



October 15, 2021

FEC position statement regarding California Prop 65 and compounds used for customer products.

Dear Customer:

The California Safe Drinking Water and Toxic Enforcement Act of 1986, better known as Proposition 65 (Prop 65), requires the governor of California to publish a list of chemicals known to the state to cause cancer or reproductive toxicity. The California Environmental Protection Agency (Cal/EPA), which administers Prop 65, has been delegated the authority to develop and revise the list. Prop 65 establishes two prohibitions regarding use of listed chemicals. First, no person in the course of doing business may knowingly discharge or release a significant amount of a listed chemical into drinking water or into or onto land where it will pass into a source of drinking water. Second, no person in the course of doing business may knowingly expose any individual to a significant amount of listed chemical without first providing a clear and reasonable warning to such individual.

It should be noted that simply because a component is subject to Prop 65 does not mean that a warning for the finished product is required. Prop 65 warning requirements are dependent on the anticipated level of exposure to components subject to Prop 65 resulting from foreseeable uses of a product. The warning requirements will only apply if the foreseeable and intended uses of a product containing these materials are likely to result in exposure above what are referred to as "significant risk" or "observable effect", "threshold levels" and can only be made with full knowledge of the end uses and applications of the products.

Products made for you could contain items on the Prop 65 list like titanium dioxide, carbon black and quartz (silica crystalline), but these are listed as "airborne, unbound particles of respirable dust". Any raw chemical found on the Prop 65 list that maybe in a compound that we would use is bound into the polymer matrix and would therefore not qualify.

We do not have complete knowledge of the end uses to which you or your customers put our materials. Therefore, the decision to include or not to include a Prop 65 notice will ultimately rest with your company. We have determined that our products do not need to be labeled.

We hope this information is of value to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Indelicato', written over a light blue horizontal line.

Brian Indelicato  
Director of Quality Assurance