

January 1, 2024

Dear Valued Distributor:

Proposition 65, also called the Safe Drinking Water and Toxic Enforcement Act, was enacted by the State of California in 1986. The act requires “clear and reasonable” warnings about potential exposures to certain chemicals that California has determined cause cancer, birth defects or other reproductive harm.

Under the current rules, the warnings had to be shown on the product and/or the product’s packaging. However, Proposition 65 has recently been amended to also include “pre- purchase” warning requirements. The amendments take effect on August 30, 2018. In addition to on-product warnings, catalogs and webpages must now carry the same warnings so that consumers in California can see the warnings prior to purchase.

Because of this requirement, we need to have all distributors who sell our products acknowledge the receipt and understanding of this information. Therefore, we are asking that you complete the attached form and return to us at your earliest convenience. **Turtle Plastics requires your confirmation electronically, or in writing, of receipt of this notice. If we do not receive confirmation, we will be unable to ship certain products to you.**

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As a recognized Turtle Plastics (TP) distributor, this correspondence provides notice pursuant to California Health and Safety Code section 25249.5 et seq. (“Prop 65”) and one of its enabling regulations at 27 CCR § 25600.2(b) (effective 30 August 2018). California law requires any company to declare if their products contain certain substances, as so listed on <https://oehha.ca.gov/proposition-65/proposition-65-list> and those products are sold in California. The products indicated in the file(s) hyperlinked from this email, with a Turtle Plastics SKU number, and description, require a Prop 65 warning for any sales into California.

TP will provide the necessary warning on the product labels, on its websites, and in all future printed publications. Distributors are expected to convey identical warning language.

For TP distributors who sell online, the warning language for products sold must be shown to the online consumer prior to completing the purchase, and should also be provided on the product display page with a clearly marked hyperlink using the word “**WARNING**,” or by otherwise prominently displaying the warning to the purchaser prior to completing the purchase, e.g.:

**⚠ WARNING:** This product can expose you to chemicals including \_\_\_\_\_ [e.g. lead], which is 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](http://www.P65Warnings.ca.gov).

**As a condition of distributing Turtle Plastics' products to retail sellers:**

- a. The distributor acknowledges that it is an authorized agent, for the purpose of complying with Prop 65, of any retail seller to whom it distributes TP products. Under the Prop 65 regulations, this means that the distributor is authorized by the retailer seller(s) to receive Prop 65 notices from manufacturers.
- b. The distributor agrees to provide TP Prop 65 notices to any retail seller that is allowed to sell Turtle Plastics products.
- c. The distributor agrees to indemnify and hold harmless TP for any liability if the distributor fails to provide the Prop 65 notice (which is provided by this notice) to an authorized retail seller, and distributor also indemnifies TP if the retail seller fails to provide the notice.

**Again, TP requires your confirmation electronically, or in writing, of receipt of this notice. An acknowledgement PDF form is attached for your convenience. If we do not receive confirmation, we will be unable to ship certain products to you.**

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**Reference links and lists:**

**Acknowledgement Form:**

<https://www.turtleplastics.com/wp-content/uploads/2024/07/Turtle-Plastics-Proposition-65-Acknowledgement-Form.pdf>

**Turtle Plastics Proposition 65 Product Listing:**

<https://www.turtleplastics.com/wp-content/uploads/2024/07/Prop65-Product-Listing2024-2.pdf>

**For further questions concerning Prop 65, refer to:**

<https://oehha.ca.gov/proposition-65/law/proposition-65-law-and-regulations>

**For any additional questions regarding this communication, contact us at:**

[tp.prop65@turtleplastics.com](mailto:tp.prop65@turtleplastics.com)

**Mail hard copy of signed acknowledgement form to:**

Turtle Plastics  
7400 Industrial Parkway Drive  
Lorain, OH 44053

**Or you may email the signed acknowledgement form to:** [tp.prop65@turtleplastics.com](mailto:tp.prop65@turtleplastics.com)

Sincerely,

Turtle Plastics Compliance