

**Attachment 1  
Regulatory Text**

**Second 15-Day Modification to  
Proposed Amendments to Article 6 - Clear and Reasonable Warnings  
for Consumer Product Exposures**

**Title 27, California Code of Regulations,  
Sections 25601, 25602, 25603, 25607.1, 25607.2**

- The original amendments to the regulatory text proposed on January 8, 2021, are indicated by single underline (added language) and strikeout (~~deleted language~~).
- The first amendments to the regulatory text proposed on December 17, 2021, are indicated by double underline (added language) and double strikeout (~~~~deleted language~~~~).
- The second amendments to the regulatory text proposed on April 5, 2022, are shown in bold, italic, and double underline (***added language***) and bold, italic, double strikeout (***~~~~deleted language~~~~***).
- A copy of the regulation text for sections Title 27, California Code of Regulations, Sections 25601, 25602, 25603, 25607.1, 25607.2 in their as proposed form without the addition of single or double underlining, single or double strikeouts, bold, or italics follows the edited regulation text.

**§ 25601. Safe Harbor Clear and Reasonable Warnings - Methods and Content.**

(a) A warning is “clear and reasonable” within the meaning of Section 25249.6 of the Act if the warning complies with all applicable requirements of this article.

(b) ~~Except as provided in Section 25603(c), a~~ A warning meets the requirements of this subarticle if the name of one or more of the listed chemicals in the consumer product or affected area for which the warning is being provided is included in the text of the warning. Where a warning is being provided for more than one endpoint (cancer and reproductive toxicity) the warning must include the name of one or more chemicals for each endpoint, unless the named chemical is listed as known to cause both cancer and reproductive toxicity and has been so identified in the warning.

(c) Consumer product exposure warnings must be prominently displayed on a label, labeling, or sign, and must be displayed with such conspicuousness as compared with other words, statements, designs or devices on the label, labeling, or sign, as to render the warning likely to be seen, read, and understood by an ordinary individual under customary conditions of purchase or use.

(d) Environmental exposure warnings must be provided in a conspicuous manner and under such conditions as to make the warning likely to be seen, read, and understood by an ordinary individual in the course of normal daily activity.

(e) The warning content may contain information that is supplemental to the content required by this subarticle only to the extent that it identifies the source of the exposure or provides information on how to avoid or reduce exposure to the identified chemical or chemicals. Such supplemental information is not a substitute for the warning content required by this subarticle.

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Section 25249.6, Health and Safety Code.

## § 25602. Consumer Product Exposure Warnings - Methods of Transmission.

(a) Unless otherwise specified in Section 25607.4 et seq, a warning meets the requirements of this subarticle if it complies with the content requirements in Section 25603 and is provided using one or more of the following methods:

(1) A product-specific warning provided on a posted sign, shelf tag, or shelf sign, for the consumer product at each point of display of the product.

(2) A product-specific warning provided via any electronic device or process that automatically provides the warning to the purchaser prior to or during the purchase of the consumer product, without requiring the purchaser to seek out the warning.

(3) A warning on the product label that complies with the content requirements in Section 25603(a).

(4) A short-form warning on the product label that complies with the content requirements in Section 25603(b). ~~The short form warning may only be used if:~~

~~**(A) The total surface area of the product label available for consumer information is 5 1/2 square inches or less, and;**~~

~~**(B) the package shape or size cannot accommodate the full-length warning described in Section 25603(a), and;**~~

~~**(C) The entire warning is printed must be must be in a type size that complies with Section 25601(c). ~~no smaller than the largest type size used for other consumer information on the product.~~**~~ In no case shall the warning appear in a type size smaller than 6-point type.

(b) For internet purchases, a warning that complies with the content requirements of Section 25603(a) must also be provided by including either the warning or a clearly marked hyperlink using the word **“WARNING”**, or the words **“CA WARNING:”** or **“CALIFORNIA WARNING:”** on the product display page, or by otherwise prominently displaying the warning to the purchaser prior to completing the purchase. If warning is provided using the short-form warning label content pursuant to Section 25602(a)(4), the warning provided on the website may use the same content. If warning is provided using the short-form warning label content pursuant to Section 25602(a)(4), the warning provided on the website may use the same content. For purposes of this subarticle, a

warning is not prominently displayed if the purchaser must search for it in the general content of the website.

(c) For catalog purchases, a warning that complies with the content requirements of Section 25603(a) must also be provided in the catalog in a manner that clearly associates it with the item being purchased. ~~If a short-form warning is being provided on the label pursuant to Section 25602(a)(4), the warning provided in the catalog may use the same content.~~ If a short-form warning is being provided on the label pursuant to Section 25602(a)(4), the warning provided in the catalog may use the same content.

(d) Where a sign or label used to provide a warning includes consumer information about a product in a language other than English, the warning must also be provided in that language in addition to English.”

~~(e) The 2020+2 amendments to subsections (a)-(c) shall become operative [Office of Administrative Law to insert date that is **one-year two years** after the effective date of amendments]. A warning for a consumer product manufactured prior to [Office of Administrative Law to insert date that is **one-year two years** after the effective date of amendments] is deemed to be clear and reasonable if it complies with the August 2016 revision of this section. Nothing in this subsection prevents a business from providing the amended warning prior to the operative date.~~

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Section 25249.6, Health and Safety Code.

### **§ 25603. Consumer Product Exposure Warnings - Content.**

(a) Unless otherwise specified in Section 25607.4 et seq., a warning meets the requirements of this subarticle if it is provided using one or more of the methods required in Section 25602 and includes all the following elements:

(1) A symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline. Where the sign, label or shelf tag for the product is not printed using the color yellow, the symbol may be printed in black and white. The symbol shall be placed to the left of the text of the warning, in a size no smaller than the height of the word “**WARNING**”.

(2) The word “**WARNING:**” or the words “**CA WARNING:**” or “**CALIFORNIA WARNING:**” in all capital letters and bold print, and:

(A) For exposures to listed carcinogens, the words, “This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”

(B) For exposures to listed reproductive toxicants, the words, “This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”

(C) For exposures to both listed carcinogens and reproductive toxicants, the words, “This product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer, and [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”

(D) For exposures to a chemical that is listed as both a carcinogen and a reproductive toxicant, the words, “This product can expose you to chemicals including [name of one or more chemicals], which is [are] 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).”

(E) Where a warning is being provided for an exposure to a single chemical the words “chemicals including” may be deleted from the warning content set out in subsections (A), (B) and (D).

(b) A short-form warning may be provided on the ~~product~~ label pursuant to Section 25602(a)(4) using all the following elements:

(1) The symbol required in subsection (a)(1).

(2) The word **“WARNING:”** or the words **“CA WARNING:”** or **“CALIFORNIA WARNING:”** in all capital letters, in bold print, **and:**

(A) For exposures to listed carcinogens, the words,

~~(i)1. “Cancer – [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).” “Cancer Risk From exposure to [Name of one or more chemicals known to cause cancer] Exposure - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”~~ or

~~2. “**Can Exposes** you to [name of chemical], a carcinogen - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”~~

(B) For exposures to listed reproductive toxicants, the words,

~~(i)1. “Reproductive Harm – [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).” “Risk of Reproductive Harm From Exposure to [Name of one or more chemicals known to cause reproductive toxicity] - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”~~ or

~~(ii)2. “**Can Exposes** you to [name of chemical], a reproductive toxicant - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”~~

(C) For exposures to both listed carcinogens and reproductive toxicants, the words, “Cancer and Reproductive Harm – [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”

~~(i)1. “Risk of Cancer risk From [Name of one or more chemicals known to cause cancer] And of Reproductive Harm From exposure to [Name of one or more chemicals known to cause reproductive toxicity] Exposure - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).”~~ or

~~(ii)2. “Can Exposes you to [name of chemical], a carcinogen, and [name of chemical], a reproductive toxicant - www.P65Warnings.ca.gov.”~~

~~(D) For exposures to a chemical that is listed as both a carcinogen and a reproductive toxicant, the words,~~

~~(i)1. “Risk of Cancer risk and Reproductive Harm From [Name of one or more chemicals known to cause cancer and reproductive toxicity] Exposure - www.P65Warnings.ca.gov.”, or~~

~~(ii)2. “Can Exposes you to [name of chemical], a carcinogen and reproductive toxicant - www.P65Warnings.ca.gov.”~~

~~(c) A person providing a short-form warning on the product label pursuant to subsection (b) is not required to include within the text of the warning the name or names of a listed chemical.~~

~~(dc) Notwithstanding subsection (a)(2) or (b)(2), where a warning for a consumer product exposure or occupational exposure from use of a pesticide is provided on a product label, and the pesticide label is regulated by the United States Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act, Title 40 Code of Federal Regulations, Part 156; and by the California Department of Pesticide Regulation under Food and Agricultural Code section 14005, and Cal. Code of Regs., title 3, section 6242; the word “ATTENTION” or “NOTICE” in capital letters and bold type may be substituted for the word “WARNING”, or the words “CA WARNING:” or “CALIFORNIA WARNING:”~~

~~(d) The 2020~~42~~ amendments to subsections (a)-(d) shall become operative [CAL Office of Administrative Law to insert date that is ~~one year two years~~ from effective date of these amendments]. A short-form warning on a consumer product manufactured prior to [CAL Office of Administrative Law to insert date that is ~~one year two years~~ from effective date of these amendments] is deemed to be clear and reasonable if it complies with the August 2016 revision of this section. Nothing in this subsection prevents a business from providing the amended warning prior to the operative date.~~

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.11, Health and Safety Code.

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### **§ 25607.1. Food Exposure Warnings - Methods of Transmission.**

(a) Except as provided in subsection (b), a warning for food exposures, including dietary supplements, meets the requirements of this subarticle if it complies with the content requirements in Section 25607.2 and is provided using one or more of the methods required in Section 25602.

(b) Where the warning is provided on the food ~~product~~ label, it must be set off from other surrounding information, enclosed in a box and comply with the content requirements specified in Section 25607.2.

(c) Where a specific food product sign, label, or shelf tag used to provide a warning includes consumer information in a language other than English, the warning must also be provided in that language in addition to English.

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.11, Health and Safety Code.

### § 25607.2. Food Exposure Warnings – Content

(a) A warning for food exposures, including dietary supplements, meets the requirements of this subarticle if it complies with ~~is provided via~~ one or more of the methods specified in Section 25607.1 and includes all the following elements:

(1) The word **“WARNING:”** or the words **“CA WARNING:”** or **“CALIFORNIA WARNING:”** in all capital letters and bold print.

(2) For exposure to a listed carcinogen, the words, “Consuming this product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer. For more information go to [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(3) For exposure to a listed reproductive toxicant, the words, “Consuming this product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(4) For exposure to both listed carcinogens and reproductive toxicants, the words, “Consuming this product can expose you to chemicals including [name of one or more chemicals], which is [are] known to the State of California to cause cancer and [name of one or more chemicals], which is [are] known to the State of California to cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(5) For exposure to a chemical that is listed as both a carcinogen and a reproductive toxicant, the words, “Consuming this product can expose you to chemicals including [name of one or more chemicals], which is [are] 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/food](http://www.P65Warnings.ca.gov/food).”

(6) Where a warning is being provided for an exposure to a single chemical the words “chemicals including” may be deleted from the warning content set out in subsections (2), (3) and (5).

(b) A short-form warning may be provided on the food ~~product~~ label pursuant to Section 25602(a)(4) if the warning includes all the following elements:

(1) The word “**WARNING:**” in all capital letters, in bold print, or the words “**CA WARNING:**” or “**CALIFORNIA WARNING:**”, and:

(A)(2) For exposures to listed carcinogens, the words,

1.(A) “Cancer Risk From exposure to [Name of one or more chemicals known to cause cancer] Exposure - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”, or

2.(B) “**Can Exposes** you to [name of chemical], a carcinogen - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(B)(3) For exposures to listed reproductive toxicants, the words,

1.(A) “Risk of Reproductive Harm From Exposure to [Name of one or more chemicals known to cause reproductive toxicity] - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”, or

2.~~B~~ “**Can Exposes** you to [name of chemical], a reproductive toxicant - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(C)(4) For exposures to both listed carcinogens and reproductive toxicants, the words,

1.(A) “Risk of Cancer risk From [Name of one or more chemicals known to cause cancer] And of Reproductive Harm From exposure to [Name of one or more chemicals known to cause reproductive toxicity] Exposure - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”, or

2.(B) “**Can Exposes** you to [name of chemical], a carcinogen, and [name of chemical], a reproductive toxicant - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(D)(5) For exposures to a chemical that is listed as both a carcinogen and a reproductive toxicant, the words,

1.(A) “Risk of Cancer risk and Reproductive Harm From [Name of one or more chemicals known to cause cancer and reproductive toxicity] Exposure - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”, or

2.(B) “**Can Exposes** you to [name of chemical], a carcinogen and reproductive toxicant - [www.P65Warnings.ca.gov/food](http://www.P65Warnings.ca.gov/food).”

(26) The warning must be set off from other surrounding information and enclosed in a box.

(c) The 2020~~4~~2 amendments to subsections (a) and (b) shall become operative [Office of Administrative Law to insert date that is **one-year two years** from effective date of amendments]. A warning for a food product manufactured or produced prior to [Office of Administrative Law to insert date that is **one-year two years** from effective date of amendments] is deemed to be clear and reasonable if it complies with the August 2016

revision of this section. Nothing in this subsection prevents a business from providing the amended warning prior to the operative date.

Note: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.6 and 25249.11, Health and Safety Code.