vehicle.</p>

§ 25608.17 Passenger Vehicle Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for exposures that occur during the operation of a passenger vehicle meets the requirements of this Article if it is provided using all the following elements.</p> <p>(1) The symbol required in Section 25604(a)(1).</p> <p>(2) The word “WARNING” in all capital letters and bold print.</p> <p>(3) The words: “Operating, servicing and maintaining a passenger vehicle can expose you to chemicals such as lead, phthalates, engine exhaust and carbon monoxide that are known to the State of California cause cancer and birth defects or other reproductive harm. To minimize exposure, avoid breathing exhaust, service your vehicle in a well-vented area and wear gloves or wash your hands frequently when servicing your vehicle. For more information go</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	to: www.P65Warnings.ca.gov/passengervehicle .”

§ 25608.18 Enclosed Parking Facility Exposure Warnings – Method of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	(a) A warning for exposures reasonably calculated to occur in an enclosed parking facility meets the requirements of this Article if it includes the elements required in Section 25608.19, on a sign posted at each public entrance to the enclosed parking facility on a 20 by 20 inch sign in a font no smaller than 72-point type, placed so that it is readable and conspicuous to individuals before they enter the facility. (b) The warning must be provided in English and in any other languages in which other entrance signage is provided at the facility.

§ 25608.19 Enclosed Parking Facility Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	(a) A warning for exposures reasonably calculated to occur in an enclosed parking facility meets the requirements of this Article if it is provided using the method required in Section 25608.18 and includes all the following elements. (1) The symbol required in Section 25604(a)(1). (2) The word “WARNING” in all capital letters and bold print. (3) The words “Breathing the air in this parking garage can expose you to chemicals, such as carbon monoxide and gasoline or diesel engine exhaust, that are known to the State of California to cause cancer or birth defects or other reproductive harm. Do not stay in this area longer than necessary. For more information go to www.P65Warnings.ca.gov/parking .”

§ 25608.20 Amusement Park Exposure Warnings – Method of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	(a) A warning satisfies the requirements of this Article if it includes the elements required in Section 25608.21 and is provided on a sign posted at each public entrance to the facility in a font no smaller than 72-point type, placed so that it is readable and conspicuous to individuals before they enter the premises. Where there is open access to the facility with no designated public entrances, the sign shall be posted at the most common areas used by the public to access the facility.

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	<p>(b) If other permanent entrance signage at the facility is provided in any language other than English, the warning must be provided in both English and that language.</p> <p>(c) In addition to the warning specified in this section, warnings must be provided for exposures to chemicals in products, alcoholic beverages, food, and enclosed parking facilities where such exposures are reasonably calculated to occur on the premises.</p>

§ 25608.21 Amusement Park Exposure Warnings – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for amusement parks meets the requirements of this Article if it is provided using the method required in Section 25608.20, and includes all of the following elements.</p> <p>(1) The symbol required in Section 25604(a)(1).</p> <p>(2) The word “WARNING” in all capital letters and bold print.</p> <p>(3) The words “Some areas in amusement parks can expose you to chemicals that are known to the State of California to cause cancer or birth defects or reproductive harm or both. For additional information go to www.P65Warnings.ca.gov/amusement parks.”</p> <p>(4) Where the name or names of chemicals are required to be included in the warning pursuant to Section 25602, or the person providing the warning includes the name or names of other listed chemicals, the words, “Some areas in amusement parks can expose you to a chemical [or chemicals] such as [name or names of chemicals] that is [are] that are known to the State of California to cause cancer or birth defects or other reproductive harm.</p>

§ 25608.22 Petroleum Products Warnings (Environmental Exposures) – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for environmental exposures to petroleum products from industrial operations and facilities, other than from service stations and vehicle-repair facilities, meets the requirements of this Article if it is provided using one or more of the methods required in Section 25605 and includes all of the elements required in Section 25608.23.</p> <p>(b) If other signage at the facility is provided in any language other than English the warning must also be provided in both English and that language.</p>

§ 25608.23 Petroleum Products Warnings (Environmental Exposures) – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) The symbol described in Section 25604(a)(1).</p> <p>(b) The word “WARNING” in all capital letters and bold print.</p> <p>(c) The words: “Crude oil, gasoline, diesel fuel and other petroleum products can expose you to chemicals such as toluene and benzene that are known to the State of California to cause cancer or birth defects or other reproductive harm. These exposures can occur in and around oil fields, refineries, chemical plants, transport and storage operations such as pipelines, marine terminals, tank trucks and other facilities and equipment.</p> <p>For more information go to: www.P65Warnings.ca.gov/petroleum.”</p>

§ 25608.24 Service Station and Vehicle – Repair Facilities Warnings (Environmental Exposures) – Methods of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for environmental exposures to listed chemicals at service stations meets the requirements of this Article if it is posted on a sign at each gas pump using the elements required in Section 25608.23. The sign must be printed in no smaller than 22-point type and be enclosed in a box.</p> <p>(b) A warning for environmental exposures at vehicle repair facilities meets the requirements of this Article if it is posted at each public entrance to the repair facility on a sign using the elements required in Section 25608.25, printed in no smaller than 32 point type.</p> <p>(c) If other signage at the facility is provided in a language other than English the warning must also be provided in both English and that language.</p>

§ 25608.25 Service Station and Vehicle – Repair Facilities Warnings (Environmental Exposures) - Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	<p>(a) A warning for environmental exposures to listed chemicals at service stations or vehicle repair facilities meets the requirements of this Article if it is provided using the methods described in Section 25608.24 and includes all the following elements.</p> <p>(1) The symbol required in Section 25604(a)(1).</p> <p>(2) The word “WARNING” in all capital letters and bold print.</p> <p>(3) The words: “Breathing the air in this area or skin contact with petroleum products can expose you to chemicals that are known to the State of California</p>

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
	to cause cancer or birth defects or other reproductive harm, such as benzene, motor vehicle exhaust and carbon monoxide. For more information go to: www.P65Warnings.ca.gov/gasoline. ”

§ 25608.26 Designated Smoking Area Exposure Warnings (Environmental Exposures) – Method of Transmission

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	(a) A warning message for an exposure reasonably calculated to occur within a designated smoking area meets the requirements of this Article if it is provided on a 8 ½ by 11 inch sign posted at the entrance to and within the area in which the exposure is reasonably calculated to occur. The sign must be printed in no smaller than 22-point type and be enclosed in a box and include the elements required in Section 25608.27.

§ 25608.27 Designated Smoking Area Exposure Warnings (Environmental Exposures) – Content

<i>Current Text</i>	<i>Proposed Regulatory Text (1/16/2015)</i>
[No equivalent rule]	(a) A warning for environmental exposures to tobacco smoke and nicotine in designated smoking areas meets the requirements of this Article if it is provided using the method described in Section 25608.26 and includes all the following elements. (1) The symbol described in Section 25604(a)(1). (2) The word “WARNING” in all capital letters and bold print. (3) The words: “Breathing the air in this smoking area can expose you to chemicals such as tobacco smoke and nicotine that are known to the State of California to cause cancer or birth defects or other reproductive harm. Do not stay in this area longer than necessary. For more information go to www.P65Warnings.ca.gov/smokingareas. ”