

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 Roasted Nuts*

System-Based Compliance. Not Just Testing.

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

Compliance Management by Consultare Inc. Group

Powered by [SystemsBuilder.pro](https://systemsbuilder.pro)



P R O P 6 5

DEFENSIBLE

5,000+

NOVs in 2025

~64%

Snack & Nut Share

Why This Matters

Roasted nuts sit at the intersection of every active heat-formed-contaminant rule — and major brands are reformulating.



W A R N I N G

This product can expose you to chemicals including acrylamide formed during roasting, aflatoxins from peanut and tree-nut sourcing, and lead or cadmium from soil — known to the State of California to cause cancer or reproductive harm.

— [P65Warnings.ca.gov](https://www.p65warnings.ca.gov)

Industry in Transition

Planters, Blue Diamond, Wonderful, Diamond,
John B. Sanfilippo — all under active acrylamide pressure.



Acrylamide From Roasting

Formed when high-asparagine nuts (almonds especially) hit roasting temps. CA NSRL: 0.2 µg/day. Lawsuit-magnet chemical.



Aflatoxins in Peanuts & Pistachios

Aflatoxin B1 is on Prop 65. Peanuts, pistachios, Brazil nuts carry highest risk. FDA action level: 20 ppb total.



Lead & Cadmium From Soil

Tree nuts bioaccumulate metals from orchard soil. Pb MADL 0.5 µg/day; Cd MADL 4.1 µg/day. Cocoa-coated nuts compound risk.



Allergen Cross-Contact

Peanut, tree-nut, sesame (FASTER Act) cross-contact in shared roasting lines. Undeclared allergens drive Class I recalls.



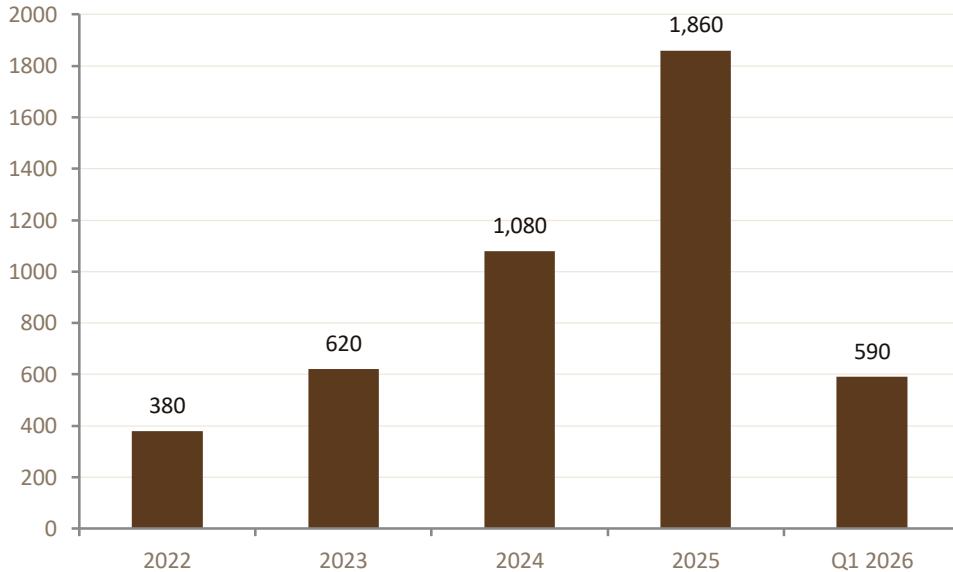
Documentation Is Your Defense

Roast-curve records, aflatoxin COAs, allergen sanitation logs — the only evidence that holds up in court.

Prop 65 Enforcement Trends

Enforcement is accelerating — and snack nuts are now in the crosshairs. (2024–2026)

Annual Prop 65 NOVs — Roasted Nut & Snack Category



~58%

Snack & Nut

Heat-formed contaminants (acrylamide) drive Prop 65 spike in nuts since 2024.

\$94M

2026 Settlements

Record enforcement activity — majority paid to attorneys.

0.2

µg/day NSRL

Acrylamide No-Significant-Risk Level — easily exceeded in a single 1 oz serving.

Source: OAG 60-Day Notice database; Bureau Veritas CPS quarterly summaries; ABC / APC / NCA enforcement bulletins.

Five Regulatory Fronts Converge

Every roasted-nut SKU is exposed to multiple overlapping food-safety rules.



Prop 65 (California)

Acrylamide (NSRL 0.2 µg/day); aflatoxin B1; lead & cadmium; coumarin in cinnamon-coated nuts.



FDA Allergen & Mycotoxin Rules

FALCPA + FASTER Act (sesame, 2023). Aflatoxin action level 20 ppb total. Salmonella zero-tolerance for nuts.



FSMA PCHF + Almond PMA

Preventive Controls for Human Food. Almond Pasteurization Mandate (CFR §981.442) — validated 4-log pathogen kill.



Acrylamide Mitigation Pressure

FDA 2016 guidance + CA AG settlements. Reformulation toward lower-asparagine cultivars and roast-curve controls.



AB 899 Baby Food Nuts

Nut butters & nut-flour baby snacks fall under CA AB 899 metals testing & disclosure (effective Jan 2025).

Prop 65 is the enforcement hook — but acrylamide mitigation, allergen rules, and retailer policies now drive the decision.

YOUR PRODUCT
PORTFOLIO



Every Roasted Nut SKU

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

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, and retailer all exposed. A single acrylamide NOV can cascade across an entire roasted-nut line.



Forced Reformulation / Roast Curve

Lower roast temps mean different flavor & color; cultivar shifts; oil-roast vs dry-roast trade-offs reset every SKU.



Retail & Co-Manufacturer Delisting

Whole Foods, Costco, Kroger demand acrylamide & aflatoxin attestations. Co-packers refuse lots without testing.



Category Is Reformulating

Planters, Blue Diamond, Wonderful, Diamond, John B. Sanfilippo are mitigating acrylamide. 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. Group

Operational oversight from a dedicated nut & snack compliance 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 report.



**SKU & Ingredient
Risk Assessment**



**Acrylamide, Aflatoxin
& Metals Testing**



**Exposure
Evaluation**



**Compliance
Determination**



**Warning Label
Strategy**



**Origin & Supplier
Compliance Program**



**Roast-Curve
Mitigation Roadmap**



**Allergen & Multi-State
Deadline Monitoring**

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

Core Technical Components

The compliance stack underneath every determination we issue.



Acrylamide Testing (LC-MS/MS)

Per-lot quantitation. CA NSRL 0.2 µg/day — easily exceeded in a 1 oz serving of dark-roast almonds. ISO 17025 labs.



Aflatoxin Panel (LC-FLD / LC-MS/MS)

Aflatoxin B1/B2/G1/G2 (FDA 20 ppb total). Critical for peanuts, pistachios, Brazil nuts. Per-lot screening.



Heavy Metals Testing (ICP-MS)

Pb, Cd, As in tree nuts and cocoa-coated SKUs. MADLs: Pb 0.5 µg/day, Cd 4.1 µg/day. Origin-correlated risk.



Allergen Verification (ELISA / qPCR)

Peanut, tree-nut, sesame cross-contact in shared roasting & seasoning lines. Sanitation validation per changeover.

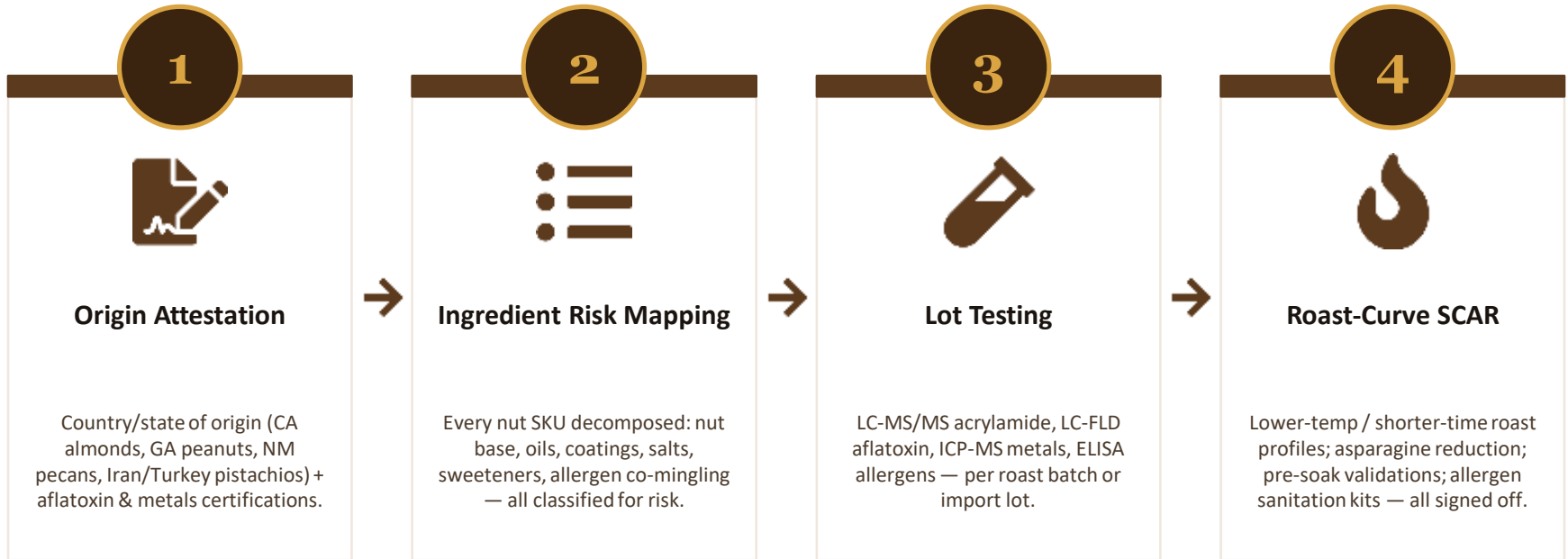


Multi-State & Acrylamide Deadline Monitoring

CA Prop 65, FDA acrylamide guidance, retailer attestation deadlines (Whole Foods, Costco, Kroger)— one dashboard.

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)

Roasted Nut Testing Program

One document defining how all roasted-nut acrylamide, aflatoxin, metals, and allergen testing decisions are recorded.

↓ *Generates unlimited* ↓

RECORDS (no added cost)

Unlimited Lot Test Results

Every roast batch and import 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 (SKUs)

+ \$150

each additional SKU

One-time investment to build your system.

SETUP INCLUDES

- ✓ SKU & ingredient risk assessment
- ✓ Acrylamide, aflatoxin & metals testing plan
- ✓ Acrylamide & multi-state deadline map
- ✓ Documentation system setup
- ✓ Roast-curve mitigation framework

Monthly Monitoring

Continuous compliance. Keep your system alive. — Ongoing oversight, billed monthly.

ONGOING COMPLIANCE
OVERSIGHT

\$500

per month — up to 7 finished products

+ \$50 / month

per additional SKU

Keeps you continuously compliant.

MONITORING INCLUDES

- ✓ Lot / roast-batch test review
- ✓ Acrylamide, state & FDA guidance updates
- ✓ Roast-curve mitigation tracking
- ✓ 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 / roast batch — covers lab-report review, threshold comparison, compliance determination & documentation update.

WHAT THE \$35 COVERS

- Lab report review
- Threshold comparison (NSRL / MADL)
- 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.

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.



Origin & Supplier Records

Attestations, COAs, aflatoxin certs, allergen profiles, and corrective actions by origin.



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.



DEFENSIBLE

R E C O R D



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 → roast batch → 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

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.

ROASTING RISK



Acrylamide

Acrylamide is a Prop 65 carcinogen formed during high-temp roasting. NSRL 0.2 µg/day — driving spike in NOV's since 2024.

MYCOTOXIN RISK



Aflatoxins

Aflatoxin B1 listed since 1988. Peanuts, pistachios, Brazil nuts highest risk. FDA 20 ppb action level.

HEAVY METALS



Lead & Cadmium

Tree nuts bioaccumulate metals from orchard soil. Cocoa-coated SKUs compound risk. NOV's accelerating in 2025.

STRICT ENVIRONMENT



California + Schools

Most aggressive enforcement regime plus AB 899 baby food testing + kids'-snack-targeted plaintiffs' bar.

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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