

WARNING: New Proposition 65 Amendments In Effect in 2025

Alert

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If your business manufactures, distributes or supplies consumer products sold in California, you are likely familiar with California Proposition 65, which requires warnings on products that may expose consumers to chemicals that California's Office of Environmental Health Hazard Assessment (OEHHA) has identified as causing cancer or reproductive harm. Stinson [previously reported](#) on the history of Proposition 65 and its significant amendments that went into effect in 2018. In 2023, OEHHA proposed several new amendments to Proposition 65 that were approved on Nov. 26, 2024. These amendments are designed to 1) make short-form warnings more detailed and informative to consumers, 2) clarify existing warning requirements for products sold on the internet and in catalogs, 3) add signal word options for warnings, and 4) provide new tailored safe harbor warnings for motor vehicle parts and recreational marine vessel parts. These amendments became effective on Jan. 1, 2025.

Outlined below is an overview of the 2025 amendments to Proposition 65 and how they will affect product warnings going forward.

SHORT-FORM LABELING

The 2025 amendments to Proposition 65 impact the short-form labeling content requirements for products that contain any of the 900+ chemicals on the [Proposition 65 list](#) above [safe harbor levels](#) determined by OEHHA. Based on the 2025 amendments, the short-form warning needs to provide more detail than previously allowed. Most significantly, it must identify a chemical from the Proposition 65 list. Also, the language "CA WARNING" and "CALIFORNIA WARNING" can be used instead of "WARNING." Additionally, the new short-form warning must be placed on the product where it is likely to be seen, cannot be smaller than 6-point type, and must include the following:

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- A symbol with a black exclamation point in a yellow equilateral triangle with a black outline.
- The word "WARNING" or the words "CA WARNING" or "CALIFORNIA WARNING" in all capital letters and in bold print.
- A phrase informing the consumer of the risk with the product and the chemical name. These phrases vary depending on the type of product (see [Code Regs Title 27 § 25603\(b\)\(3\)](#) for list of acceptable warning phrases).

Prior to the 2025 amendments, the chemical name was not required to be included in a short-form warning in accordance with Proposition 65. Based on the new amendments, at least one chemical name must be included in all short-form warnings going forward. While these amendments are effective as of Jan. 1, 2025, there is a three-year grace period. A product manufactured and labeled prior to Jan. 1, 2028, may use the old warning language regardless of the product sale date. Products manufactured and labeled on or after Jan. 1, 2028, will require compliance with the 2025 amendments.

EFFECT ON INTERNET PURCHASES

There are also new warning requirements for internet purchases. A warning must be provided by one or more of the following methods:

- A warning on the product display page.
- A clearly marked hyperlink using the word "WARNING" or the words "CA WARNING" or "CALIFORNIA WARNING" on the product display page that links to the warning.
- Otherwise prominently displayed to the purchaser prior to completing the purchase.

The key change with internet warnings in the new Proposition 65 amendments is the placement of the warning and the link requirement. These changes were put in place so that consumers can more easily see the warning without having to search for it within a website. For internet purchases made before Jan. 1, 2028, a product seller is not responsible for placing the new warning online until 60 days after receiving a warning or written notice about the need for a warning from a manufacturer.

EFFECT ON VEHICLES AND MARINE VESSELS

Under the new amendments, a warning for exposures that occur during the purchase, handling or installation of parts for a motor vehicle must comply with certain warning requirements. Motor vehicles include cars, SUVs, vans, pickup trucks, motorcycles, all-terrain and other off-highway vehicles, as defined by OEHHA. The requirements for Proposition 65 warnings on motor vehicle parts include:

- A symbol with a black exclamation point in a yellow equilateral triangle with a black outline.

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- The words "WARNING" or the words "CA WARNING" or "CALIFORNIA WARNING" in all capital letters and in bold print.
- The words: "Handling passenger or off-highway motor vehicle parts can expose you to chemicals such as phthalates and lead, which can cause cancer and reproductive harm. To minimize exposure, service the vehicle in a well-ventilated area, wear gloves, and wash your hands. For more information see P65Warnings.ca.gov/motor-vehicle-parts."

Similarly, the new amendments require a warning for exposures that occur during the purchase, handling, or installation of part for a "recreational marine vessel." Recreational marine vessels include boats and other pleasure crafts not used for commercial purposes on water, as defined by OEHHA. The requirements for Proposition 65 warnings on parts for recreational marine vessels include:

- A symbol with a black exclamation point in a yellow equilateral triangle with a black outline.
- The words "WARNING:" or the words "CA WARNING:" or "CALIFORNIA WARNING:" in all capital letters and in bold print.
- The words: "Handling recreational marine vessel parts can expose you to chemicals such as phthalates and lead, which can cause cancer and reproductive harm. To minimize exposure, service the vessel outdoors or in a well-ventilated area, wear gloves, and wash your hands. For more information see P65Warnings.ca.gov/marine-vessel-parts."

WHAT DOES THIS MEAN FOR YOUR BUSINESS?

While the new Proposition 65 amendments discussed above are currently in effect, OEHHA has given product suppliers a three-year grace period within which to update their warnings under the new requirements. Suppliers of products manufactured after Jan. 1, 2028 will need to adhere to these amendments and ensure that the products they sell into California are labeled properly.

CONTACT US

For more information about the amendments to California's Prop 65, and how those regulations may affect your business or your products, please contact [Michelle Corrigan Erikson](#) or the Stinson attorney with whom you regularly work.

Nick Shelton was a 2025 summer associate with Stinson and is attending St. Louis University School of Law.

CONTACT

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