



CALIFORNIA PROPOSITION 65 COMPLIANCE CHECKLIST

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.