



ASWPENGG

Partners in Wire Excellence

11/9/18

Re: New Prop 65 Warning Label Requirements Effective August 30, 2018

To our customers:

The ASWPeng, LLC (ASWPeng) is supplied steel rod from several vendors. The chemical and physical properties described in the Safety Data Sheets (SDS) provided, to ASWPeng, by these vendors are representative for all the steel rod used by ASWPeng. ASWPeng has been contacted by certain vendors to confirm that the steel supplied to ASWPeng contains listed chemicals under The California Safe Drinking Water and Toxic Enforcement Act, commonly known as Proposition 65 (Prop 65).

The California Office of Environmental Health Hazard Assessment has recently made changes to Prop 65 warning requirements. By no later than August 30, 2018, consumer product exposure warnings must include, the name of one or more chemicals to which a consumer may be exposed, which are known to the State of California to cause cancer, birth defects or other reproductive harm, or both. Prop 65 regulations place primary responsibility for providing Prop 65 warnings on manufacturers, suppliers, distributors, and retailers. Under the new regulations, ASWPeng is therefore required to give notice regarding Prop 65 warnings for its products to its customers including distributors, who in turn are required to notify their customers, including retailers, of any obligations to give Prop 65 warnings to ultimate purchasers.

Therefore, all ASWPeng products may result in an exposure to Prop 65 listed chemicals.

The following warning applies to all ASWPeng products:

⚠ WARNING: This product can expose you to chemicals including Nickel, Chrome, and Lead, which is known to the State of California to cause cancer. For more information, go to www.P65Warnings.ca.gov.

The information in this document was obtained from sources which we believe are reliable; however, the information is provided without any representation or warranty, expressed or implied, regarding the accuracy or correctness. The conditions or methods of handling, storage, use and disposal of the product are beyond our control and may be beyond our knowledge. For this and other reasons, we do not assume responsibility and expressly disclaim liability for loss, damage, or expense arising out of or in any way connected with the handling, storage, use, or disposal of this product.

If you have any questions concerning ASWPeng's compliance the Prop 65 program, please contact your ASWPeng representative for assistance.



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The purpose of the document is to obtain acknowledgment of our customers obligations pursuant to Prop 65 for selling ASWPengG products, as such products may ultimately be further processed, and sold via retail stores, online, or other sales channels into California. If a customer resells, in any form or manner, any ASWPengG product, including if it repackages such products or sells such products in portions smaller than those shipped to the customer. The customer must ensure all products sold contain the above warning or the warning is otherwise provided to their customers in a manner compliant with Prop 65. Also, if a customer sells ASWPengG products via websites and/or catalogs, the above warning must be included in the product listing in a manner that “clearly associates it with the item being purchased” and displayed prior to the purchaser finalizing a purchase.

Renewed Notice – As part of ASWPengGs continuing obligations under Prop 65, we will send renewal notices, and again request confirmation that you are aware of your Prop 65 obligations. The next notice will be sent by February 1, 2019, and then annually thereafter.

A party’s Failure to provide a Prop 65 warning to its customers may result in legal liability and/or being subject to excessive fines.

I confirm I have read and understand the information concerning the new California Proposition 65 warning requirements as of Aug 30, 2018, and I am authorized to confirm our compliance to the extent that Proposition 65 warning notices apply to my company.

Date: _____

Company Name: _____

Your Name Printed: _____

Title: _____

Signature: _____

Please return by 12/3/2018 to:
Charlie White: ASWPengG Environmental, Health, and Safety Manager
26300 Miles Road
Bedford Heights, OH 44146
Email (preferred): cwhite@aswpengg.com