

## Proposition 65 Statement:

California law contains what is known as the Safe Drinking Water and Toxic Enforcement Act, also referred to as Proposition 65 (“Prop 65”). Prop 65 is a unique California only “right to know” law that requires products sold in California to bear warning notices about potential exposure to any of the over 800 substances listed by the state. As a practical matter, Prop 65 warnings may be required for any consumer product (food or non-food) that can expose an individual in California to virtually any detectable amount of a listed chemical.

Prop 65 does not ban any products from sale in California; it simply requires warnings about the listed chemical contained in the product. No other state has a law similar to Proposition 65, which requires warnings for listed chemicals contained in products at levels that are far below levels known to cause any actual harm, or that are regulated by the FDA or other federal or state law. Lawsuits to enforce Prop 65 against manufacturers, distributors or retailers may be instituted by the State of California, or much more frequently by private “bounty hunters” and their attorneys who profit from the law.

In recent years, many businesses have come under attack by private Proposition 65 bounty hunters over alleged trace amounts of listed chemicals contained in various types of consumer products, even those that are infrequently handled. Indeed, even many healthy food products containing trace amounts of lead or other listed chemicals are subject to Proposition 65 claims in California, including certain fish, seaweed, coffee, tea and many other similar products. Frequently, the exposure levels established by Prop 65 can be less than what occurs naturally even in these various foods that are part of a healthy diet.

Trace amounts of chemicals listed under California’s Proposition 65 may be found in some of Candle Warmers products even though Candle Warmer’s takes steps to specify materials that do not contain listed chemicals at levels that require a warning. Accordingly, as a business decision, Candle Warmers has decided to provide Proposition 65 warnings for certain products where it believes there may be trace amounts of listed chemicals that could trigger expensive and resource draining litigation with private bounty hunters. Like many other companies selling similar products, Candle Warmers has chosen to provide Proposition 65 warnings rather than engage in a long and protracted legal battle to prove in court that any listed chemicals contained in its products do not require a warning.

You should also be aware that the Governor of California proposed reforms to end abusive Proposition 65 lawsuits. To learn more about these efforts, please visit the following link: <http://www.gov.ca.gov/news.php?id=18026>