

CALIFORNIA PROPOSITION 65

# Prop 65 Compliance

## *for Hair Dye*



System-Based Compliance. Not Just Testing.

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Presented by: **Prop65Compliance.com**

Compliance Management by Consultare Inc. Group

Powered by *SystemsBuilder.pro*

**5,000+**

NOVs in 2025

**~15%**

Personal Care

# Why This Matters

*California Prop 65 lists hair-dye chemicals by name — your warning obligation is built into the formulation.*



## ⚠️ WARNING

*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

**'Natural' ≠ Exempt**



### Enforcement Is Aggressive

California requires warnings for exposure to listed chemicals — enforcement is driven by private lawsuits ('bounty hunters').



### Penalties Are Real

Non-compliance leads to financial penalties, legal costs, relabeling, recalls, and product removal from shelves.



### Applies to All Hair Dye

Permanent, semi-permanent, demi-permanent, henna, root touch-up, beard color — consumer kits AND salon professional formulas.



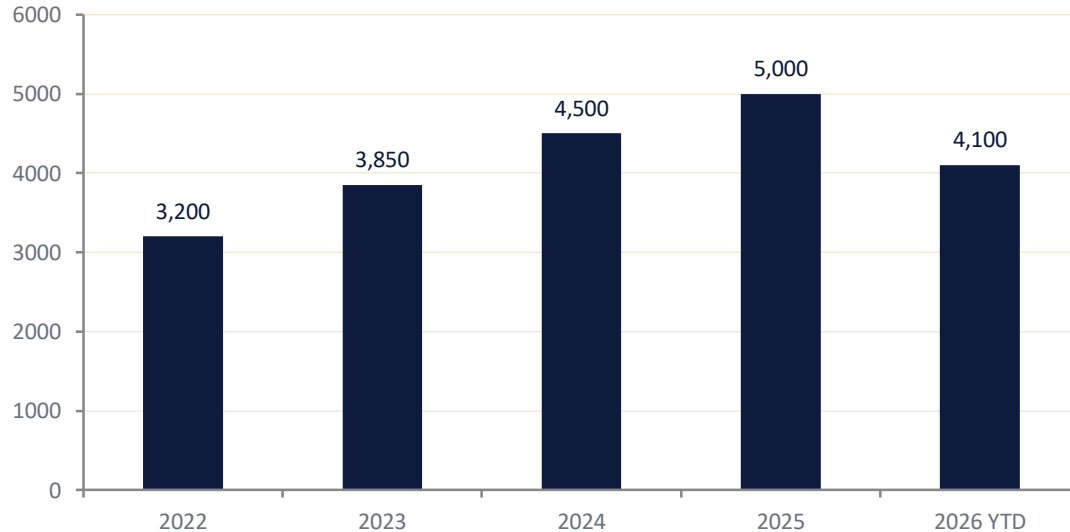
### Documentation Is Your Defense

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

# Prop 65 Enforcement Trends (2024–2026)

Enforcement is increasing, not slowing down.

Annual Prop 65 NOVs Issued



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

~15%

### Personal Care

Cosmetics & personal care = a sustained Prop 65 enforcement category in 2025.

~\$86M

### 2026 Settlements

Record enforcement activity — majority paid to attorneys.

## Hair Dye Under Fire

### Coal-Tar Dyes & Lead Acetate

Multiple hair-dye chemicals are name-listed under Prop 65 — coal-tar dyes are heavily NOV'd.

# Why Hair Dye Is at Risk

Listed Prop 65 chemicals are functional ingredients in hair dye — risk is built into the chemistry, not a contaminant.



## Coal-Tar Dyes

Aromatic amines like 2,4-diaminoanisole & 4-MMPD are name-listed Prop 65 carcinogens used as oxidative dye intermediates.



## Lead Acetate

FDA banned in hair dye in 2018, but legacy 'progressive' grey-coverage products and imports remain enforcement targets.



## Inhalation & Scalp

Ammonia, peroxide & dye intermediates absorb through scalp and inhale during application — dual exposure pathway.



## Salon & Repeat Use

Frequent root touch-ups and salon exposure (operator AND client) compound the lifetime dose calculation.



**'Natural' & 'organic' claims do not eliminate listed coal-tar dye exposure.**

*Coal-tar dyes, 2,4-diaminoanisole, lead acetate & resorcinol are all Prop 65 listed — hair-dye enforcement is among the most active in personal care.*

# Business Impact of Non-Compliance

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



## 60-Day Notice of Violation

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



## Settlement Exposure

Typical settlements \$20K–\$100K+ per action — plus attorney fees.



## Relabeling & Reformulation

Product pulled, warning labels added, ingredient sourcing reviewed.



## Retail & Distributor Pressure

Buyers demand evidence of compliance before reinstatement or renewal.

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

WHAT

# 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.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.

WHAT

# What We Deliver

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



**Product Risk  
Assessment**



**Chemical Testing  
Oversight**



**Exposure  
Evaluation**



**Compliance  
Determination**



**Warning Label  
Strategy**



**Supplier  
Compliance Program**



**Documentation  
System**



**Ongoing  
Monitoring**

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

# Core Technical Components

*The compliance stack underneath every determination we issue.*



## Listed-Ingredient Screening

INCI-level review against the Prop 65 list — coal-tar dyes, aromatic amines, resorcinol, lead acetate, and known dye-intermediate impurities.



## Exposure & Threshold Evaluation

Application-rate, dermal absorption & inhalation calculations against MADLs and NSRLs to determine whether a Prop 65 warning is required for each shade.



## Supplier COA Verification

Incoming dye intermediate, developer & base Certificates of Analysis cross-checked for listed impurities and Prop 65 thresholds.



## Lot-Level Compliance Review

Every shade and lot is logged, reviewed, and tied to a compliance determination — including impurity profile and developer pairing.



## Warning Label Determination

Clear 'warn vs no-warn' logic per chemical, defensible against private enforcement plus salon-channel and CSCA reporting obligations.

# Supply-Chain Compliance Control

*Prevent the issue upstream — before it reaches your label.*



## Supplier Attestation

Certifications collected from every dye intermediate, developer, base & fragrance supplier — including impurity disclosures.



## Formulation Risk Mapping

Each shade's INCI list mapped against the Prop 65 list — flag listed actives AND their known impurities.



## COA & Impurity Verification

Every batch COA verified for listed-ingredient concentration AND impurity bands against Prop 65 thresholds.



## Corrective Action (SCAR)

Supplier & reformulation corrective actions logged, verified, and closed out — with re-test before lot release.

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

# The SystemsBuilder Approach

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

ARTIFACTS vs RECORDS



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

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*Build once. Use forever.*

Example:

ARTIFACT (you pay)

## Testing Program

One document that defines how all testing is conducted, reviewed, and documented.



*Generates unlimited*

RECORDS (no added cost)

## Unlimited Lot Test Results

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.*

## 01 STEP Setup

- Product intake & scoping
- Risk identification by category
- Testing plan creation
- Documentation structure

## 02 STEP Implementation

- Lab coordination (ISO 17025)
- Exposure & MADL calculations
- Compliance determination
- Warning-label decisions

## 03 STEP Monitoring

- Monthly compliance oversight
- Lot & batch review
- Trend analysis
- Audit-ready reporting

# Setup Pricing — One-Time Investment

*Build your defensible Prop 65 compliance system.*

## COMPLIANCE SYSTEM SETUP

# \$1,500

*up to 3 finished products*

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## + \$150

each additional finished product

*One-time investment to build your system.*

## SETUP INCLUDES

- ✓ Risk assessment
- ✓ Testing program design
- ✓ Exposure evaluation framework
- ✓ Documentation system setup
- ✓ Compliance determination structure

# Monthly Monitoring — Ongoing Oversight

*Continuous compliance. Keep your system alive.*

## ONGOING COMPLIANCE OVERSIGHT

# \$500

*per month — up to 7 finished products*

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## + \$50 / month

per additional finished product

*Keeps you continuously compliant.*

## MONITORING INCLUDES

- ✓ Lot / batch test review
- ✓ Compliance verification
- ✓ Monthly reporting
- ✓ Trend analysis

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*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 / batch — covers lab-report review, threshold comparison, compliance determination & documentation update.*

### WHAT THE \$35 COVERS

- ✓ Lab report review
- ✓ Threshold comparison vs MADL
- ✓ 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.*



## 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 Tracking Records

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



## Audit-Ready Documentation

Packaged for OAG inquiries, retailer audits, and legal counsel 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 decision has a record, a reviewer, and a date.



## Verified Lab Testing

ISO 17025 independent results — no conflicts of interest.



## Traceable Decisions

Supplier → material → lot → determination — fully linked.



## Structured System

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

*Critical for lawsuits • Retail audits • Regulatory inquiries*

# DIY Option — SystemsBuilder.pro

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

COMMUNITY LIBRARY

**\$1**






*per artifact*

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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.*

## MANAGED SERVICE

*by Consultare Inc. Group*

- ✓ Hands-off compliance execution
- ✓ Expert-managed monitoring
- ✓ Monthly reporting delivered

*Best for: growing brands without in-house QA capacity*

## DIY (SystemsBuilder)

*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.*



## TOP ENFORCEMENT TARGET

### Hair Dye Category

Among the most NOV'd cosmetic categories — coal-tar dyes have triggered Prop 65 actions for over a decade.



## TOP LITIGATION DRIVER

### Listed Dye Chemicals

Multiple hair-dye intermediates are name-listed under Prop 65 — risk is in the formulation itself, not just contamination.



## INHERENT EXPOSURE RISK

### Hair Dye

Listed chemicals are functional ingredients; scalp absorption + inhalation + repeat use compound the exposure case.



## STRICT ENVIRONMENT

### California

Most aggressive private-enforcement regime in the United States — plus CSCA reporting requirements.

***⚠ 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.”*