

California Proposition 65 Requirements

On December 18, 2009, wood dust was added to the California Proposition 65 list as a substance known to the State of California to cause cancer. Wood products could expose individuals to wood dust when products are drilled, sawed, sanded, machined, or otherwise handled in a manner that will produce wood dust.

According to the California Health and Safety Code, as of December 18, 2010, no person in the course of doing business in California shall knowingly and intentionally expose individuals to wood dust without first providing a clear and reasonable warning. The warning requirement applies to any person employing ten or more employees who manufactures, distributes, or otherwise transfers a wood product into the stream of commerce in California.

As a manufacturer of wood products, Western Timber is required to provide all of California customers with the following warning:

WARNING: Drilling, sawing, sanding or machining wood products generates wood dust, a substance known to the State of California to cause cancer.

If you are a retailer or distributor of wood products doing business in California, you are also required to comply with the Proposition 65 warning requirements.

Distributor Requirements

If you are a distributor, you must provide a clear and reasonable warning to your retail customers along with a letter explaining the obligations of Proposition 65 and must make reasonable efforts to ensure that retailers are properly posting the warning sign. The warning sign and sample letter are available at <http://www.westerntimber.com/warnings.php>.

If you have customers that order products via the internet or by phone, you are required to provide the Proposition 65 warning in an appropriate matter. You may include the language below on your invoice, shipping papers, or other documents that will be received by your customer. You must also provide them with a sample warning sign and a letter explaining their Proposition 65 obligations.

According to California Health and Safety Code, as of December 18, 2010, by purchasing this product, you have a duty to inform your customers that they must provide a clear and reasonable warning to any customer who purchases wood products, and you must take reasonable steps to ensure that the warning sign is properly posted at the retail outlet, if applicable. The following warning should be posted at the points of sale or display of the wood products in California so it will be seen by the purchaser:

WARNING: Drilling, sawing, sanding, or machining wood products generates wood dust, a substance known to the State of California to cause cancer.

A copy of the ready-to-post warning sign has been previously provided. If you are a distributor, you must also notify the retailers of the wood products of the Proposition 65 warning requirements and confirm that they will provide the warning as required by law. A sample letter has been previously provided.

As a distributor, you must also take reasonable steps to ensure retail customers are properly providing

the warning the ultimate purchaser of the wood products. Distributors should request confirmation from their retail customers that they are complying with the Proposition 65 requirements.

Retailer Requirements

If you are a retailer, you are required to post a warning sign. The warning sign should be displayed at the point of sale or posted at the display of the wood products so it will be seen by the purchaser.

A copy of a ready-to-post warning sign is available at <http://www.westerntimber.com/warnings.php>.

If you have customers that order products via the internet or by phone, you are required to provide the Proposition 65 warning in an appropriate matter. You may include the language below on your invoice, shipping papers, or other documents that will be received by your customer.

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