

California Department of Public Health
Issues Related to Proposition 65 Warnings on
Food Products

- The California Department of Public Health (CDPH) requires warnings on various products that present an increased risk of infectious disease or adverse health effects. For example, raw milk, raw milk dairy products, raw oysters from the Gulf of Mexico and certain dietary supplements are required to be accompanied by warnings directed to consumers who may be vulnerable to severe disease if infected by bacteria or exposed to ingredients often found in these products. Infection or exposure in susceptible persons can result in death or permanent injury from a single episode of consumption. Consequently, CDPH considers these warnings to important components of California's food safety system.
- Food safety warnings are most effective when they represent the exception, rather than the rule, in the retail setting. An environment in which warnings appear on large numbers of products can dilute the effectiveness of warnings overall. The sheer volume of warnings could overwhelm the consumer to the point that exposure appears unavoidable and the consumers discounts warnings as a whole. In such circumstances, the significance of a warning about an increased risk of acute disease may be lost.
- In the case of Proposition 65, warnings may be provided on products containing listed chemicals in concentrations that present at most an increased risk of chronic disease if the product were to be consumed over an extended period of time. In the case of foods, these warnings should not be presented in such a way that they diminish the significance of warnings provided for exposures that could have acute effects.