

CALIFORNIA PROPOSITION 65

# Prop 65 Compliance for Dietary Supplements

*The #1 Prop 65 Enforcement Target. Defend Your Brand.*

**Presented by:** Prop65Compliance.com

**Compliance Management by** Consultare Inc. Group

**Powered by** SystemsBuilder.pro



**#1**

Top Category

**~38%**

Food + Supp

# Why This Matters

*Dietary supplements are one of the most-sued categories under Prop 65.*



This product can expose you to chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm.

— [P65Warnings.ca.gov](http://P65Warnings.ca.gov)

**“Natural” ≠ Safe**



## Botanical Extracts Carry Metals

Herbs, roots, and greens concentrate lead and cadmium from soil — turmeric, ashwagandha, and chlorella are recurring targets.



## Every SKU Is Separately At Risk

A 30-SKU line = 30 separate potential NOV's. One warning label strategy across the catalog isn't enough.



## Amazon & Retailers Are Watching

Marketplaces are now requiring Prop 65 documentation as a condition of listing — not just California retailers.

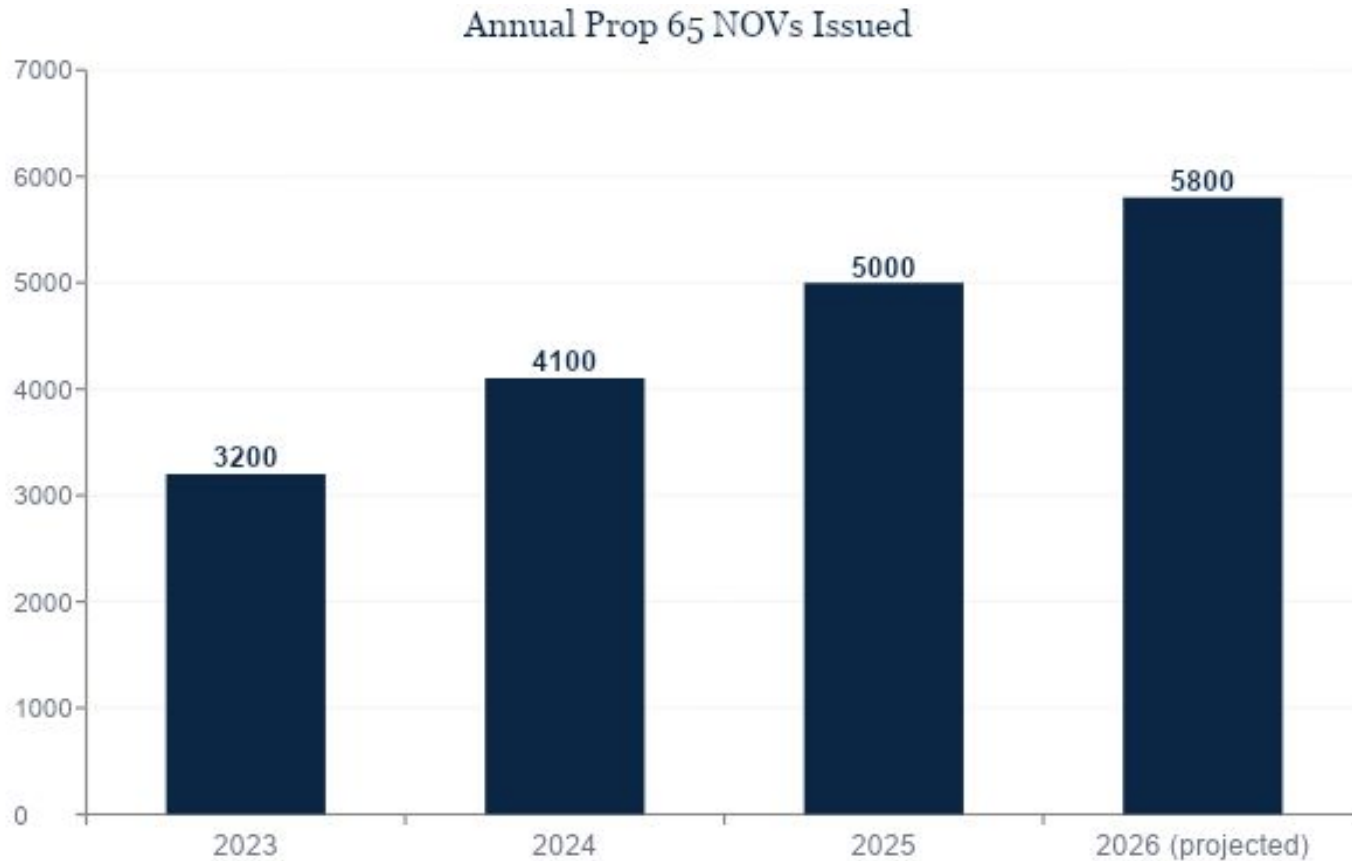


## Documentation Is Your Defense

Without a compliance system, most supplement brands settle. A defensible record is what ends threats cheaply.

# Supplements in the Crosshairs

Disproportionately targeted within the food & supplement category.



Source: OAG 60-Day Notice database; industry-category tallies.

~38%

### Food & Supplements

Largest single category of Prop 65 enforcement in 2025.

~\$86M

### 2026 Settlements

Record enforcement activity — majority paid to attorneys.

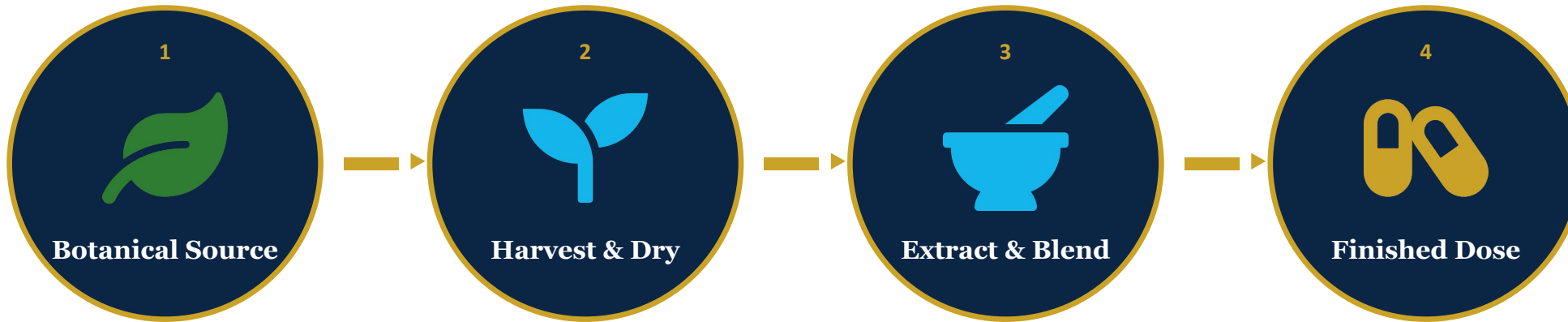
Turmeric  
Herbal  
Protein

### Top Supplement Targets

Botanicals, protein powders, and greens lead supplement NOV's.

# Why Dietary Supplements Are High-Risk

*The risk starts in the soil — and concentrates in every capsule.*



Herbs and roots absorb lead, cadmium, arsenic from soil

Drying concentrates trace metals into plant material

Extraction concentrates actives — and contaminants — further

Small daily serving = concentrated metal exposure per dose



**Extraction amplifies what soil started — small dose, concentrated exposure.**

*Lead MADL = 0.5 µg/day. A 500 mg turmeric capsule at 0.3 ppm lead already puts you at threshold.*

# Business Impact of Non-Compliance

*For supplement brands, the damage extends far beyond the settlement.*



## 60-Day Notice of Violation

Plaintiff's attorney files with the AG; clock starts immediately on response.



## Settlement Exposure

Supplement settlements commonly \$30K–\$150K per SKU — per plaintiff.



## Amazon & Retail Delisting

Marketplaces suspend listings the moment an NOV is filed against a SKU.



## Brand & Review Damage

Prop 65 warnings trigger negative reviews and trust loss that outlast the case.

*Most supplement brands settle — not because they're guilty, but because their documentation is weak.*

# Why Prop65Compliance.com

*Compliance-focused. Not a law firm. System-based — not one-time testing.*



## Compliance-Focused

We don't litigate — we build the system that prevents litigation.



## System-Based Approach

Testing alone doesn't protect you. A documented program does.



## Managed by Consultare Inc. Group

Operational oversight from a dedicated compliance management team.



## Built on SystemsBuilder + InterlinkIQ

Artifact-based system, document control, and AI-assisted workflows.



OUR PROMISE

**We build and manage  
your defensible  
compliance system.**

*So when a 60-day notice arrives,  
you already have the answers.*

# What We Deliver

*An end-to-end Prop 65 compliance program — tailored to your SKU catalog.*



**SKU-Level Risk Assessment**



**Heavy Metal Testing Oversight**



**Exposure Evaluation**



**Compliance Determination**



**Warning Label Strategy**



**Ingredient Supplier Program**



**Documentation System**



**Ongoing Monitoring**

*Each component is documented, traceable, and audit-ready — per SKU.*

# Core Technical Components

*The compliance stack underneath every supplement determination we issue.*



## Heavy Metal Panel Testing

Oversight of Lead (MADL 0.5 µg/day), Cadmium (MADL 4.1 µg/day), Arsenic, and Mercury at ISO 17025 labs.



## Daily-Serving Exposure Math

Calculations based on actual label-recommended daily serving — not per-gram — to determine warning requirement.



## Raw Ingredient COA Review

Botanical, mineral, and excipient COAs verified before they enter the formulation.



## SKU-by-SKU Compliance File

Each finished SKU gets its own compliance determination, stored and cross-referenced to batch records.



## Warning Label Decision Log

Clear 'warn vs no-warn' logic per SKU — the documented reasoning that stops plaintiff demands.

# Ingredient Supply-Chain Control

*Most supplement NOVs trace back to one bad botanical lot. Catch it upstream.*



*Catch the bad ingredient lot before it becomes 50,000 bottles of liability.*

# The SystemsBuilder Approach

Artifact-based compliance — built once, scales across your entire SKU catalog.



ARTIFACTS vs RECORDS

**You pay for the structure — not the records.**

*Build once. Use for every SKU.*

Example:

ARTIFACT (you pay)

## Heavy Metal Testing Program

One document defining how every SKU is tested, reviewed, and documented.

↓ Generates unlimited ↓

RECORDS (no added cost)

## Per-SKU, Per-Lot Test Records

Every lot of every SKU fills out the same framework — no new artifact needed.

→ *Scalable, predictable, cost-efficient.*

# How It Works

*A three-phase program. Setup once. Monitor continuously.*

## 01 STEP Setup

- SKU intake & catalog scoping
- Ingredient risk classification
- Testing plan per SKU
- Documentation structure

## 02 STEP Implementation

- Lab coordination (ISO 17025)
- Daily-serving MADL math
- Per-SKU determination
- Warning-label decisions

## 03 STEP Monitoring

- Monthly compliance oversight
- Per-lot review
- Trend analysis by ingredient
- Audit-ready reporting

# Setup Pricing – One-Time Investment

*Priced per SKU, because every SKU needs its own compliance file.*

COMPLIANCE SYSTEM SETUP

**\$1,500**  
*up to 3 finished SKUs*

---

**+ \$150**  
each additional SKU

*One-time investment to build your system.*

## SETUP INCLUDES



SKU-level risk assessment



Heavy metal testing program



Daily-serving exposure framework



Documentation system setup



Compliance determination structure

# Monthly Monitoring – Ongoing Oversight

*Continuous compliance. Scales with your SKU catalog.*

ONGOING COMPLIANCE OVERSIGHT

**\$500**  
per month — up to 7 SKUs

---

**+ \$50 / month**  
per additional SKU

*Keeps you continuously compliant.*

## MONITORING INCLUDES



Per-lot test review (every SKU)



Compliance verification



Monthly reporting



Trend analysis by ingredient

*Cancel anytime. No long-term contracts.*

# Testing Monitoring Fees

*Per-event oversight — pay only when a lot is tested.*

# \$35

## per testing monitoring event

Per SKU / per lot — covers lab-report review, threshold comparison, compliance determination & documentation update.

### WHAT THE \$35 COVERS

- Lab report review
- Threshold comparison vs MADL
- Per-SKU compliance determination
- Documentation update



### IMPORTANT — LAB FEE EXCLUSION

**Laboratory testing fees are NOT included.**

Testing is conducted by independent ISO 17025 accredited laboratories.  
All lab costs are billed directly to the client by the laboratory.

*We provide oversight and compliance review — not laboratory testing services.*

*Pay only for actual testing events • No markup on lab fees • Independent results ensure defensibility*

# What You Receive

*Every client gets a defensible, audit-ready document package — per SKU.*



## Per-SKU Compliance Review Reports

Each SKU's lot review with pass/fail determination, MADL comparison, and reviewer sign-off.



## Monthly Summary Reports

Rolling snapshot of all SKUs, testing events, compliance status, and open action items.



## Compliance Monitoring Logs

Date-stamped log of every decision made — the backbone of defensibility.



## Ingredient Supplier Records

Attestations, COAs, risk ratings, and corrective actions by botanical supplier.



## Audit-Ready Documentation

Packaged for OAG inquiries, retailer audits, and Amazon compliance requests on 24-hour notice.

# Built for Defensibility

*Documentation is the difference between a quick close-out and a six-figure settlement.*



## Documented Due Diligence

Every SKU determination has a record, a reviewer, and a date.



## Verified Lab Testing

ISO 17025 independent results — no conflicts of interest.



## Traceable Decisions

Supplier → ingredient → lot → SKU → determination — fully linked.



## Structured System

Not ad-hoc — a real management system reviewers recognize.

**Critical for lawsuits • Retailer audits • Amazon compliance • Regulatory inquiries**

OPTION

# DIY Option — SystemsBuilder.pro

*Prefer to manage it yourself? The same artifact library, à la carte.*



COMMUNITY LIBRARY

**\$1**  
*per artifact*

*Build your own system on your own terms.*

**SystemsBuilder.pro**

## ACCESS THE FULL LIBRARY



Prop 65 Supplement Programs



Policies



Procedures (SOPs)



Forms (Artifacts)



Logs & Templates

# Managed Service vs. DIY

*Same system. Different execution — you choose who drives.*

## MANAGED SERVICE

*by Consultare Inc. Group*

- Hands-off compliance execution
- Expert-managed monitoring
- Monthly reporting delivered
- Best for: growing supplement brands scaling SKU count

## DIY (SystemsBuilder)

*at SystemsBuilder.pro*

- Self-managed execution
- \$1-per-artifact library access
- In-house QA team runs the program
- Best for: contract manufacturers & brands with QA depth

*Same system. Same artifacts. Same defensibility. — You choose who operates it.*

# Your Risk Profile

Every one of these factors increases your exposure — independently.



## #1 ENFORCEMENT TARGET

### Supplement Category

Food & supplements = largest Prop 65 enforcement category; supplements lead NOV counts.



## TOP LITIGATION DRIVER

### Heavy Metals in Botanicals

Lead, cadmium, arsenic, and mercury lawsuits dominate supplement enforcement activity.



## INGREDIENT CONCENTRATION

### Extract-Based Products

Extraction concentrates metals into dosage form — small daily serving, big exposure per dose.



## MARKETPLACE RISK

### Retailer Compliance Demands

Amazon and major retailers now require proactive Prop 65 documentation — not just reactive.



***If you sell supplements in California, you are already on the target list.***

CALL TO ACTION

# Don't wait for a 60-Day Notice.

*Protect your supplement catalog — today.*



## MANAGED COMPLIANCE

**Let us manage it for you.**

- End-to-end Prop 65 system setup
- SKU-level monitoring & oversight
- Audit-ready documentation
- Expert-managed execution



## DIY LIBRARY

**Build it yourself.**

- \$1-per-artifact library access
- Community supplement programs
- Forms, logs & templates
- Run it your way, in-house

*“Build it yourself — or let us manage it for you.”*