

December 16, 2024

Dear Valued Supplier Partner,

The Safe Drinking Water & Toxic Enforcement Act of 1986, also known as, **Proposition 65 (Prop 65)** is a California law that has been in effect since 1986 to promote clean drinking water and keep toxic substances that cause cancer and birth defects out of consumer products. Proposition 65 requires the State of California to publish a list of chemicals known to cause cancer or birth defects or other reproductive harm. This list, consisting of a wide range of naturally occurring and synthetic chemicals known to cause cancer or birth defects or other reproductive harm is updated at least once a year and has grown to include more than 1,000 chemicals since it was first published in 1987.

**Prop 65 law** requires that anyone at reasonable risk of exposure to be informed when substances classified as toxins are present. Proposition 65 enables Californians to make informed decisions about protecting themselves from exposure to these chemicals. It also prohibits California businesses from knowingly discharging significant amounts of listed chemicals into sources of drinking water.

**California's Office of Environmental Health Hazard Assessment (OEHHA) adopted new regulations (operative on August 30, 2018) that modify labeling requirements for the content and format of warnings to gain safe-harbor protection.** Any company that manufactures, distributes, or sells any product that contains any one of the approximately 1,000 listed chemicals known to the State of California to cause cancer or reproductive toxicity and requires Prop65 warning labels will be required to modify the content of the label to include the word "WARNING" in all capital letters and bold print and further require that a symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline precede the warning. The new regulations further specify different safe-harbor warnings for products that contain only carcinogens, only reproductive toxicants, both listed carcinogens and listed reproductive toxicants, or a listed chemical that is both a carcinogen and reproductive toxicant.

The new safe-harbor warning for exposure to a chemical that is listed as both a carcinogen and a reproductive toxicant must now state:



**WARNING:** This product can expose you to chemicals including **[name of one or more chemicals]**, which is [are] known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

The new regulations will ultimately require companies to review the listed chemicals present in a product and provide a particular warning based on the listed chemicals and the method of transmission in order to comply with the safe-harbor provisions. The requirement to disclose the name of at least one Proposition 65 chemical in the warning language may trouble many companies, who may fear adverse consumer response to the disclosure. This concern is magnified for companies outside California, where this type of warning is rarely seen and is more likely to deter consumers.

The new regulations provide alternative safe-harbor language for warnings that are placed directly on a product or a product's immediate packaging. For an on-product warning, the new regulations shorten the above warning to:



**WARNING:** **[name of one or more chemicals]** - Cancer and Reproductive Harm  
- [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

alphabroder is committed to providing quality, safe products to its customers. As a condition of conducting business with alphabroder, we request that our supplier partners comply with the Prop65 law and disclose any SKU's that may be of potential chemical risk or will require a clear and reasonable permanent written, printed, or graphic safe harbor" warning label to or accompanying the product.

**Please list below only the SKU number(s) of those items which require Safe Harbor Warning Label. THE INFORMATION BELOW MUST BE STYLE SPECIFIC. DO NOT provide information at the brand level as we require style information to update our website at the style level.**

Brand Name	Supplier SKU Number	alphabroder SKU Number	Item Description	Safe Harbor Warning Label Type (Long or Short)*	Chemical Requiring The Warning (if short version is used)
Berne	FRHJ01	NA	FR Duck Hooded Jacket	Long	Formaldehyde
Berne	FRK11	NA	Fr Crew Neck Pocket Tee	Long	Formaldehyde
Berne	FRSH10	NA	Fr Button Down LS	Long	Formaldehyde
Berne	FRSZ19	NA	FR Hooded Sweatshirt	Long	Formaldehyde
Berne	FRP07	NA	FR Denim Jean	Long	Formaldehyde
Berne	FRP14	NA	FR Ripstop jean	Long	Formaldehyde
Berne	FRB05	NA	FR Insulated Bib	Long	Formaldehyde
Berne	FRB23	NA	FR Unlined bib	Long	Formaldehyde

If Warning Label IS NOT Required on any of your items, please briefly indicate how your organization ensures product complies with Prop65 Regulations (i.e. 3rd party testing, etc.).

3<sup>rd</sup> Party testing

**\* Please scan a picture of the label being used for each style which require Safe Harbor Warning Label (Long or Short).**

**INSERT [COMPANY LETTERHEAD]**

Date: 1/9/2025

Complete by: John Nussbaum  
(please print)

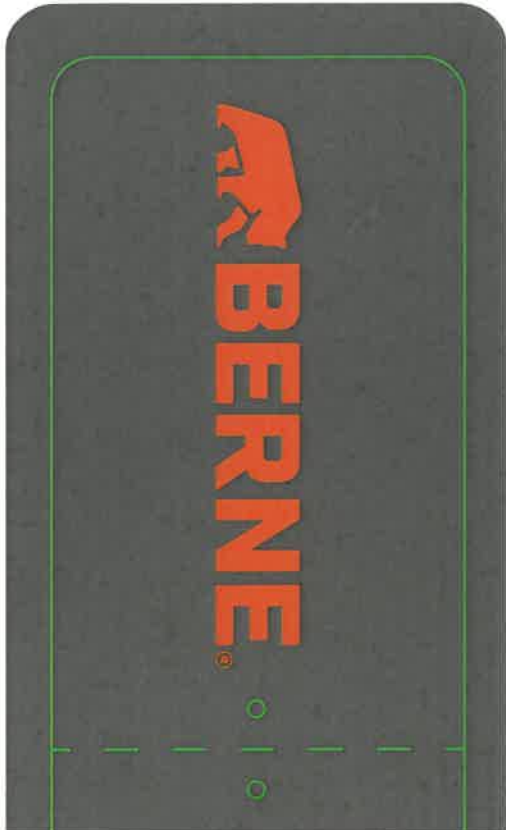
Title: President/CEO

Signature:  \_\_\_\_\_

Email Address: compliance@berneapparel.com

**If you have any questions regarding the above please contact the alphabroder Corporate Compliance Department by email @ [compliance@alphabroder.com](mailto:compliance@alphabroder.com).**

**Berne Apparel**  
**Part # 18.1905.104**  
**2.25" x 7.9472"**  
**120 lb. White Cover Stock, Satin Coating**



Trim Line

Fold Line

Hole Punch



**Prop. 65 Warning for California Residents**

WARNING: This product can expose you to chemicals including formaldehyde, which is known to the State of California to cause cancer. For more information, go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).



Meets the requirements of ASTM F1506, NFPA 70E, NFPA 2112.



**Insulated High Back**  
Warmth where it counts.



**Adjustable Elasticized Bib Straps**  
Custom fit, optimal comfort.



**Heavy Duty Brass Zipper**  
Tough and durable two-way zipper.



**Multiple Pockets**  
Two chest pockets, two inside chest pockets, front pockets, back pockets and utility pocket.



**Pantone 165 C**



**Pantone 447 C**



**LET'S GET TO WORK.**

[berneapparel.com](http://berneapparel.com)

18.1905.104

**FLAME RESISTANT**

