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Proposed Changes to California Prop 65 Short-Form Warnings

Short-form California Prop 65 warnings were uniformly welcomed by industry when they went into effect in 2018; however, the California Office of Environmental Health Hazard Assessment ("OEHHA") is in the process of walking back some of the industry-friendly aspects of the short-form warning. Last week, OEHHA announced further modification of its previously proposed amendments ([Notice Here](#)). The comments period for the Proposed Amendments ends on January 14, 2022.

If you are currently using short-form Prop 65 warnings on your consumer products sold into California and/or via the internet, you should review the proposed amendments and anticipate the need to change your current Prop 65 warning within one year from the effective date of the amendments. The Proposed Amendments make several changes to the currently compliant short-form warnings for consumer products:

- At least one listed chemical must be written out in the short-form warning.
- Short-form warnings may only be used if:
 - The total surface area of the label available for consumer information is 12 square inches or less;
 - The package shape or size cannot accommodate a full-length warning, and;
 - The entire warning must be in a type size no smaller than the largest type size used for other consumer information on the product. The minimum allowable type-size is 6-point type.
- For Internet purchases, the warning must be included on the webpage or a clearly marked hyperlink using the word "WARNING", or the words "CA WARNING" or "CALIFORNIA WARNING" on the product display page.

If a product has a short-form warning, that warning may also be used on the product's website and catalog.

The Proposed Amendments also discuss changes to Food Exposure Warnings. You can find a full copy of the Proposed Amendments [here](#).

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