

CALIFORNIA PROPOSITION 65

Prop 65 Compliance *for Peanut Butter*

System-Based Compliance. Not Just Testing.

Presented by: **Prop65Compliance.com**

Compliance Management by **Consultare Inc. Group**

Powered by **SystemsBuilder.pro**



5,000+

NOVs in 2025

~64%

Food & Supp. Share

W H Y

Why This Matters

Peanut butter has its own Prop 65 chemistry — and an active NOV was filed against peanut-oil products in April 2026.

WARNING

This product can expose you to chemicals including aflatoxins (mycotoxins from storage mold) and lead and cadmium, known to the State of California to cause cancer and birth defects or other reproductive harm.

— P65Warnings.ca.gov

Active Enforcement

*April 2026 NOV against
peanut-oil products citing
aflatoxin exposure via ingestion.*



Aflatoxin Is the #1 Risk

Aspergillus molds produce aflatoxin B1 on peanuts during warm/humid storage. Prop 65-listed as a carcinogen.



Lead & Cadmium in Soil

Peanuts are legumes — deep roots concentrate soil metals. Variance by origin, field, and harvest year.



Acrylamide: Now Enjoined

May 2, 2025: federal court permanently enjoined Prop 65 acrylamide food warnings. One vector closed — but testing still matters.



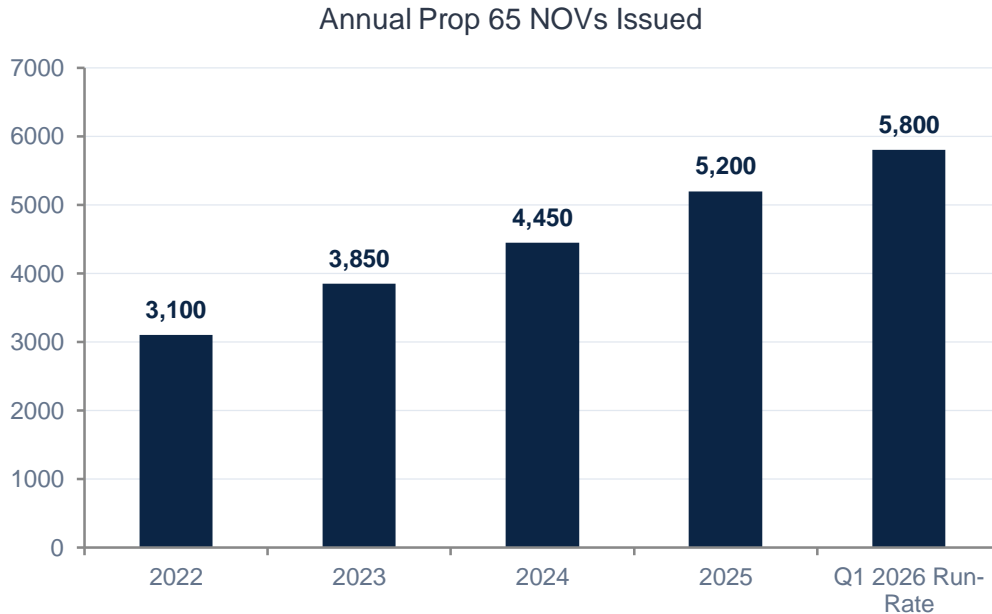
Documentation Is Your Defense

Aflatoxin screens, storage data, lot testing, supplier audits — the only evidence that holds up in court.

W H Y

Prop 65 Enforcement Trends (2024–2026)

Enforcement is accelerating — not slowing down.



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

~64%

Food & Supplements

Largest single category of Prop 65 enforcement in Q1 2026 — record share.

~\$98M

2026 Settlements

Record enforcement activity — majority paid to attorneys.

Aflatoxin

Active NOV Target

April 2026 NOV against peanut-oil products cited aflatoxin exposure — mycotoxin category stays enforceable.

WHY

Three Risk Vectors

Each vector has its own chemistry, source, and current regulatory status.

ACTIVE ENFORCEMENT

Aflatoxin B1

Mycotoxin

SOURCE

Aspergillus mold during warm/humid storage

April 2026 NOV confirmed this as live enforcement. FDA action level 20 ppb; Prop 65 NSRL far lower.

LIVE BASELINE

Lead & Cadmium

Heavy Metals

SOURCE

Soil bioaccumulation through peanut roots

MADL Pb 0.5 µg/day; Cd 4.1 µg/day. Variance by origin, field rotation, and harvest year.

ENJOINED (MAY 2025)

Acrylamide

Maillard Product

SOURCE

Forms during roasting from asparagine + sugars

CalChamber v. Bonta permanent injunction — warnings now barred. Testing still valuable for documentation.

Acrylamide relief is real — but aflatoxin and heavy-metal risk stays, and packaging adds PFAS & BPA exposure separately.

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

Plaintiff's attorney files with the AG. Brand owner, private-label operator, and retailer all exposed.



Settlement Exposure

Aflatoxin & heavy-metal settlements in food \$25K–\$200K+ per SKU. Mass retail reach multiplies SKUs.



Mass Retail Delisting

Costco, Target, Walmart, Kroger require documented compliance. A single NOV can trigger buyer-initiated holds.



Kids' Formats Face AB 899

Kids' peanut butter SKUs also fall under California AB 899 baby food testing & disclosure (effective Jan 2025).

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.*

*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**



**Heavy Metal
Test Oversight**



**Exposure
Evaluation**



**Compliance
Determination**



**Warning Label
Strategy**



**Supplier
Compliance Program**



**Documentation
System**



**Ongoing
Monitoring**

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

WHAT

Core Technical Components

The compliance stack underneath every determination we issue.



Aflatoxin Testing (HPLC / LC-MS/MS)

AOAC 991.31 or 2005.08 methods for aflatoxin B1, B2, G1, G2. ISO 17025 labs — per lot, finished product & raw material.



Heavy Metal Testing (ICP-MS)

Pb (MADL 0.5 µg/day), Cd (MADL 4.1 µg/day), As at ISO 17025 labs — documented per-serving exposure math.



Storage & Mycotoxin Control

Temperature & humidity monitoring at every storage node. Mold risk is preventable; documentation stops recurrence.



Origin & Crop-Year Tracking

Georgia, Texas, Virginia, Argentina, India, China — aflatoxin risk varies dramatically by origin and harvest year.



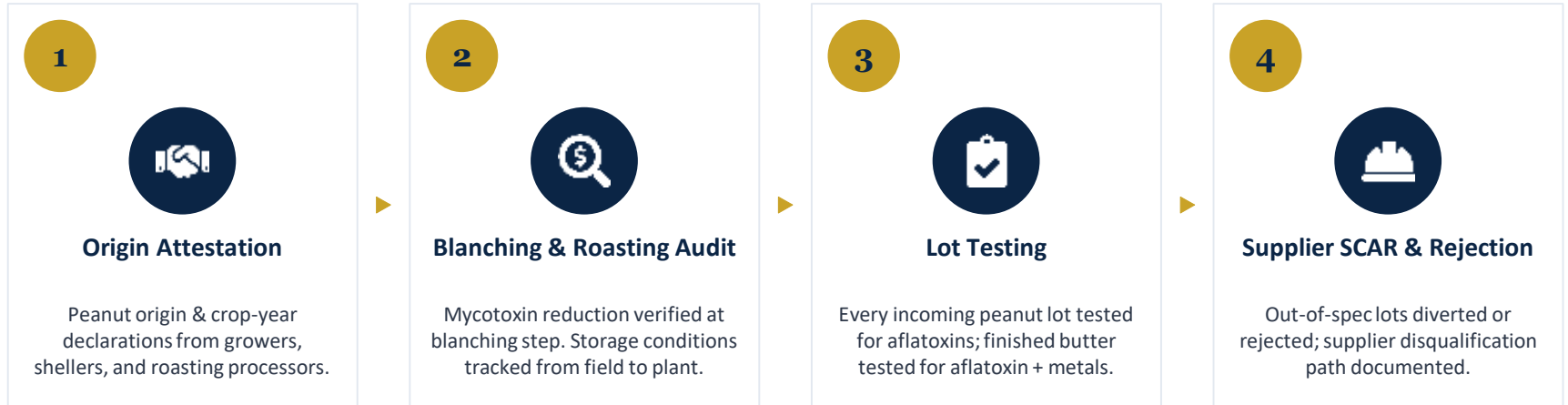
AB 899 Kids' Format Compliance

California's AB 899 requires baby food testing & disclosure. Kids' peanut butter SKUs inherit this parallel burden.

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.

Build once. Use forever.

Example:

ARTIFACT (you pay)

Testing Program

One document defining how all peanut origin data, aflatoxin testing, heavy metal screening, and AB 899 evaluations are recorded.

↓ Generates unlimited ↓

RECORDS (no added cost)

Unlimited Batch Test Results

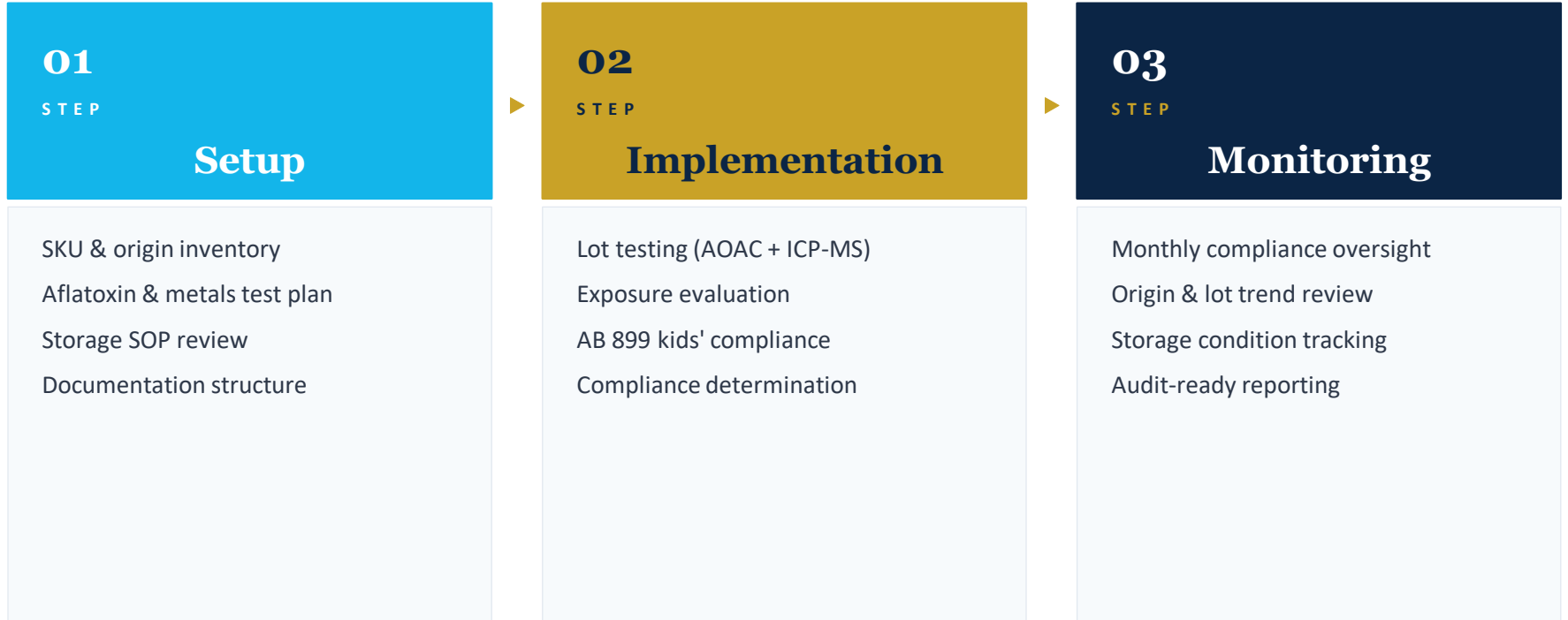
Every lot tested fills out the same framework — no new artifact needed.

→ *Scalable, predictable, cost-efficient.*

HOW

How It Works

A three-phase program. Setup once. Monitor continuously.



PRICING

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 & peanut origin risk assessment
- ✓ Aflatoxin & heavy metal testing plan
- ✓ Storage SOP & mycotoxin control review
- ✓ AB 899 kids' format framework
- ✓ Supplier documentation protocols

PRICING

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 SKU

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 (0.5 µg/day lead)
- 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

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.



ACTIVE ENFORCEMENT

Aflatoxin NOV (April 2026)

Peanut-oil products cited for aflatoxin exposure via ingestion. Mycotoxin enforcement is live and on point for peanut butter.



ROASTED + BIOACCUMULATIVE

Heavy Metals Baseline

Peanuts as legumes concentrate soil Pb and Cd. MADL 0.5 µg/day (Pb) and 4.1 µg/day (Cd) stay fully enforceable.



PARALLEL REGULATORY BURDEN

AB 899 Kids' Formats

Kids' peanut butter SKUs inherit California's AB 899 baby food testing & disclosure requirements (effective Jan 2025).



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 • SystemsBuilder.pro