

PROPOSED REGULATORY TEXT

§ 25603. Consumer Product Exposure Warnings - Content. [Operative August 30, 2018]

(a) Unless otherwise specified in Section 25607.1 et seq., a warning meets the requirements of this subarticle if it is provided using one or more of the methods required in Section 25602 and includes all the following elements:

(1) A symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline. Where the sign, label or shelf tag for the product is not printed using the color yellow, 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".

(2) The word "**WARNING:**" in all capital letters and bold print, and:

(A) For exposures to listed carcinogens, the words, "This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov."

(B) For exposures to listed reproductive toxicants, the words, "This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov."

(C) For exposures to both listed carcinogens and reproductive toxicants, the words, "This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer, and [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov."

(D) For exposures to a chemical that is listed as both a carcinogen and a reproductive toxicant, the words, "This product can expose you to chemicals including [name of one or more chemicals], which is [are] 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."

(E) Where a warning is being provided for an exposure to a single chemical the words "chemicals including" may be deleted from the warning content set out in subsections (A), (B) and (D).

(b) A short-form warning may be provided on the product label using all the following elements:

(1) The symbol required in subsection (a)(1).

(2) The word "**WARNING:**" in all capital letters, in bold print.

(A) For exposures to listed carcinogens, the words, "Cancer - www.P65Warnings.ca.gov."

(B) For exposures to listed reproductive toxicants, the words, "Reproductive Harm - www.P65Warnings.ca.gov."

(C) For exposures to both listed carcinogens and reproductive toxicants, the words, "Cancer and Reproductive Harm - www.P65Warnings.ca.gov."

(c) A person providing a short-form warning on the product label pursuant to subsection (b) is not required to include within the text of the warning the name or names of a listed chemical.

(d) Notwithstanding subsection (a)(2) or (b)(2), where a warning for a consumer product exposure or occupational exposure from use of a pesticide is provided on a product label, and the pesticide label is regulated by the United States Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act, Title 40 Code of Federal Regulations, Part 156; and by the California Department of Pesticide Regulation under Food and Agricultural Code section 14005, and Cal. Code of Regs., title 3, section 6242; the word "**ATTENTION**" or "**NOTICE**" in capital letters and bold type may be substituted for the word "**WARNING**".

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.11, Health and Safety Code.