

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 Tamarind Candy

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

45% → 3%

Lead Drop Post-Litigation

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Why This Matters

Tamarind candy is the category where Prop 65 has proven it works — and enforcement has not slowed down.

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

Imported ≠ Compliant

15% of California child lead poisoning cases traced to contaminated candy.



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.



Five Parallel Lead Vectors

Tamarind fruit, chili powder, mined salt, lead-printed wrappers, and lead-glazed clay pots — every component of a traditional tamarind candy carries documented Pb history.



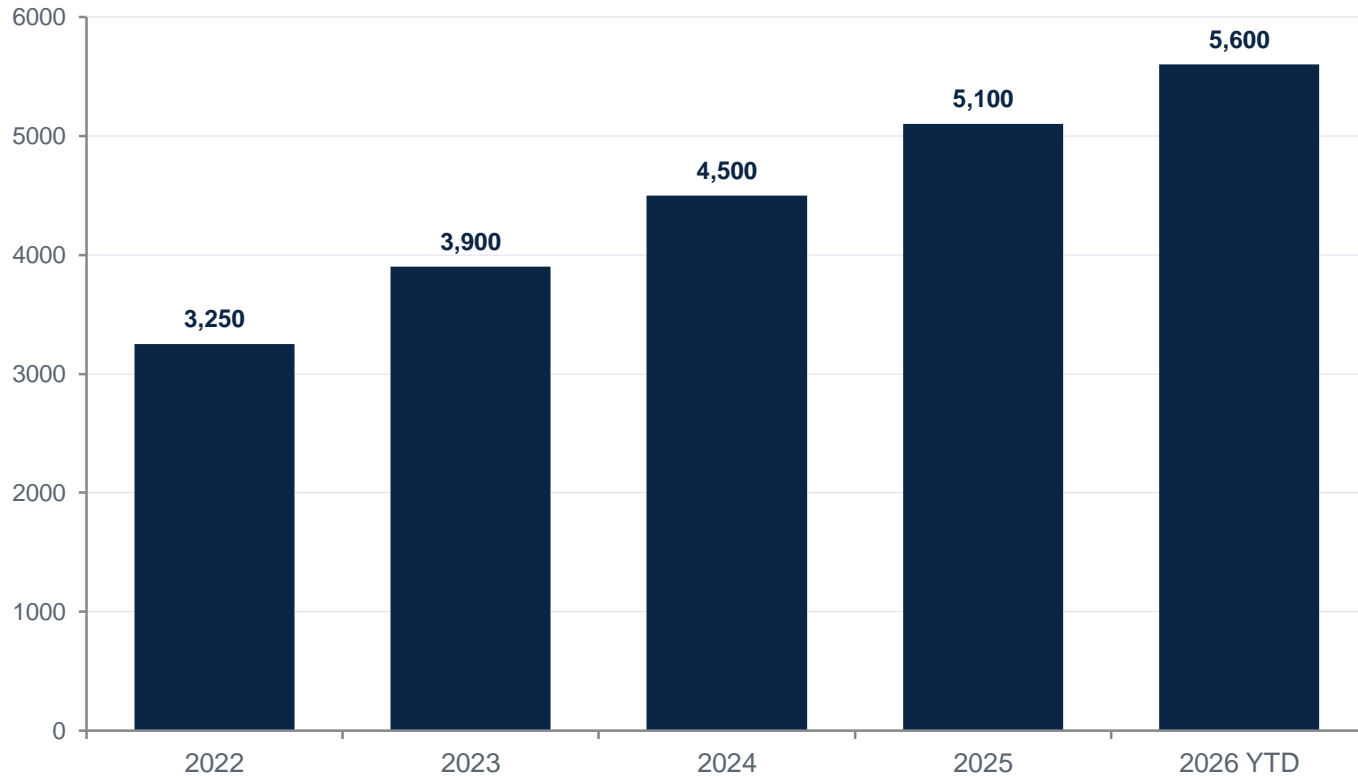
Documentation Is Your Defense

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.

0.10 ppm	CDPH Contamination Threshold CDPH-set lead threshold for candy; 100 ppb is also Prop 65 settlement-derived industry limit for chili and tamarind candy.
15%	CA Child Pb Cases from Candy California traced 15% of child lead poisoning cases to contaminated candy — equal to lead-paint attribution.
21,000 ppm	Peak Wrapper Pb (Bolirindo 2001) FDA tests found 21,000 ppm Pb in tamarind Bolirindo lollipop wrappers — ink was the vector, not the candy.

Why Tamarind Candy Is at Risk

Five vectors, one product — every component of a traditional tamarind candy carries documented Pb history.



Fruit & Spice Origin

Tamarind fruit absorbs soil Pb; chili powder carries roadside-dust and grinding-metal residue; salt mined from Pb-bearing deposits



Processing & Grinding

Industrial grinders shed metal particles; open petrochemical fires used for drying add airborne Pb to finished ingredient



Packaging & Pots

Lead-based wrapper inks (21,000 ppm Bolirindo 2001) and Pb-glazed clay pots (Dulmex banned 1993 — 1 tsp = 10x FDA limit)



Grey-Market Distribution

Pickup trucks across the border; small bodegas in CA/TX/NM/AZ; informal networks make surveillance difficult

Prop 65 proved it works here — 45% of candies exceeded the Pb limit in 2004, dropped to 3% five years after CEH litigation. Enforcement is what changed the industry.

Elevated-risk origin countries named by CDPH: Mexico, Malaysia, China, and India — each with different ingredient vectors; poor children from immigrant families remain the most-exposed population per CDC.

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.



Per-Ingredient Lead Testing

Tamarind fruit, chili powder, salt, sugar tested independently plus finished-product composite; Pb (MADL 0.5 µg/day) via ICP-MS at ISO 17025 labs; aligned to CDPH 0.10 ppm threshold.



Wrapper & Ink Lead Screen (XRF)

Every printed wrapper, label, and cellophane tested — Bolirindo lollipop wrappers tested at 21,000 ppm Pb in 2001; ink is a documented historical vector.



Pot & Glaze Leachate Testing

Ceramic/clay containers tested for Pb migration via acetic-acid leach per FDA protocol; Dulmex potted candy banned 1993 (1 tsp = 10× FDA Pb limit) sets the precedent.



Origin-Country Risk Mapping

Mexico, Malaysia, China, India segregated per CDPH elevated-risk list; two-tier Mexican supply (export-grade vs. domestic-market) flagged at receipt.



CDPH 0.10 ppm + Prop 65 MADL Alignment

Dual threshold: CDPH contamination limit (0.10 ppm whole candy) AND Prop 65 MADL per serving — whichever is stricter per SKU drives warning-or-reformulate.



Warning Label Determination

Clear 'warn vs no-warn' logic per SKU; private enforcement ongoing (Feb 2022 Bonta plum-candy action, 2012 CEH 8-retailer plum/ginger action) — defensible record required.

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)

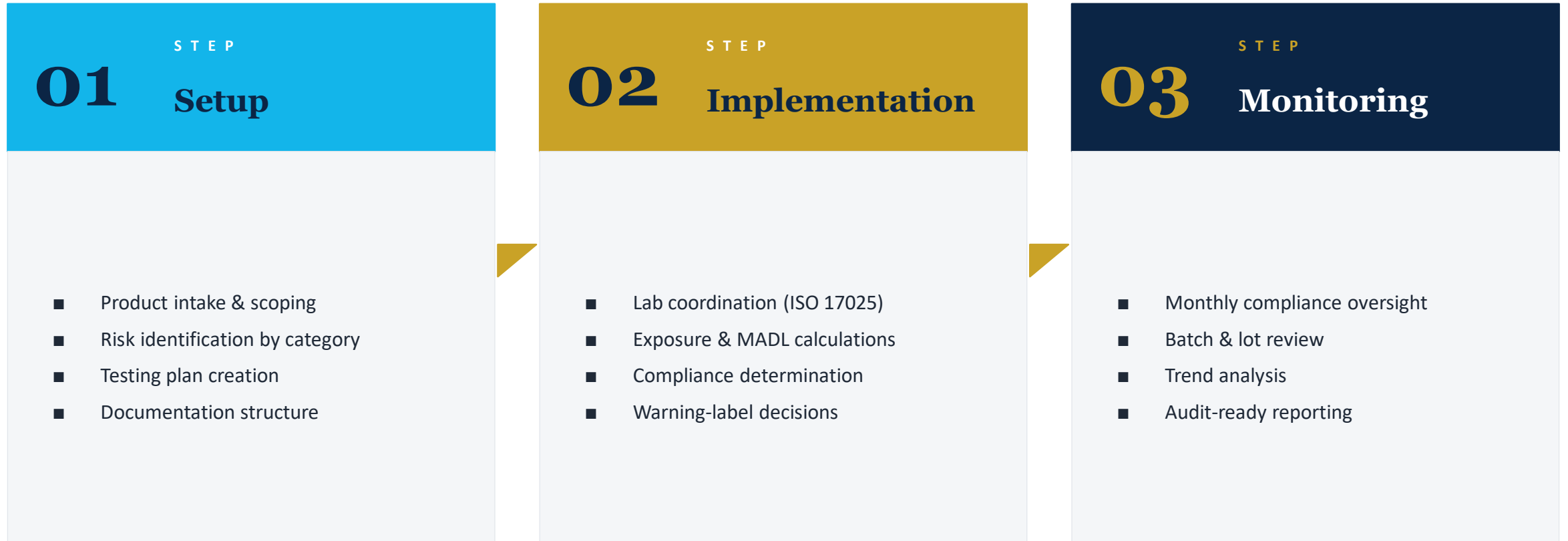
Unlimited Batch Test Results

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

Ingredient/wrapper supplier → lot → package → SKU → determination.



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 Category

Food & supplements = largest combined Prop 65 enforcement category in 2025.



TOP LITIGATION DRIVER

Five-Vector Lead Stack

Tamarind fruit, chili, salt, wrapper ink, and clay pots — the documented Prop 65 success story (45%→3% post-2004 litigation).



MOST - VULNERABLE CONSUMER

Tamarind Candy

Children in immigrant/racial-minority communities at highest risk per CDC; 15% of CA child Pb poisoning cases traced to contaminated candy.



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.”

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