



GOVERNMENT & REGULATORY AFFAIRS UPDATE

The Vision Council

June 14, 2021

Proposition 65

- > Consumer product exposure warning:
 - > “ **WARNING: This product can expose you to chemicals including [name of one or more chemicals] which are known to the State of California to cause cancer [or birth defects or reproductive harm] For more information go to www.P65Warnings.ca.gov.**”
 - > “ **WARNING: Cancer [or birth defects or reproductive harm] - www.P65Warnings.ca.gov.**”

Proposition 65

- > Possible Changes to the short form warning:
 - > ⚠ WARNING Cancer *[or birth defects or reproductive harm]* Risk from *[Name of one or more chemicals know to cause cancer/birth defects/repro harm]* Exposure – www.P65Warnings.ca.gov.
- > Limit use of short form label
 - > Total surface area of product label is 5 square inches or less and
 - > The package size/shape cannot accommodate long form warning

Proposition 65

- > TVC signed onto a Cal Chamber letter opposing proposed changes**
- > Waiting for final state action**
- > Won't apply to goods with existing warnings**
- > Won't become mandatory for 1 year from adoption date**

Trade and Supply Chain Issues

- > **China 301 duties to remain for the near future**
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 - > **Plan on continuing to pay these duties**
 - > **Ongoing lawsuit over China 301 Tranche 3 and 4 duties**
 - > **Need to file protective case for possible refunds**
- > **Section 232 duties to remain for the near future**
 - > **Cover steel and aluminum and some derivative products**
 - > **Relief likely for EU based products**
 - > **Will likely remain for non-EU products**

Other TVC Issues

- > **Other chemical substance issues.**
 - > **Worked with American Chemistry Council to understand proposed Canadian ban of single use plastic items**
 - > **Joined coalition in opposing listing plastics as toxic substance**
 - > **EPA final rules on persistent, bio-accumulative and toxic substances**
 - > **PIP 3:1 – plasticizer and flame retardant.**
- > **UDI on target for roll out in Sept 2022. Get ready**
 - > **Guidance document relevant to Class I devices scheduled to be released in 2021**