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Via portal at: <https://oehha.ca.gov/comments>

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Monet Vela
Office of Environmental Health Hazard Assessment
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Sacramento, California 95812-4010
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SUBJECT: COMMENTS TO PROPOSED AMENDMENTS TO ARTICLE 6, CLEAR AND REASONABLE WARNINGS SHORT-FORM WARNINGS

Dear Ms. Vela:

On behalf of our clients Carboline, The Euclid Chemical Company (Euclid), and RPM Wood Finishes Group (WFG), we write to express our mutual concerns regarding the financial impact of the Office of Environmental Health Hazard Assessment's (OEHHA) proposed changes to Proposition 65's Proposed Amendments to Article 6, Clear and Reasonable Warnings Short-Form Warnings (Proposal). We submit the following comments for your consideration.

Carboline, Euclid, and the WFG are three very different manufacturers of products used by the building trade. While they are different in size and revenue, they share the same concern surrounding the high cost of a major redesign and production of new labels

- Carboline provides high-performance coatings, linings, and fireproofing products. Its products solve a range of problems, including protecting steel from corrosion, providing passive fire protection for industrial applications, shielding storage tanks from aggressive chemicals, etc. It delivers its solutions across petrochemical, oil and gas, commercial, marine, power, and other markets.

Carboline products are not for use by homeowners and are clearly identified for industrial use only.

- Euclid is a world leading manufacturer of specialty chemical products for the concrete and masonry construction industry and is known for their innovation and high quality. Its products and technologies include admixtures, fiber, integral color, shotcrete, grouts, repair mortars, bonding agents, adhesives, coatings, curing and sealing compounds, and dry shake hardeners.
- WFG comprises multiple companies dedicated to different aspects of decorative and protective furniture coatings. It provides specialized solutions that meet the finishing needs of virtually any wood product provider, including stains and finishes, leather and vinyl touch-up and repair products, and market-leading fabric protection products. WFG provides touch-up and fabric protection solutions for the furniture, cabinetry, and decorative wood coatings industry. It includes FinishWorks, Guardian Production Products, Mohawk Finishing Products and Morrells.

All three companies are troubled about their need to do substantial redesigning and relabeling for each product subject to this mandate. By itself, this is not an easy task requiring significant investment.

- Complying with this Proposal after performing this same exercise four years ago when OEHHA's 2016 short-form warning went into effect is a financial burden that borders on severe.
- Complying with the Proposal will require investment in staff or outside consultants designing a new label. This task is made more difficult by the Proposal's restricting of the short-form warnings availability and font requirements.
- Adding the newly redesigned label to the container, some pre-printed and bought in bulk, significantly increases costs.

We have additional concerns about the Proposals—concerns that other commentators have echoed. As such, we join with the American Coatings Association and endorse the comments made in its letter to you dated March 29, 2021.

Carboline, Euclid, and the WFG spend significant resources creating their industry's best and safest products. They are sensitive to and share in the objectives of Proposition 65 and strive to make sure their customers know what they are using. We do not believe the Proposal furthers this goal. It will, however, accomplish the spending of significant capital—monies that will need to come from another part of their operations or changes to prices.

In conclusion, Carboline, Euclid, and the WFG believe that OEHHA should withdraw the current Proposal pending further study and consultation with affected parties. We thank the leadership and staff of OEHHA for the opportunity to make these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard Berman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Howard Berman