

CALIFORNIA PROPOSITION 65

Prop 65 Compliance for Skin Creams

System-Based Compliance. Not Just Testing.

Presented by: Prop65Compliance.com

Compliance Management by [Consultare Inc. Group](https://Consultare.com)

Powered by SystemsBuilder.pro



13

Banned Ingredients

AB 2762

Effective 2025

Why This Matters

Skin creams sit at the intersection of AB 2762, Prop 65, retailer clean-beauty mandates, and the AG's most active cosmetics enforcement track.



⚠️ 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

Formulation Risk



Enforcement Is Aggressive

AB 2762 (effective Jan 2025) bans 13 ingredients in cosmetics — including parabens, phthalates, formaldehyde releasers, PFAS, and mercury.



Penalties Are Real

Civil penalties run up to \$2,500 per violation per day — plus AB 2762 enforcement, retailer delisting, and California Safe Cosmetics Program flags.



Cited by Name

AG Bonta secured a \$600K settlement from Amazon in Jan 2025 for facilitating mercury skin-cream sales — testing found mercury 121–16,000× the FDA limit.



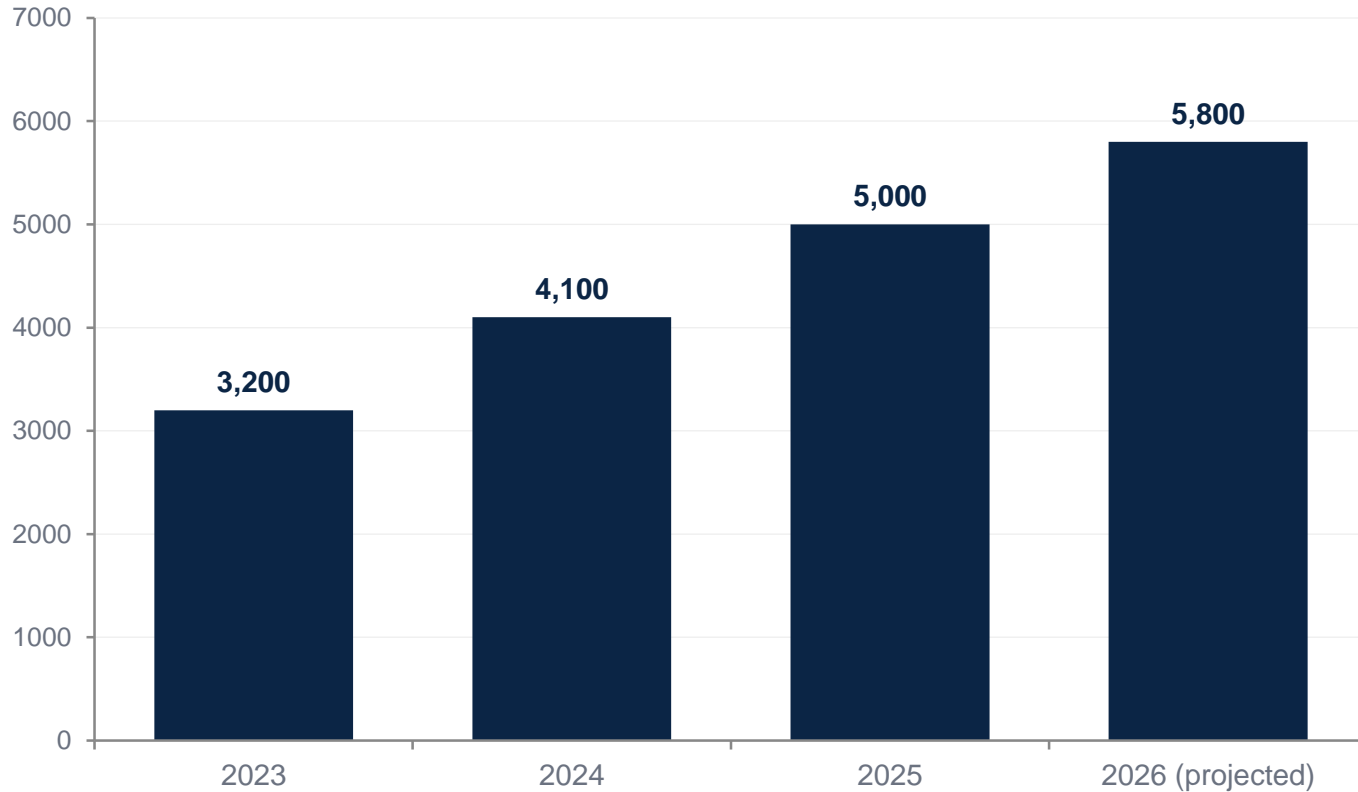
Documentation Is Your Defense

Without a compliance system, brands settle on the plaintiff's timeline. A defensible record is what stops a 60-day notice before it ripens.

Skin Cream Risk Vectors

Three converging regulators — and skin products are the second-most chemicals-of-concern category in California testing.

Annual Prop 65 NOVs Issued



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

13 + 26

Banned Ingredients

AB 2762 banned 13 ingredients (Jan 2025) — parabens, phthalates, formaldehyde releasers, PFAS, mercury. AB 496 adds 26 more by Jan 2027.

\$600K

Amazon Settlement

AG Bonta’s Jan 2025 Prop 65 + UCL settlement with Amazon over mercury skin creams — establishing platform liability for cosmetic ingredient sales.

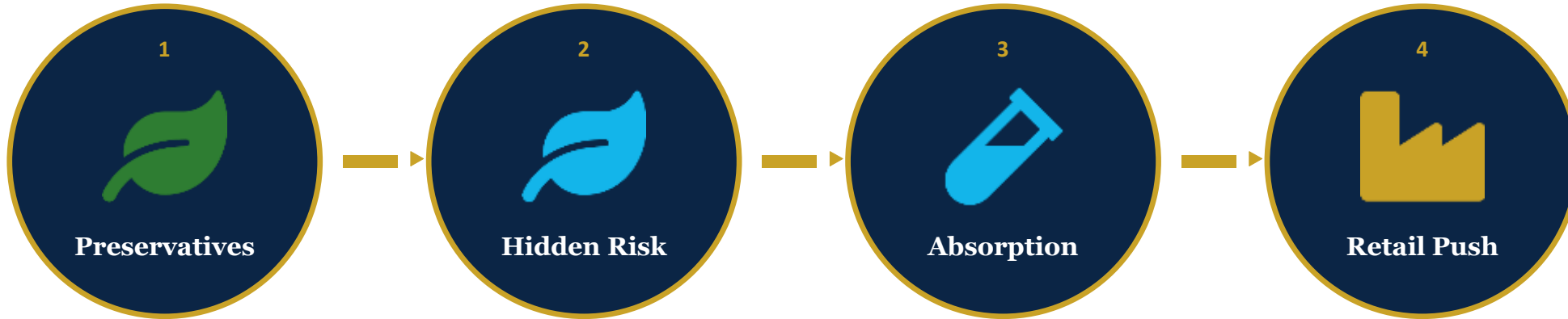
Active Enforcement

Mercury, Parabens, PFAS

Mercury Policy Project filed multiple Q1 2026 NOVs against skin-lightening cream sellers; private enforcers are scaling up paraben & phthalate cases.

Why Skin Creams Are at Risk

Skin creams combine a long ingredient list of regulated chemistries with daily, large-surface-area dermal absorption — and the preservatives that work are mostly banned.



Parabens, formaldehyde releasers, MIT — banned or restricted; phenoxyethanol now under scrutiny

Phthalates hidden under ‘fragrance’; PFAS in ‘fluoro’ ingredients; mercury in unapproved lighteners

Creams stay on skin for hours — dermal absorption is the primary exposure route

Sephora, Ulta, Whole Foods, Credo all maintain banned-ingredient lists exceeding state law



‘Clean’ and ‘natural’ marketing claims do NOT shift Prop 65 liability.

AB 2762’s 13 banned ingredients (2025) and AB 496’s additional 26 (2027) cover most legacy preservation chemistry — reformulation is now mandatory, not optional.

Business Impact of Non-Compliance

AB 2762 + Prop 65 + retailer mandates — three balance-sheet hits, each with its own clock.



60-Day Notice of Violation

Plaintiff's attorney files with the AG; private enforcers like Mercury Policy Project actively target skin creams.



AG Settlement Exposure

Amazon paid ~\$600K to AG Bonta (Jan 2025) for facilitating mercury cream sales — and was forced into a permanent suppression rule.



Mandatory Reformulation

AB 2762 and AB 496 ban 39 ingredients by 2027 — including parabens, phthalates, formaldehyde releasers, and PFAS. Reformulation is mandatory.



Retail Delisting

Sephora, Ulta, Whole Foods, and Credo enforce private banned-ingredient lists exceeding state law — non-compliance equals delisting.

Most brands settle — not because their products are unsafe — but because their documentation can't prove they aren't.

Why Prop65Compliance.com

Compliance-focused. Built for the multi-statute cosmetics stack — not one-time COAs.



Compliance-Focused

We don't litigate — we build the AB 2762 + Prop 65 system that prevents litigation.



System-Based Approach

Testing alone doesn't protect you. A documented banned-ingredient screening 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 We Deliver

An end-to-end AB 2762 + Prop 65 cosmetics 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.



Banned-Ingredient Screening

AB 2762 (13 ingredients) + AB 496 (26 more by 2027) full INCI screening; ICP-MS for Mercury, Lead, Arsenic & Cadmium in pigmented or imported creams.



Dermal Exposure Modeling

Application-frequency, surface-area, and dermal-absorption modeling for face, body and leave-on creams — daily-use chronic exposure profile.



Fragrance & Preservative Audit

Fragrance disclosure under SB 312 (Cosmetic Fragrance Right to Know Act, 2022); preservative system review against AB 2762 prohibited list.



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 for parabens, phthalates, mercury, formaldehyde — documented and defensible against private enforcement.

Supply-Chain Compliance Control

Prevent the issue at the formula — 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.

01 STEP Setup

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

02 STEP Implementation

- Lab coordination (ISO/IEC 17025)
- Dermal exposure modeling
- Banned-ingredient screening
- Warning & reformulation decisions

03 STEP Monitoring

- Monthly compliance oversight
- Batch & lot 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

+ \$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

+ \$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, Safe Cosmetics Program inquiries, and legal counsel on 24-hour notice.

Built for Defensibility

Documentation is the difference between a quick close-out and a forced reformulation order.



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 → batch → 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



Cosmetics 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.

ACTIVE ENFORCEMENT



Personal Care

Personal care & cosmetics is consistently a top-three Prop 65 enforcement category — and skin products are #2 by chemicals of concern.

AG ENFORCEMENT



Mercury Creams

AG Bonta's \$600K Amazon settlement (Jan 2025) for mercury skin creams set the precedent for platform-level cosmetic liability.

MULTI-STATUTE RISK



Skin Creams

AB 2762 + AB 496 + Prop 65 + retailer clean-beauty mandates — four enforcement vectors stacked on the longest ingredient lists in personal care.

STRICT ENVIRONMENT



California

Most aggressive consumer-protection regime in the U.S. — and the most active cosmetics enforcement track at the AG's office.



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 AB 2762 + Prop 65 compliance system today.



MANAGED COMPLIANCE

Let us manage it for you.

- End-to-end AB 2762 + 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](#)