

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 Mono- and Diglycerides

System-Based Compliance. Not Just Testing.

Presented by: **Prop65Compliance.com**
Compliance Management by **Consultare Inc. Group**
Powered by **SystemsBuilder.pro**



P R O P 6 5
D E F E N S I B L E

5,000+

NOVs in 2025

~38%

Food Share

© Consultare Inc. Group | For Discussion Purposes

Why This Matters

California Prop 65 applies to all emulsifiers — including mono- and diglycerides.

⚠️ 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

Emulsifier ≠ Exempt

Glycidol is a LISTED Prop 65 carcinogen at 0.54 µg/day.



Enforcement Is Aggressive

Private plaintiffs ('bounty hunters') file the majority of 60-Day Notices — the AG doesn't need to lead.



Penalties Are Real

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



Applies to All Food Emulsifiers

No exemption for palm, soy, or coconut-derived mono/digs. Every baked good, margarine, or processed food using them is in scope.



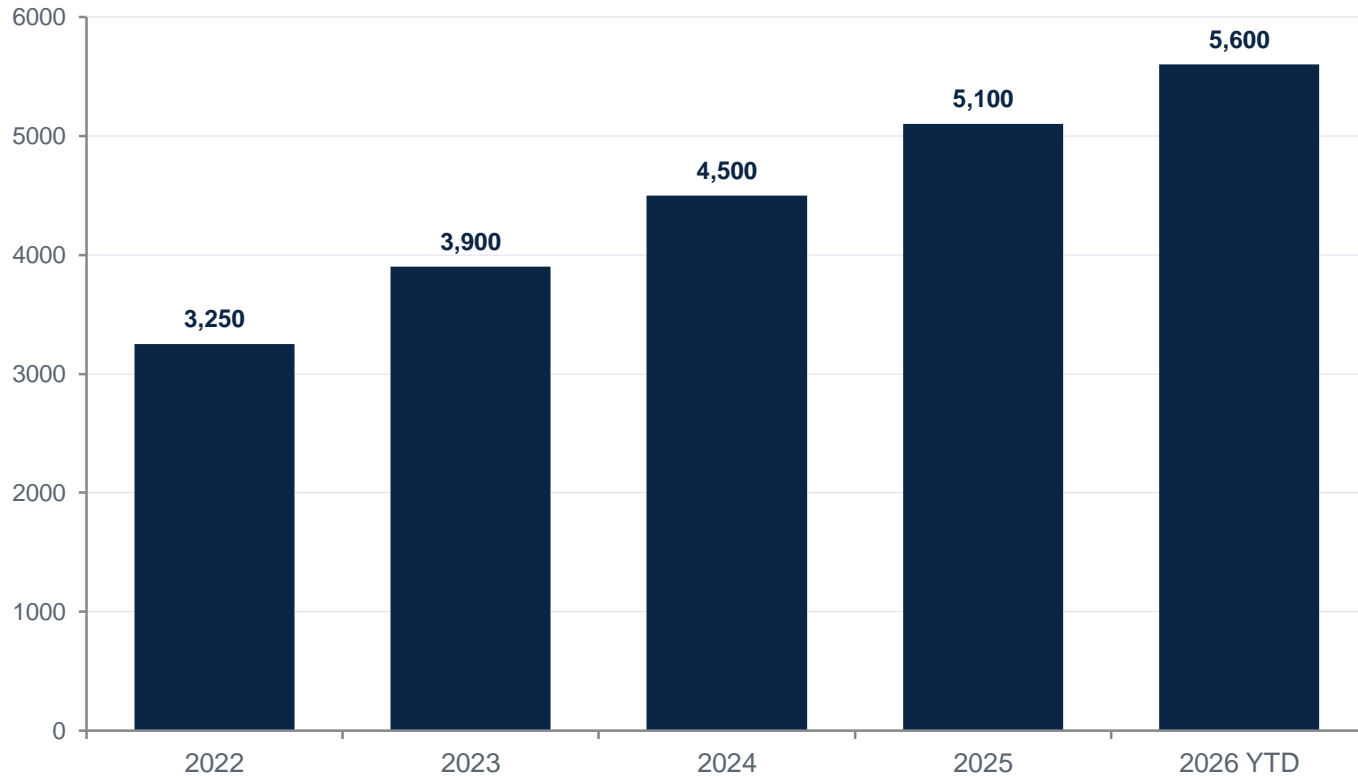
Documentation Is Your Defense

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.

~38%	Food & Beverage Largest single category of Prop 65 enforcement in 2025.
~\$86M	2026 Settlements Record enforcement activity — majority paid to attorneys.
Glycidol	NSRL 0.54 µg/day — Prop 65 Listed Forms during oil refining; glycidyl esters hydrolyze to free glycidol in the body.

Why Mono- and Diglycerides Are at Risk

The process creates the risk — glycidyl esters form during refining, not in the feedstock.



Source Oil Feedstock

Palm, soy, or coconut triglycerides — palm carries highest inherent risk



Deodorization (> 200°C)

High-temp refining generates 3-MCPD esters and glycidyl esters



Glycerolysis / Interesterification

Reaction with glycerol produces mono/digs — contaminants carry forward



Finished Emulsifier

In-vivo hydrolysis releases free glycidol — NSRL only 0.54 µg/day

A “clean” source oil does not guarantee a clean emulsifier — process temperature and chloride load do.

Glycidol (NSRL 0.54 µg/day) and 3-MCPD esters form during vegetable-oil refining above 150–200°C — controlling them requires process verification, not just ingredient sourcing.

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.

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. Group

Operational oversight from a dedicated compliance management team.



Built on SystemsBuilder.pro

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

O U R P R O M I S E

*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.



Glycidyl Ester (GE) Testing

Glycidol NSRL 0.54 µg/day — quantification of GE content per batch via AOCS/ISO methods (ISO 18363).



3-MCPD Ester Testing

Process-contaminant surveillance; EC benchmark 2.5 mg/kg in oils — used as a screening trigger.



Exposure vs Safe-Harbor Evaluation

Per-serving and daily-exposure calculations based on end-use category (baked, dairy, infant, spreads).



Source-Oil & Refiner COA Verification

Palm, soy, coconut feedstock traceability — supplier deodorization temperatures and mitigation evidence.



Batch-Level Compliance Review

Every lot is logged, reviewed, and tied to a compliance determination on file.

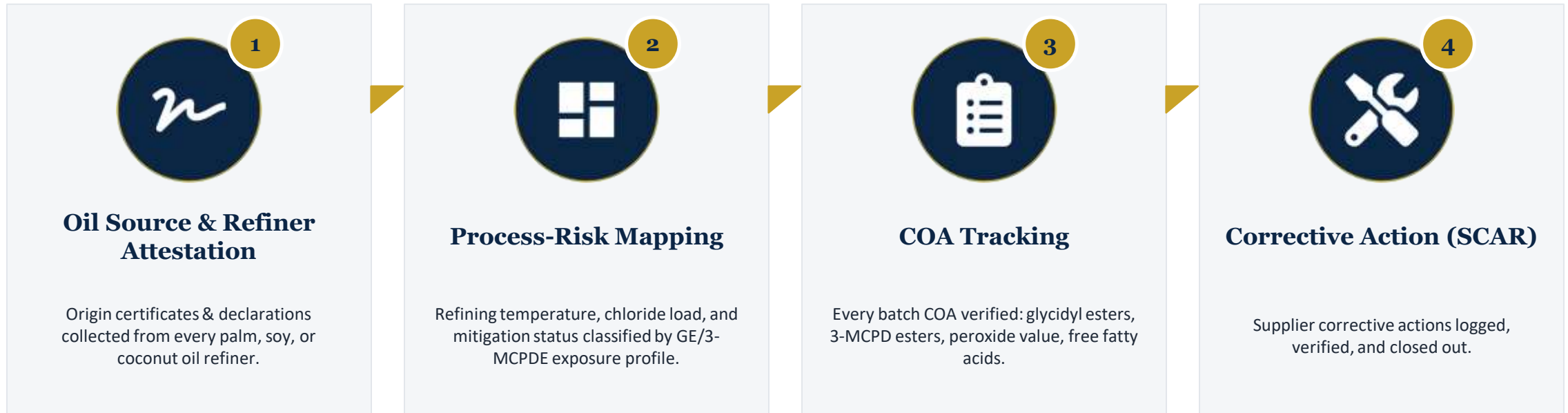


Warning Label Determination

Clear 'warn vs no-warn' logic documented and defensible against private enforcement.

Supply-Chain Compliance Control

Prevent the issue upstream — before it reaches your label.



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.

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)

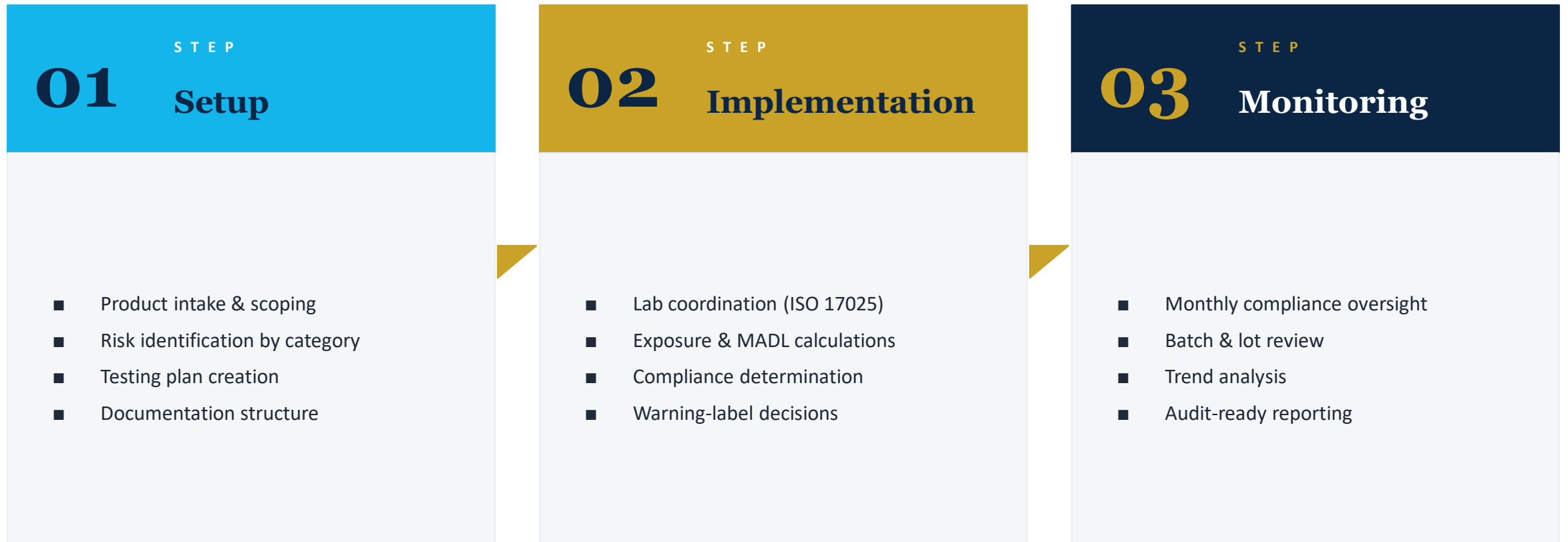
Unlimited Batch Test Results

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.



Setup Pricing — One-Time Investment

Build your defensible Prop 65 compliance system.

COMPLIANCE SYSTEM SETUP

\$1,500






up to 3 finished products

+ \$150

each additional finished product (SKU)

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

+ \$50 / month

per additional finished product

Keeps you continuously compliant.

MONITORING INCLUDES

-  Batch / lot test review
-  Compliance verification
-  Monthly reporting
-  Trend analysis

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.



Batch 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

Oil source → refiner → batch → 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

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.



1 ENFORCEMENT TARGET

Food & Beverage

Food & beverages = largest Prop 65 enforcement category in 2025.



TOP LITIGATION DRIVER

Glycidyl Esters + 3-MCPDE

Process contaminants formed during oil refining — glycidol is a listed carcinogen.



NATURAL EXPOSURE RISK

Mono- and Diglycerides

Palm-derived feedstocks and high-temperature refining concentrate glycidyl esters — a clean source is not enough.



STRICT ENVIRONMENT

California

Most aggressive private-enforcement regime in the United States.

⚠ 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.”

Prop65Compliance.com • SystemsBuilder.pro