



Dear Valued Scotsco / Pro Power Products Dealer:

Re: Proposition 65

We want to help you, and we need your help. Our understanding of the new requirements to California's Proposition 65, especially as they apply to our industry, is that we will need cooperation among the channel partners (Manufacturers, Distributors, and Dealers) to fully comply. More specifically, it is our opinion that our industry will need to provide warnings on product labels and provide written notice to the retail seller.

A couple quick examples: A manufacturer who includes a hang tag with a mower, needs help from the retailer to place the hang tag on the mower to be effective in warning the consumer. If a retailer receives spare parts in packaging with a label on it, and the retailer removes the parts from the packaging to put them on the shelf, the manufacturer or distributor needs help from the retailer to place the parts back into a bag with a warning label at the time of sale.

Manufacturers and Distributors are required to confirm receipt of the written notice by the retailers, and to renew this annually. We want to make this simple, and will do our best to minimize your time and cost in confirming this. Please review the following notice.

Proposition 65 Informational Letter

If you were not already aware, On August 30, 2018, there are new requirements to California's Proposition 65 (Prop 65) going into effect, changing regulations of all parts and products currently being sold in and into the state of California. Prop 65's original intention was to warn Californian's about potentially harmful chemicals in their consumer products. Since its inception, the list of Prop 65 chemicals has grown to over 900 individual chemicals.

With the new regulations, all products produced on and after August 30, 2018, as well as sold in or into the state of California with one of these listed chemicals will require one of these updated labels in order to warn California consumers at the final point of purchase.

A large number of manufacturers have complied with Prop 65 requirements through the use of labels and warnings both on the product and the packaging material, as well as through the placement of Prop 65 warnings in the user manual and engine hangtags. Vendors will be applying warning labels to spare parts packaging where possible prior to their arrival at your dealership. Here is an example of what a label may look like:

If you are a California Dealer, you are responsible for communicating the new warnings to the customers at the final point of sale. When you sell a spare part to a customer from behind the counter, you must be sure to also provide the customer with an accompanying Prop 65 label either directly on the product (for larger parts) or directly on the packaging for the particular item.

If you use a spare part to service or replace something in a customer's machine, you are not required to attach a new label to the product.

In addition to the changes that are affecting California dealers, it is important to note that out of state dealers selling into the state of California are also expected to comply with the new regulations. If you are an out of state dealer selling products into the state of California, you are encouraged to comply with this law by applying the label to any and all of your California bound products. Short Form Proposition 65 labels similar to the above example can be found at various online and local retailers, there is not a generic label provided by the State of California.

Penalties for Non-Compliance:

These new regulations are enforced primarily by California State and Private Attorneys making claims against the dealership for any violation of Prop 65 found on the premises. Penalties associated with being non-compliant with Prop 65 can be severe, and Scotsco recommends that all dealers follow up with legal counsel to determine how these regulations may potentially affect their business.

For any related questions on the new Proposition 65 requirements, please go to:

Prop 65 Warnings Page
www.p65warnings.ca.gov

Office of Environmental Health Hazard Assessment Home page
<https://oehha.ca.gov/proposition-65>

Remember...
Scotsco Wants To Be Your Distributor!!!