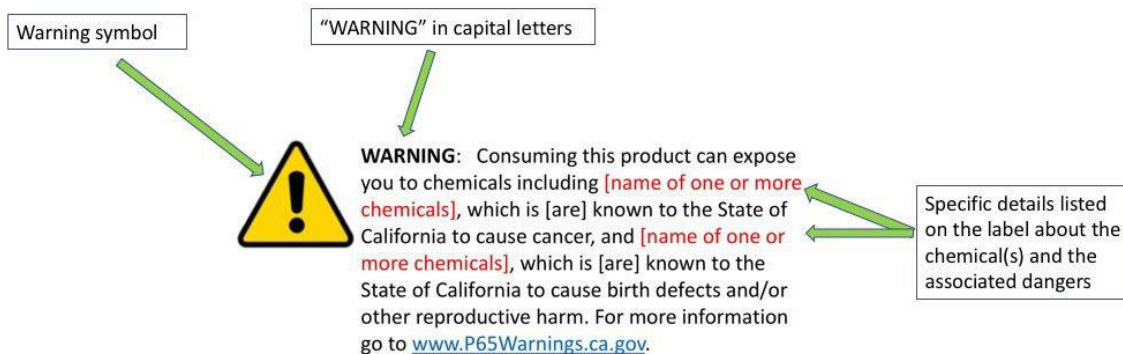


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New Signage Requirements Under Proposition 65

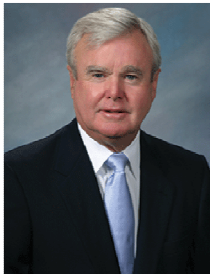
Business and commercial real estate owners need to take note now of stricter rules regarding property signage and warning regulations. On August 30, 2018, new clear and reasonable warning requirements will come into effect in California under Proposition 65, formally known as the Safe Drinking Water and Toxic Enforcement Act. Property owners could face lawsuits or penalties of up to **\$2,500 per day** if new signs are not posted.



Key Changes to Proposition 65

1. There are new warning label language and symbol requirements under Proposition 65:
 - Warning triangle with exclamation mark (preferably yellow in color)
 - Long-form warnings must include reference to at least one substance in question
 - Change in language from “This product contains...” to “This product can expose you to...”
 - Requires the inclusion of the California Office of Environmental Health Hazard Assessment (OEHHA) Proposition 65 website www.P65Warnings.ca.gov
 - Short form warning must include: **WARNING: Cancer** – www.P65Warnings.ca.gov.
2. Under the new Proposition 65 requirements, tailored warnings are required for specific products, industries and areas, including food, alcohol, restaurants, prescription drugs, dental care, raw wood, furniture, diesel engines, vehicles, recreational vessels, enclosed parking facilities, service stations, vehicle repair facilities and smoking areas.
3. New requirements must be reflected on all products manufactured after August 30, 2018, but can be implemented starting now to ensure ongoing Proposition 65 compliance. Note: Products manufactured prior to August 30, 2018, can continue to be sold using the old Proposition 65 warning requirements.

For more information regarding these changes, please visit OEHHA Proposition 65 website.



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Hart King represents publicly held corporations, mid-sized businesses and entrepreneurs in all state and federal courts within California. The firm offers a wide range of civil litigation and transactional services in the areas of business, commercial real estate, manufactured housing, professional design & construction, and trust and estate matters.

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