

C A L I F O R N I A P R O P O S I T I O N 6 5

Prop 65 Compliance

for Black Pepper

System-Based Compliance. Not Just Testing.

Presented by: [Prop65Compliance.com](https://prop65compliance.com)

Compliance Management by [Consultare Inc. Group](#)

Powered by [SystemsBuilder.pro](#)



5,000+

NOVs in 2025

~38%

Food & Supp. Share

W H Y

Why This Matters

Black pepper sits at the intersection of every active heavy-metal enforcement wave — and "naturally occurring" is a defense, not an exemption.



This product can expose you to chemicals including lead, cadmium, and arsenic from soil uptake, plus safrole — naturally present in black pepper — known to the State of California to cause cancer or reproductive harm.

— P65Warnings.ca.gov

Industry Under Pressure

Heavy-Metal NOV's Accelerating

Lead leads all Prop 65 chemical citations — ~260 lead notices in Q1 2025 food/herbal alone.

Spices Are a Plaintiff Magnet

Curry, turmeric, paprika, pepper — Consumer Reports' 126-spice study put the whole category on every plaintiff's radar.

Safrole Risk Often Overlooked

Average U.S. black pepper consumption delivers ~10× the safrole NSRL — defense rests entirely on the natural-occurrence record.

Origin Drives Metal Load

Vietnam, India, Brazil, Indonesia — soil and post-harvest practices vary wildly, and so does Pb/Cd/As contamination.

Documentation Is Your Defense

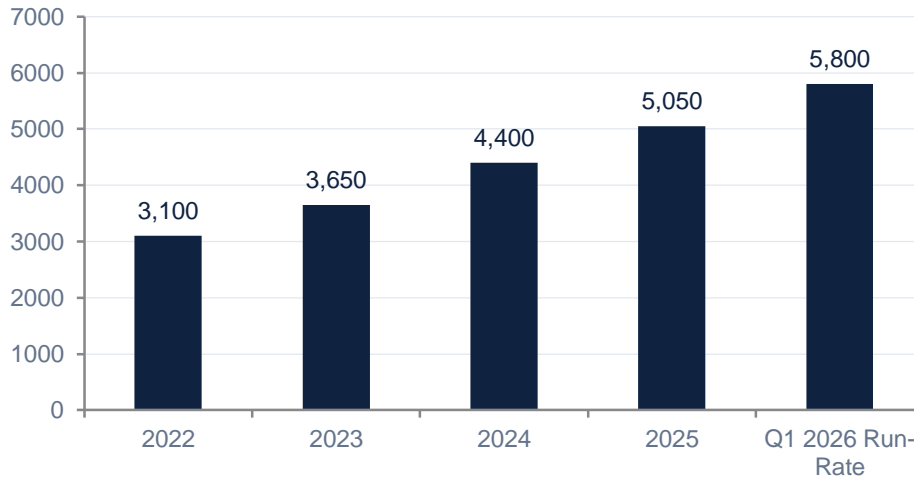
Origin records, ICP-MS testing, and a written natural-occurrence determination — the only evidence that holds up.

W H Y

Prop 65 Enforcement Trends (2024–2026)

Enforcement is accelerating — not slowing down.

Annual Prop 65 NOVs Issued



Source: OAG 60-Day Notice database; Bureau Veritas CPS quarterly summaries.

~38%

Food & Herbal Supplements

Largest single Prop 65 enforcement category in Q1 2025 — and the bucket where spices land.

260+

Lead Notices in Q1 Alone

Lead is the most-cited chemical against food and herbals — spices over-index on lead exposure.

Naturally Occurring

Defense, Not Exemption

The exemption only holds with documented sourcing, ICP-MS testing, and a written determination on file.

W H Y

Five Regulatory Fronts Converge

Every black pepper SKU is exposed to multiple overlapping rules — Prop 65 is just the most aggressive enforcement hook.



Prop 65 (California)

Lead, cadmium, arsenic from soil uptake; safrole as natural constituent. 0.5 µg/day Pb MADL.



FDA Closer-to-Zero

FDA's lead, cadmium, arsenic action levels expanding to spices. Class II recalls increasingly likely.



NY HB / State Patchwork

NY proposed Class II recall limit of 0.21 ppm Pb for spices — among the strictest globally. WA, MD watching.



EU MRLs & EtO

EU pesticide MRLs and ethylene oxide bans drive supply-chain rejection — flows back into U.S. plaintiff signals.



ASTA Industry Guidance

ASTA 2025 Pb guidance: 2.0 ppm whole / 1.5 ppm ground pepper. Falling short here invites every plaintiff.

Prop 65 is the enforcement hook — but origin-control, ICP-MS testing, and the natural-occurrence record drive the defensibility.

▶ YOUR PRODUCT PORTFOLIO

Every Black Pepper SKU

Whole peppercorns, ground, table grind, cracked, blends, retail, foodservice — every form is in scope.

*Five regulatory fronts.
One system to manage them all.*

W H Y

Business Impact of Non-Compliance

A Prop 65 action hits the balance sheet long before a verdict.



60-Day Notice of Violation

Brand owner, co-packer, importer, and retailer all exposed. A single NOV cascades across grinder, blender, and private-label SKUs.



Origin Switching Costs

Lower-metal origins (selected Vietnamese & Brazilian lots) cost more, with longer lead times and tighter supply.



Retail & Foodservice Delisting

Major grocers (Costco, Kroger, Whole Foods) enforce Prop 65 + heavy-metal specs ahead of state law. Delisting is faster than litigation.



Category Already Reformulating

McCormick, Spice Islands, Frontier, Simply Organic — every major brand has tightened Pb specs. The question is WHEN, not IF.

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

W H A T

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.

Operational oversight from a dedicated compliance management team.



Built on SystemsBuilder.pro

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.*

W H A T

What We Deliver

An end-to-end Prop 65 compliance program — not a one-time test report.



SKU & Origin Risk Assessment



ICP-MS Heavy-Metal Lab Testing



Exposure Evaluation



Compliance Determination



Warning Label Strategy



Supplier & Origin Compliance Program



Naturally-Occurring Determination File








Multi-State Deadline Monitoring

Each component is documented, traceable, and audit-ready.

W H A T

Core Technical Components

The compliance stack underneath every determination we issue.

	Heavy Metal Testing (ICP-MS)	Pb, Cd, As, Hg on whole and ground pepper. Pb MADL: 0.5 µg/day. ASTA Pb guidance: 2.0 ppm whole / 1.5 ppm ground. ISO 17025 labs only.
	Safrole & Naturally-Occurring File	Documented natural-constituent record per 27 CCR §25501. Origin certificates, peer-reviewed safrole literature, written QI determination.
	Pesticide & EtO Residue Screen	Glyphosate, ethylene oxide / 2-CE, organochlorines on imported lots. EU MRL alignment to pre-empt rejection cascades.
	Origin Validation	Vietnam, India (Tellicherry, Malabar), Brazil, Indonesia, Sri Lanka — origin certificates, soil-history attestations, and lot-level COAs.
	Multi-State Deadline Monitoring	CA Prop 65, NY proposed 0.21 ppm Pb action limit, FDA Closer-to-Zero, ASTA revisions — all tracked in one dashboard.

W H A T

Supply-Chain Compliance Control

Prevent the issue upstream — before it reaches your label.



Supplier Attestation

Origin declarations, soil-source claims, lot-level COAs from Vietnam / India / Brazil estates and consolidators.

Origin Risk Mapping

Each SKU decomposed: country, region, post-harvest method, sterilization (steam vs EtO), packaging — risk-rated.

Lot Testing

Pb / Cd / As ICP-MS per lot, plus pesticide and EtO screens on imported parcels — before warehouse intake.

Origin SCAR

Lower-metal source qualification, steam-sterilization conversion, blending strategy — validated, signed, on file.

Prevent exposure issues before they reach the consumer — and the courtroom.

H O W

The SystemsBuilder Approach

Artifact-based compliance — pay for structure, not repetition.

ARTIFACTS vs RECORDS

You pay for the structure — not the records.

Build once. Use forever.

Example:

ARTIFACT (you pay)

Heavy-Metal Testing & Naturally-Occurring Program

One document defining how all black-pepper Pb/Cd/As testing, safrole determinations, and origin records are captured.

↓ Generates unlimited ↓

RECORDS (no added cost)

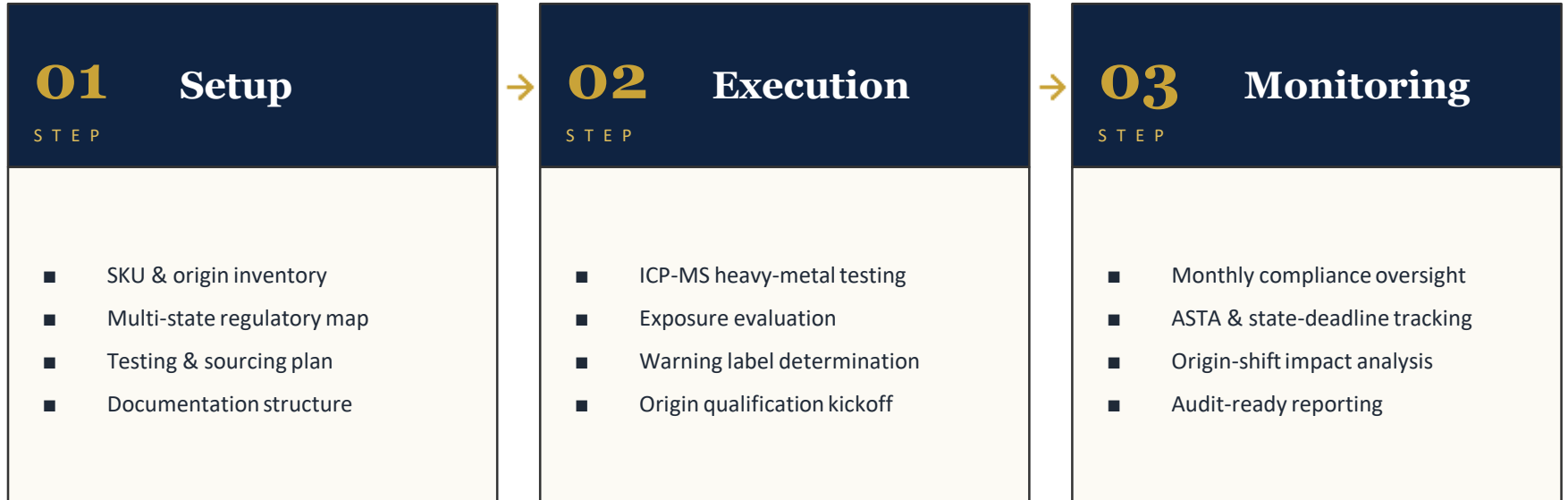
Unlimited Lot Test Results & Origin Records

Every lot tested fills out the same framework — no new artifact needed.

→ Scalable, predictable, cost-efficient.

How It Works

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



PRICING

Setup Pricing — One-Time Investment

Build your defensible Prop 65 compliance system.

COMPLIANCE SYSTEM SETUP

\$1,500

up to 3 finished products (SKUs)

+ \$150

each additional SKU

One-time investment to build your system.

SETUP INCLUDES

- ✓ SKU & origin risk assessment
- ✓ Heavy-metal testing & residue plan
- ✓ Multi-state deadline & ASTA map
- ✓ Naturally-occurring determination file
- ✓ Origin qualification roadmap

PRICING

Monthly Monitoring — Ongoing Oversight

Continuous compliance. Keep your system alive.

ONGOING COMPLIANCE
OVERSIGHT

\$500

per month — up to 7 finished products

+ \$50 / month

per additional SKU

Keeps you continuously compliant.

MONITORING INCLUDES

- ✓ Lot test review (Pb / Cd / As)
- ✓ State deadline & law updates
- ✓ Origin & supply-chain monitoring
- ✓ Monthly compliance reporting

Cancel anytime. No long-term contracts.

Testing Monitoring Fees

Per-event oversight — pay only when your product is tested.

\$35

per testing monitoring event

Per lot — covers lab-report review, ASTA & MADL threshold comparison, compliance determination & documentation update.

WHAT THE \$35 COVERS

- ✓ Lab report review (ICP-MS data)
- ✓ Threshold comparison (NSRL / MADL / ASTA)
- ✓ Compliance determination
- ✓ Documentation update

IMPORTANT — LAB FEE EXCLUSION

Laboratory testing fees are NOT included. Testing is conducted by independent ISO 17025 accredited labs. All lab costs are billed directly to the client by the laboratory.

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

W H A T

What You Receive

Every client gets a defensible, audit-ready document package.



Lot Compliance Review Reports

Per-lot review with pass/fail determination, threshold comparison, and reviewer sign-off.



Monthly Summary Reports

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



Compliance Monitoring Logs

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



Supplier & Origin Tracking

Attestations, COAs, origin certificates, and corrective actions by supplier and lot.



Audit-Ready Documentation

Packaged for OAG inquiries, retailer audits, and legal counsel on 24-hour notice.

H O W

Built for Defensibility

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



Documented Due Diligence

Every decision has a record, a reviewer, and a date.



Verified Lab Testing

ISO 17025 independent results — no conflicts of interest.



Traceable Decisions

Origin → lot → COA → determination — fully linked.



Structured System

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

Critical for lawsuits • Retail audits • 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 Programs
-  Policies
-  Procedures (SOPs)
-  Forms (Artifacts)
-  Logs & Templates

Managed Service vs. DIY

Same system. Different execution — you choose who drives.

M A N A G E D S E R V I C E

by Consultare Inc. Group

- ◆ Hands-off compliance execution
- ◆ Expert-managed monitoring
- ◆ Monthly reporting delivered
- ◆ Best for: growing brands without in-house QA capacity

D I Y (S y s t e m s B u i l d e r)

at SystemsBuilder.pro

- ◆ Self-managed execution
- ◆ \$1-per-artifact library access
- ◆ Internal team runs the program
- ◆ Best for: teams with existing compliance capability

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

Your Risk Profile

Every one of these factors increases your exposure — independently.

HEAVY METALS



Lead, Cadmium, Arsenic

Soil-driven and impossible to eliminate. NY proposed Pb action limit of 0.21 ppm — among the strictest globally.

NATURAL CONSTITUENT



Safrole in Black Pepper

Daily U.S. consumption of black pepper carries ~10× the safrole NSRL. Naturally-occurring exemption only holds with documentation.

ORIGIN RISK



Vietnam, India, Brazil

Soil load and post-harvest practices vary widely by region and lot. Origin discipline is the cheapest control point.

PLAINTIFF FOCUS



California + Spice Category

Most aggressive enforcement regime, plus a plaintiffs' bar that has placed the entire spice category in its sights.

Your product is already in a high-risk category — even if you've done nothing wrong.

CALL TO ACTION

Don't wait for a 60-Day Notice.

Start your Prop 65 compliance system today.



MANAGED COMPLIANCE

Let us manage it for you.

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



DIY LIBRARY

Build it yourself.

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

"Build it yourself — or let us manage it for you."

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