

# CALIFORNIA'S PROPOSITION 65

All Genesco vendors are required to provide products that fully comply with California's Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as "Proposition 65."

All Genesco vendors, both Domestic and First Cost, must test for lead and listed chemicals and provide documents evidencing compliance with Proposition 65 requirements prior to sale or shipment.

All Genesco vendors must immediately notify Genesco at [vendorcompliance@genesco.com](mailto:vendorcompliance@genesco.com) in the event any potentially non-compliant product is identified.

The following is not legal advice, and vendors should consult legal counsel if they have questions regarding their legal obligations. Listed below are some of the basic requirements of Proposition 65 that are especially pertinent to the types of products supplied to Genesco.<sup>1</sup>

## **Proposition 65 Warning Requirements**

The state of California has published a detailed list of hundreds of carcinogenic chemicals that are known by the state to cause cancer, birth defects or other reproductive harm. The list includes industrial chemicals, additives, and ingredients found in many products, including dyes, jewelry, solvents etc. A list of the Proposition 65 chemicals, current as of September 2, 2011, is available online at: [http://www.oehha.ca.gov/prop65/prop65\\_list/Newlist.html](http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html)

Proposition 65 requires that companies provide specific written warnings that are "clear and reasonable" on products that contain listed chemicals in excess of specified "safe harbor" limits. These warnings can be provided on product labels and must be provided prior to exposing potential consumers and offering the items for sale in California. An example of a Proposition 65 warning is: "WARNING: This product contains a chemical known to the State of California to cause cancer," and "WARNING: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm." Failure to comply with Proposition 65's requirements can result in significant civil penalties.

As a Genesco vendor, you are obligated to identify whether your product contains any of the listed chemicals and to test each product prior to sale or shipment to determine whether a Proposition 65 warning is required. You must provide evidence of testing and compliance to Genesco prior to shipment. Genesco will not accept products that are not labeled in accordance with Proposition 65's requirements and may request evidence of testing and compliance prior to purchasing or accepting shipment of any product.

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<sup>1</sup> Proposition 65 also prohibits discharge of listed chemicals into sources of drinking water, and these regulations are not addressed here.

All Genesco vendors, both Domestic and First cost should follow the lead content standards below:

**LEAD CONTENT STANDARDS**

Any merchandise sold to Genesco Inc. shall comply with the following lead content standards, as and when applicable:

- Standards for Footwear and Belts

<b>Accessible Component</b>	<b>Maximum Lead Level (Parts Per Million)</b>	<b>Compliance Date</b>
<b>Paint or Other Surface Coatings</b>	90	Current
<b>Leather</b>	600 300	Current December 1, 2011
<b>PVC</b>	300 200	Current December 1, 2011
<b>All other components (other than cubic zirconia, crystal, glass, or rhinestones)</b>	300	Current

- Standard for Handbags, Wallets, Purses, Clutches, and Totes, effective currently: 200 parts per million in any accessible component.

“Accessible components” are parts that could be touched by a person during normal and reasonably foreseeable use or misuse.

Compliance with specified limits will be determined pursuant to Environmental Protection Agency testing methodologies 3050B and 6010B for lead, or pursuant to equivalent methods allowed under the California Safe Drinking Water and Toxic Enforcement Act.