



## California Proposition 65

Dear Valued Customer:

In November 1986, California approved a referendum initiative ("Proposition 65") requiring warnings about exposures to toxic chemicals. This initiative became known as The Safe Drinking Water and Toxic Enforcement Act of 1986. This Act is found in Sections 25249.5 – 25249.13 of the California Health and Safety Code. The law is intended to prevent contamination of water and to inform residents and workers about exposures of listed chemicals.

Proposition 65 required the Governor of California to publish a list of chemicals that are "known to the State of California" to cause cancer, birth defects or other reproductive harm. The list is updated quarterly. There are hundreds of chemicals on this list. A firm is required to provide a warning before knowingly and intentionally exposing a person to a listed chemical and a firm must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Listed chemicals include: acrylonitrile, antimony trioxide, arsenic, 1,3 butadiene, cadmium, carbon tetrachloride, carbon black extracts, chlorinated parafins, chloroform, vinyl chloride, hexavalent compounds of chromium, ethyl acrylate, ethylene thiourea, lead and lead compounds, lead acetate, lead phosphate lead subacetate, nickel, di(2ethylhexyl)phthalate, toluene. The only listed material present in any compound used by MARMON is antimony trioxide. This material is present in several polyethylene and PVC insulation and jacket compounds. None of the listed materials are used in the manufacturing process.

MARMON products that do contain antimony trioxide would be considered exempt from warning labels based on the Proposition 65 wire and cable settlement taking the form of a Consent Judgment submitted to the court in San Francisco. In this judgement it was agreed that Cords and Covered Products which, because of their size, weight or function, are infrequently handled (such as upon their installation in a setting where they are not typically plugged and unplugged). A list of over 200 of these types of infrequently handled products was created in Exhibit F of the Settlement Agreement. Some examples of infrequently handled cords: building wire, printer cables, riser/plenum cable, speaker wire, telecom data cable, telecom power cable, telephone power and data cords, thermostat cable, utility cable, signal cable, power control/instrumentation/cable, utility wire and cable. Also exempt: cords that are internal components not normally accessible to consumer during ordinary use. Since MARMON does not know or control the final application for its wire and cable, it is incumbent on the end user to determine if a warning is required and, if so, to provide the required warning.

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