



## **CALIFORNIA PROPOSITION 65 COMPLIANCE CHECKLIST**

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*This Compliance Checklist is part of a guidance document commissioned by AHFA for the exclusive use of its member companies. It was prepared by Amy P. Lally of Sidley LLP.*

Use this checklist to ensure retail partners are fully informed about their obligations under the new Proposition 65 warning requirements:

- Identify the retailer’s “authorized agent” for Prop 65 notices from suppliers.
- Determine the retailer’s preference for in-store warnings. Do they want store signs, receipt stamps, or POS software for receipts?
- If the retailer prefers store signs, request the number of signs needed and determine the type of material to be used along with any other relevant design elements.
- If contacting retailers August 30, 2018, reach consensus that the new warning regime will be followed.
- Review contract terms, including representations, warranties, and indemnifications, in light of the new warning regulations.