

CALIFORNIA PROPOSITION 65

# Prop 65 Compliance

## *for Backpacks & Luggage*

*System-Based Compliance. Not Just Testing.*

Presented by: **Prop65Compliance.com**

Compliance Management by **Consultare Inc. Group**

Powered by **SystemsBuilder.pro**



**316**

NOVs/month

**5,000+**

DEHP NOVs

W H Y

# Why This Matters

OEHHA's own fact sheet names backpacks as a phthalate target — and enforcement has been hammering this category for years.

## WARNING

*This product can expose you to chemicals including DEHP, DINP, and lead — from PVC components and metal hardware — known to the State of California to cause cancer and birth defects or other reproductive harm.*

— [P65Warnings.ca.gov](http://P65Warnings.ca.gov)

### **Named by OEHHA**

*"Plastic lunchboxes, binders, backpacks, and storage cases."  
— OEHHA phthalates fact sheet*



### **5,000+ DEHP NOV's Since 2018**

DEHP is the single most-targeted Prop 65 chemical in consumer products. Phthalates dominate bag & luggage enforcement.



### **1,000 ppm Product Threshold**

Settlement standard: reformulate phthalates to  $\leq 0.1\%$  (1,000 ppm) or add warnings. A recent NOV cited 32,974 ppm DEHP.



### **PFAS Is the Emerging Front**

November 2025: PFAS NOV's against water-resistant textiles including travel seat bags and rain covers. No safe harbor.



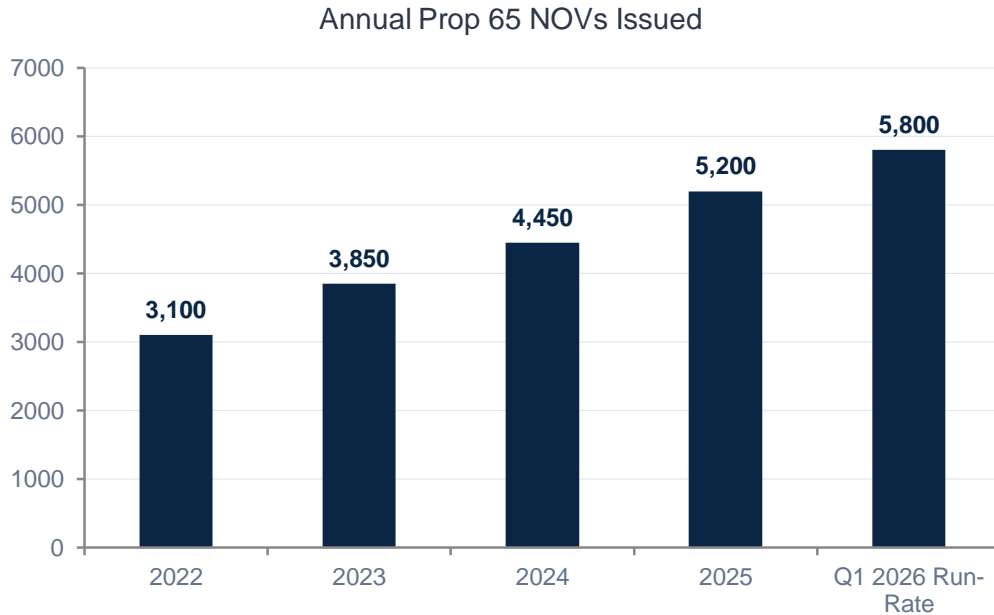
### **Documentation Is Your Defense**

Component-level lab testing, supplier certs, exposure math — the only evidence that holds up in court.

WHY

# Prop 65 Enforcement Trends (2024–2026)

Enforcement is accelerating — not slowing down.



Source: OAG 60-Day Notice database; Bureau Veritas CPS quarterly summaries.

## Consumer

Goods Targeted

Phthalates & heavy metals dominate consumer-product enforcement — with bags & luggage in the crosshairs.

~\$98M

2026 Settlements

Record enforcement activity — majority paid to attorneys.

5,000+






DEHP NOVs (since 2018)

DEHP is the single most-targeted Prop 65 chemical in consumer products category.

W H Y

# Every Component Is a Potential NOV

*Risk lives in the hardware, the coatings, the linings, and the prints — not just the main material.*

	<b>PVC / Vinyl Panels &amp; Coatings</b>	<b>Phthalates</b>	DEHP, DINP, DBP, BBP, DIDP — plasticizers in flexible PVC and 'vegan leather'
	<b>Metal Hardware</b>	<b>Lead, Cadmium</b>	Zipper pulls, buckles, rivets, D-rings — surface paint and plated finishes
	<b>DWR / Water-Repellent Finishes</b>	<b>PFAS</b>	PFOA, PFOS, PFNA — no Prop 65 safe harbor level
	<b>Printed Graphics &amp; Logos</b>	<b>Phthalates + Lead</b>	Plastisol inks; pigment-based printing — character bags especially targeted
	<b>Chrome-Tanned Leather</b>	<b>Hexavalent Chromium</b>	Cr(VI) residuals in traditionally tanned leather trim and panels

**A bag is not one product — it's 5-10 materials from 5-10 suppliers. Compliance requires component-level testing and documentation.**

W H Y

# Business Impact of Non-Compliance

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



## 60-Day Notice of Violation

Brand owner, importer, distributor, AND retailer can all be named on a single NOV.



## Settlement Exposure

Standard terms: reformulate to  $\leq 1,000$  ppm OR add warnings. Settlements typically \$20K–\$100K+ per SKU.



## Amazon & Retail Enforcement

Amazon, Target, Walmart, REI require documented phthalate and PFAS compliance — delisting risk.



## Kids' Products Scrutiny

CPSIA federal standard (0.1% limit) plus Prop 65 — school backpacks and character bags face dual compliance.

*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.*

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*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.*



**SKU & Component  
Risk Assessment**



**Component-Level  
Lab Testing**



**Exposure  
Evaluation**



**Compliance  
Determination**



**Warning Label  
Strategy**



**Supplier  
Compliance Program**



**Reformulation  
Roadmap**



**Multi-State PFAS  
Ban Monitoring**

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

## WHAT

# Core Technical Components

*The compliance stack underneath every determination we issue.*



### Component-Level Lab Testing

Phthalates (GC-MS), Lead & Cadmium (ICP-MS/XRF), PFAS (LC-MS/MS), Cr(VI) at ISO 17025 labs — every component, not just finished product.



### Material & Supplier Audit

PVC vs non-PVC panel material, metal hardware platings, DWR chemistry, leather tanning method, print ink type — every SKU mapped.



### Exposure Evaluation

Dermal contact (carry straps, handles), hand-to-mouth for kids, inhalation from offgassing — exposure math by use scenario.



### Supplier Attestation & Indemnification

Component-level COAs, chemical compliance warranties, indemnification clauses — liability shifted to the manufacturer.



### CPSIA + Multi-State PFAS Compliance

Kids' products: CPSIA phthalate limits + Prop 65. Adult products: PFAS bans in CA, NY, WA, MN, ME, VT — all different.

WHAT

# Supply-Chain Compliance Control

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



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

HOW

# 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 defining how all bag-component testing, supplier attestations, and multi-chemical compliance decisions are recorded.

↓ Generates unlimited ↓

RECORDS (no added cost)

## Unlimited Batch Test Results

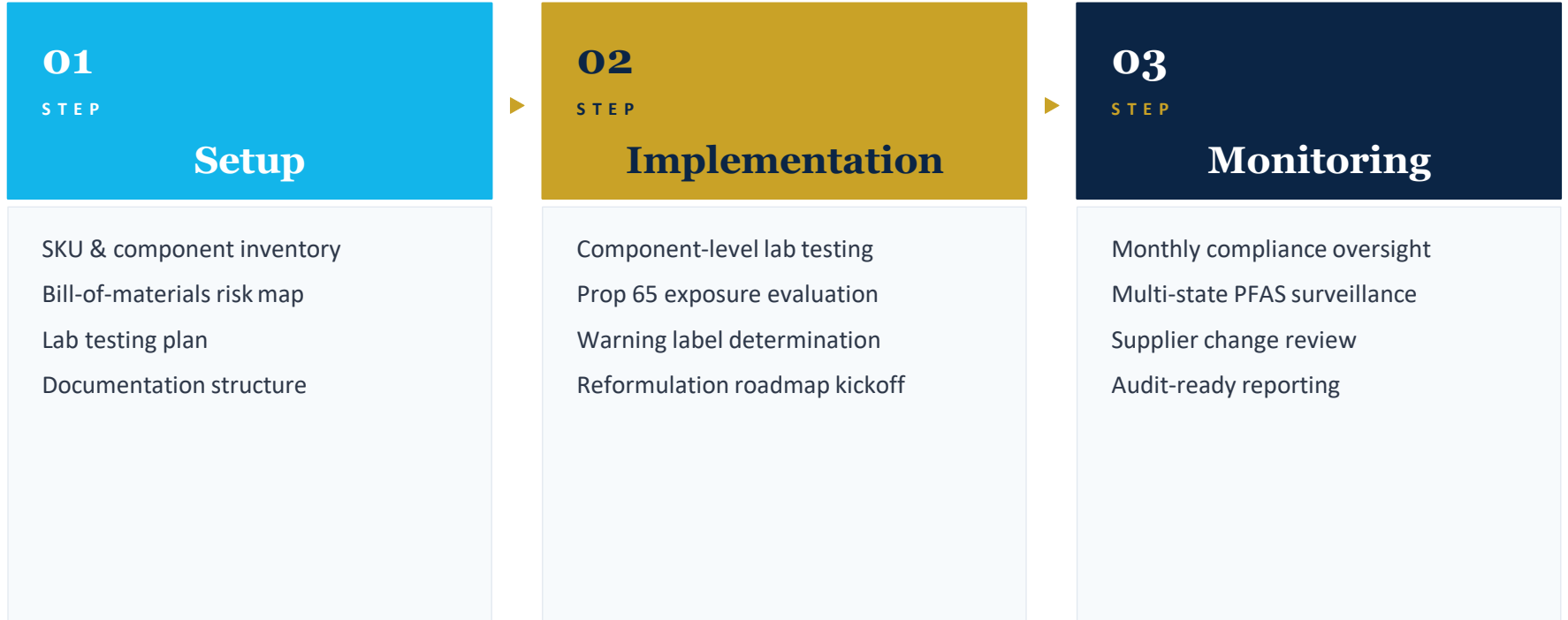
Every lot tested fills out the same framework — no new artifact needed.

→ *Scalable, predictable, cost-efficient.*

HOW

# 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 & component risk assessment
- ✓ Bill-of-materials documentation
- ✓ Lab testing protocols (multi-chemical)
- ✓ Documentation system setup
- ✓ Reformulation roadmap framework

# 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 SKU

*Keeps you continuously compliant.*

## MONITORING INCLUDES

- ✓ Component lot test review
- ✓ Multi-state PFAS ban tracking
- ✓ Reformulation progress 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 / 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 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

# 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.

HOW

# 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 → 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*

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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.*

## BOTTOM LINE

# Your Risk Profile

Every one of these factors increases your exposure — independently.



### NAMED BY THE REGULATOR

#### OEHHA Fact Sheet

OEHHA's phthalates fact sheet explicitly names 'backpacks, lunchboxes, binders, handbags' as phthalate-risk products.



### DOMINANT ENFORCEMENT

#### 5,000+ DEHP NOVs

Since 2018, DEHP is the most-targeted Prop 65 chemical in consumer products — and backpacks are in the bullseye.



### EMERGING SECOND FRONT

#### PFAS in Textiles

Nov-Dec 2025: NOVs against water-resistant travel bags, rain covers, outerwear. No safe harbor — any detection matters.



### 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](https://Prop65Compliance.com) • [SystemsBuilder.pro](https://SystemsBuilder.pro)