



California Prop 65 and Prepainted Metal

Introduction

From time to time, coil coaters and others in the industry are asked to provide information about California's Prop 65. Questions typically have revolved around SDSs. While there is general consensus that painted metal does not pose a hazard regardless of the materials that are inputs to the process, some prepainted metal customers may still request or require an SDS or some form of documentation for finished painted metal. This toolkit provides general information about Prop 65 and specific guidance about Prop 65 as it relates to prepainted metal.

On August 29, 2018, an amendment to Proposition 65 took effect. This amendment does not change *when* a product must have a Proposition 65 warning; rather, it changes *how* the warning is conveyed *only for consumer products*. Products that contain Proposition 65 hazards that are sold through retail outlets must be labeled. If these products are also sold on-line, the website must include the Proposition 65 warning as specified, in addition to warnings conveyed with the product.

The Proposition 65 safe harbor labelling language has also been updated to include a pictogram for consumer product labels, the signal word "WARNING," a URL for the lead agency website, specification of at least one chemical for each endpoint, and changes to the safe harbor statement. Companies providing "on-product" labels have the option of providing a short-form warning, as specified in Proposition 65 regulations.

What is Prop 65?

This Tool Kit is part of a series of educational aids developed by the members of the National Coil Coating Association. NCCA is a trade association of coil coaters and suppliers of raw materials and equipment used in the coil coating process. The association concentrates its efforts on providing educational resources and assisting its members in providing superior products and services to their customers. NCCA Tool Kits are informational tools and should not be used as substitutes for instructions from individual manufacturers. Always consult with individual manufacturers for specific instructions regarding their products and equipment.

- Overview: Prop 65, or Proposition 65, is formally the Safe Drinking Water and Toxic Enforcement Act of 1986. It is one of many California laws that arose through the ballot initiative process, in which citizens may propose laws and constitutional amendments independent of the governor or the legislature. Prop 65 requires that businesses warn California residents about possible exposures to chemicals that may cause cancer, birth defects, or similar harm or have been deemed by some authoritative body to cause these problems.

Prop 65 is overseen by the Office of Environmental Health Hazard Assessment (OEHHA), which is a division of the California Environmental Protection Agency.

- Chemicals: California publishes a list of chemicals that are covered by Prop 65, and the list is updated at least annually. There are currently about 900 chemicals on the list, which can be accessed via an online list that is kept current by the state. The chemicals are both natural and man-made. According to the state website, “The list contains a wide range of naturally occurring and synthetic chemicals that include additives or ingredients in pesticides, common household products, food, drugs, dyes, or solvents. Listed chemicals may also be used in manufacturing and construction, or they may be byproducts of chemical processes, such as motor vehicle exhaust.”

The list of chemicals is wide ranging and includes items such as aspirin and alcohol, among many others.

- Warnings: A company is required to place a warning label on a product if it is aware that its product will expose individuals to chemicals on the list. If the exposure to the chemicals is below a certain threshold that has been determined to be so low that no significant risk remains, a warning is not required.

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Some chemicals on the list may be used in the coil coating process for some products, but it is highly unlikely consumers would be exposed to any of these chemicals through the routine use of coils or the fabricated parts made from these coils. For example, solvents that are used in the coil coating process do not remain in the coating after the bake cycle. Other Proposition 65 materials, such as titanium dioxide, are inhalation hazards in their powdered form; however, once such a material is incorporated into a liquid medium (*i.e.*, a paint or coating), it is no longer an inhalation hazard. The same is true as the coating is applied and cured onto a metal substrate during the coil coating process.

Regarding exposure, generally with factory-coated products, we assume exposure does not occur. The hazardous components—along with *all* other components of the coating—are bound in a cured matrix. There may be certain exceptional cases where *the consumer* (*i.e.*, *not* the fabricator, *not* the installer) may be exposed to release of respirable dust particles. Should a product during its lifetime be *routinely* abraded, sanded, etc., then a Proposition 65 warning may be warranted. In general, however, prepainted metal is—and has always been considered to be—an “article,” which, by definition is an object that presents little or no risk to the public.

Prop 65 Resources

To learn more about Prop 65, visit the following:

<https://oehha.ca.gov/proposition-65>

<https://oehha.ca.gov/proposition-65/proposition-65-list>