

CALIFORNIA PROPOSITION 65

Prop 65 Compliance for Moringa Powder

The 'Miracle Tree' Hyperaccumulates What's In The Soil.

Presented by: Prop65Compliance.com

Compliance Management by Consultare Inc. Group

Powered by SystemsBuilder.pro



Dec '22

Documented NOV

Plant

Phytoremediator

Why Moringa Is a Known Enforcement Target

This isn't theoretical. Moringa powder has a documented Prop 65 Notice of Violation on file.



ON RECORD

Dec 12, 2022: 60-Day Notice served on importer and Rite Aid alleging lead in moringa powder. Filed with CA Attorney General.

— *KASB v. Importaciones & Rite Aid*

The Precedent Exists



Moringa Is a Phyto-remediator

Published research uses moringa oleifera specifically for heavy-metal remediation of contaminated water. The plant actively concentrates lead, cadmium, and arsenic.



Source Countries Carry Soil Risk

India, Philippines, and sub-Saharan Africa — the dominant moringa origins — have documented agricultural soil contamination from legacy industry.



Documented Lead Levels

A 2014 German import showed 92 mg/kg lead in moringa — ~300x the EU maximum. Per-lot testing isn't optional for this botanical.



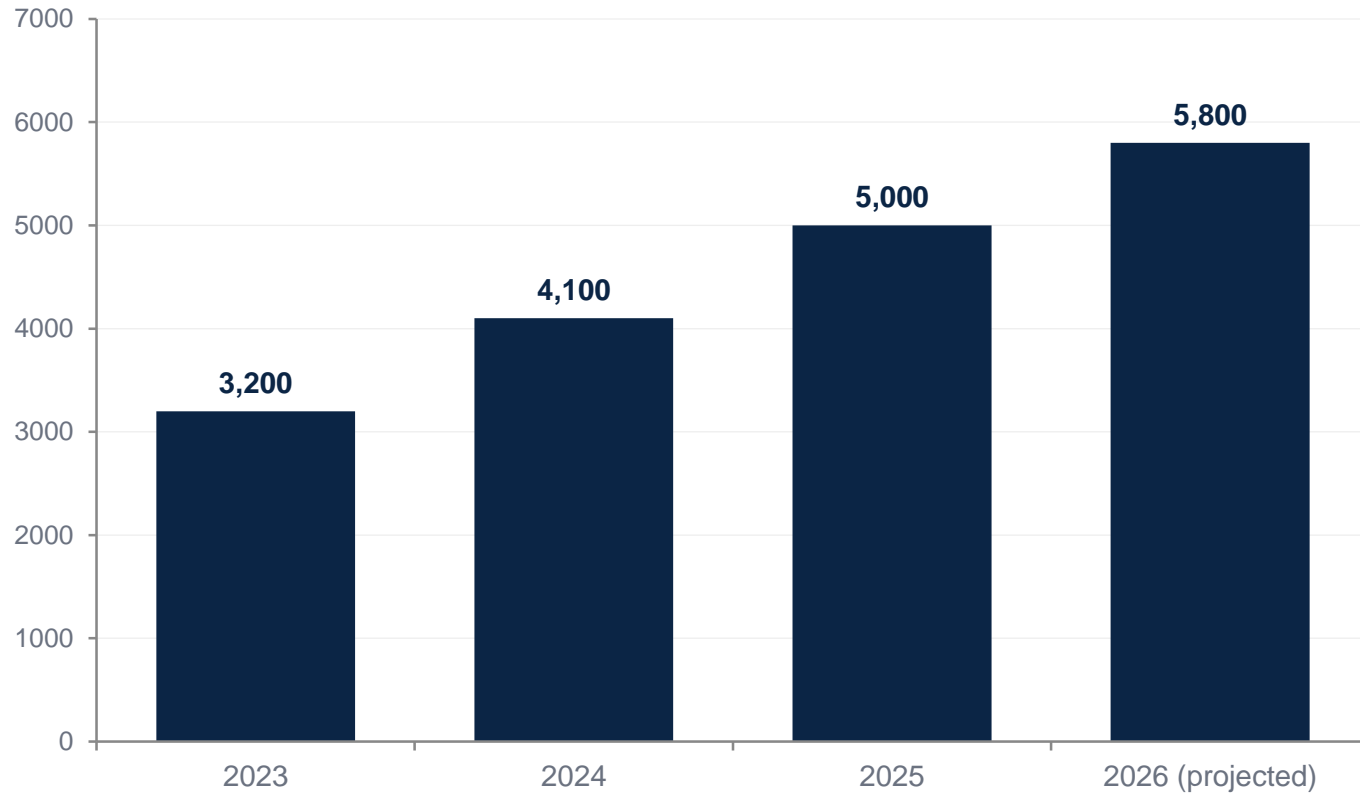
Amazon Reflex-Warning Problem

Many brands apply Prop 65 warnings 'just in case' — undermining their 'clean', 'organic', and 'superfood' positioning across the marketplace.

Botanicals Sit at the Center of Enforcement

Plant-based superfoods are inside the most-enforced Prop 65 category.

Annual Prop 65 NOVs Issued (All Categories)



Source: OAG 60-Day Notice database. Moringa-specific NOV filed Dec 2022 (OAG 2022-02950).

~38%

Food & Supplements

Largest single category of Prop 65 enforcement — botanicals are the core target.

0.5 µg

Lead MADL

Daily-dose threshold. One small serving of contaminated moringa can exceed it.

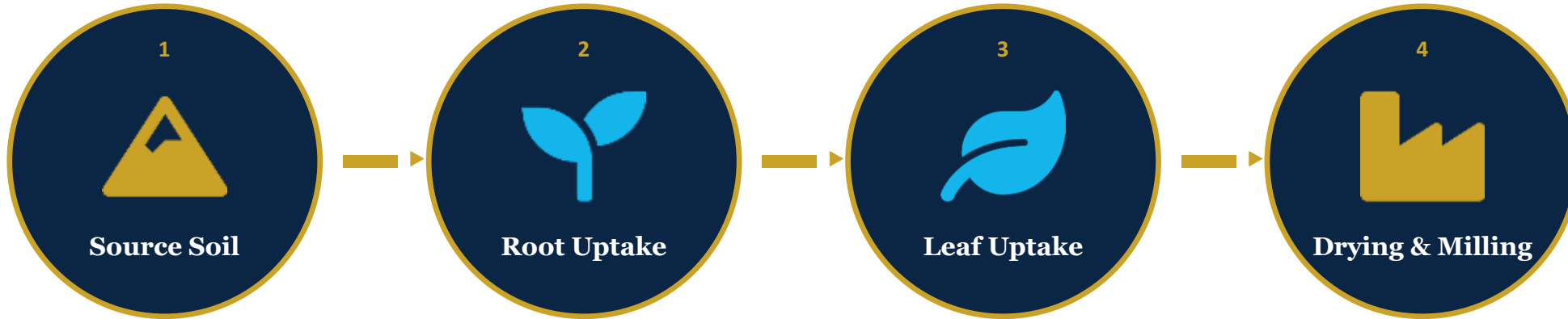
Pb
Cd
As

Moringa Target Set

Lead, cadmium, and arsenic — the three metals moringa hyperaccumulates from soil.

How Contamination Reaches the Powder

Soil → root uptake → leaf concentration → dried powder. Each stage concentrates what the last one absorbed.



Legacy pesticide, industrial, and mining residues persist in agricultural soils in India, Philippines, and Africa

Moringa oleifera is a documented phytoremediator — actively pulling heavy metals into plant tissue

Lead, cadmium, and arsenic accumulate preferentially in leaf tissue — the part harvested for powder

Water removal concentrates metals by mass. 10 kg fresh leaves → 1 kg powder means 10× concentration



Drying concentrates contamination — a 10× multiplier on whatever the fresh plant absorbed.

A 0.05 mg/kg lead level in fresh leaf becomes 0.5 mg/kg in dried powder. One teaspoon can exceed MADL.

The Hyperaccumulator Problem

Moringa is used as a water-purifier precisely because it pulls heavy metals out of soil.



TYPICAL LEAFY CROP

Exclusion-based uptake

- Plants selectively limit heavy metal uptake
- Roots block most soil contaminants
- Leaf levels typically low even in poor soils
- Standard heavy-metal screening is sufficient



MORINGA OLEIFERA

Phytoremediator by design

- Published use for heavy-metal water cleanup
- Actively concentrates lead, Cd, As from soil
- Leaf-first bioaccumulation pattern
- Origin soil is the single biggest risk lever

You're not growing a neutral plant — you're growing a biological sponge. Soil sourcing IS compliance.

Business Impact of Non-Compliance

For moringa brands, the risk hits positioning as much as it hits the balance sheet.



60-Day Notice of Violation

Already-filed precedent (Dec 2022) makes moringa an attractive, documented target for repeat plaintiff enforcement.



Settlement Exposure

Supplement settlements routinely run \$20K–\$150K per SKU — multiply across your moringa product line.



'Superfood' Positioning Damage

Prop 65 warning is the opposite of clean/organic/detox marketing — each warning undermines the brand premise.



Amazon & Retailer Delisting

Whole Foods, Sprouts, Amazon Elements, and major natural channels pull SKUs at the first NOV.

The brands winning in moringa are the ones proving clean sourcing — not just claiming it.

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 a single lot doesn't protect you. A per-origin documented program does.



Managed by Consultare Inc. Group

Operational oversight from a dedicated compliance management team.



Built on SystemsBuilder + InterlinkIQ

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 Prop 65 program — calibrated to botanical hyperaccumulation risk.



**Origin-Level
Risk Assessment**



**Heavy Metal &
Mycotoxin Testing**



**Per-Serving
Exposure Math**



**Compliance
Determination**



**Warning Label
Strategy**



**Grower & Importer
Program**



**Documentation
System**



**Ongoing
Monitoring**

Every component is documented, traceable, and audit-ready — per origin lot.

Core Technical Components

The compliance stack underneath every moringa lot determination we issue.



Heavy Metal Panel Testing

Oversight of Lead (MADL 0.5 µg/day), Cadmium (MADL 4.1 µg/day), Arsenic (inorganic) and Mercury at ISO 17025 labs — per lot.



Origin-Specific Screening

Soil history and grower region classified by risk. Indian-region lots, African-region lots, and Philippine-region lots screened separately.



Mycotoxin & Pesticide Screen

Aflatoxins from improper storage and glyphosate/pesticide residues from upstream agriculture — independent of heavy metals.



Drying & Processing Review

Open-fire drying can introduce PAHs (Prop 65 listed). Solar or low-temperature drying methods documented for defensibility.

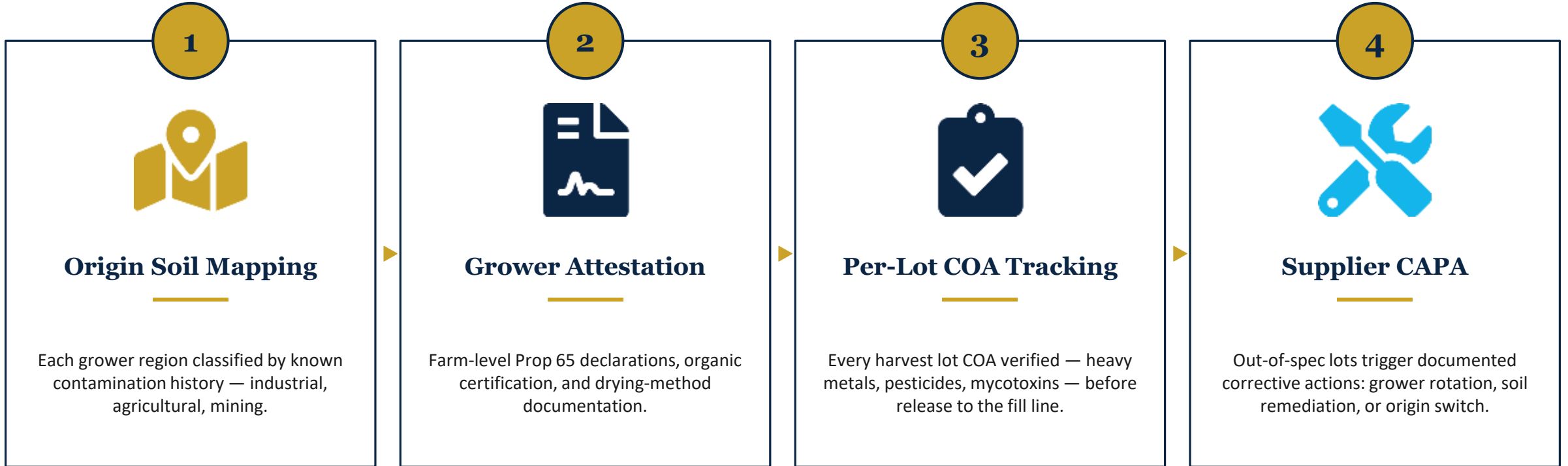


Per-Lot Compliance File

Each harvest lot gets its own compliance determination, cross-referenced to grower, soil origin, drying method, and lab results.

Farm-to-Powder Supply-Chain Control

The single biggest compliance lever is what happens at origin — before the leaf is ever picked.



Competitor benchmarking has shown <0.05 ppm lead is achievable — from carefully selected origins.

The SystemsBuilder Approach

Artifact-based compliance — built once, scales across every harvest lot and every origin.



ARTIFACTS vs RECORDS

You pay for the structure — not the records.

Build once. Use for every lot.

Example:

ARTIFACT (you pay)

Origin & Lot Testing Program

One document defining how every grower, every region, and every lot gets screened, reviewed, and documented.

↓ Generates unlimited ↓

RECORDS (no added cost)

Per-Lot, Per-Origin Records

Every harvest, every origin, every SKU fills 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

- SKU & origin scoping
- Grower & region mapping
- Testing plan per lot
- Documentation structure

02 STEP Implementation

- Lab coordination (ISO 17025)
- Heavy metal + mycotoxin testing
- Per-lot determination
- Warning-label decisions

03 STEP Monitoring

- Monthly compliance oversight
- Per-lot & per-origin review
- Grower-change re-determinations
- Audit-ready reporting

Setup Pricing – One-Time Investment

Priced per SKU — each format (loose powder, capsule, blend) is a separate compliance file.

COMPLIANCE SYSTEM SETUP

\$1,500
up to 3 moringa SKUs

+ \$150
each additional SKU (format / origin / blend)

One-time investment to build your system.

SETUP INCLUDES



Origin-level risk assessment



Heavy metal + mycotoxin testing program



Per-serving exposure framework



Documentation system setup



Compliance determination structure

Monthly Monitoring – Ongoing Oversight

Continuous compliance. Scales with your harvest cadence.

ONGOING COMPLIANCE OVERSIGHT

\$500

per month — up to 7 SKUs

+ \$50 / month

per additional SKU

Keeps you continuously compliant.

MONITORING INCLUDES



Per-harvest test review



Grower-change re-determinations



Monthly reporting



Trend analysis by origin

Cancel anytime. No long-term contracts.

Testing Monitoring Fees

Per-event oversight — pay only when a lot is tested.

\$35

per testing monitoring event

Per lot / per origin — covers lab-report review, threshold comparison, compliance determination & documentation update.

WHAT THE \$35 COVERS

- Lab report review
- Threshold comparison vs MADL
- Per-lot 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 — per harvest lot.



Per-Lot Compliance Determinations

Each harvest lot's review with pass/fail determination, MADL comparison, and reviewer sign-off.



Monthly Summary Reports

Rolling snapshot of all SKUs, testing events, origin trends, and open action items.



Compliance Monitoring Logs

Date-stamped log of every decision made — the backbone of defensibility.



Grower & Origin Records

Attestations, COAs, soil classifications, and corrective actions by grower and region.



Audit-Ready Documentation

Packaged for OAG inquiries, retailer audits, and Amazon compliance requests 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 lot determination has a record, a reviewer, and a date.



Verified Lab Testing

ISO 17025 heavy-metal, mycotoxin, and pesticide results — no conflicts of interest.



Traceable Decisions

Origin → grower → harvest lot → SKU → determination — fully linked.



Structured System

Not ad-hoc — a real management system reviewers recognize.

Critical for lawsuits • Retailer audits • Amazon compliance • Regulatory inquiries

Managed Service vs. DIY

Same system. Different execution — you choose who drives.

MANAGED SERVICE

by Consultare Inc. Group

- Hands-off compliance execution
- Expert-managed origin monitoring
- Monthly reporting delivered
- Best for: growing brands and importers with variable sourcing

DIY (SystemsBuilder)

at SystemsBuilder.pro

- Self-managed execution
- \$1-per-artifact library access
- In-house QA/regulatory team runs the program
- Best for: established brands with QA depth

Same system. Same artifacts. Same defensibility. — You choose who operates it.

Your Risk Profile

Every one of these factors increases your exposure — independently.

DOCUMENTED PRECEDENT



Moringa-Specific NOV

Dec 2022 Prop 65 Notice of Violation filed against moringa powder for lead — the target map is drawn.

PLANT BIOLOGY



Hyperaccumulation

Moringa concentrates heavy metals from soil — the same property that makes it a water purifier.

ORIGIN VARIABILITY



Source-Country Risk

India, Philippines, and African origins carry documented soil-contamination history that varies by region.

BRAND EXPOSURE



Premium Positioning Risk

'Clean', 'organic', 'superfood' claims are undermined by every Prop 65 warning applied defensively.



Moringa is a known target. The compliance file is your defense — and your brand's premium.

CALL TO ACTION

Don't wait for a 60-Day Notice.

Build defensibility into your moringa catalog — today.



MANAGED COMPLIANCE

Let us manage it for you.

- End-to-end Prop 65 system setup
- Per-lot origin monitoring
- Grower-change re-determinations
- Expert-managed execution



DIY LIBRARY

Build it yourself.

- \$1-per-artifact library access
- Botanical supplement programs
- Forms, logs & templates
- Run it your way, in-house

“Build it yourself — or let us manage it for you.”

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