

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, ensuring compliance with Proposition 65 requirements prior to sale or shipment.

All Genesco vendors must immediately notify Genesco at 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.¹

Proposition 65 Warning Requirements

The state of California has published a detailed list of hundreds of chemicals that are known by the state to cause cancer, birth defects or other reproductive harm at a sufficient dose. 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 February 8, 2013, is available online at: 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. 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.

¹ 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 (Excluding Children’s Products)²

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

1. Standards for Footwear and Belts (excluding children’s products):

Accessible Component	Maximum Lead Level (Parts Per Million)
Paint or Other Surface Coatings	90
Leather	300
PVC	200
All other components (other than cubic zirconia, crystal, glass, or rhinestones)	300

2. Standard for Handbags, Wallets, Purses, Clutches, and Totes (excluding children’s products): 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 are to 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.

² These test standards are required by agreement in California, but merchandise might also be subject to stricter standards under federal statutes and regulations. For example, any children’s product (intended primarily for use by children age 12 or younger) is subject to the Consumer Product Safety Act and related regulations, which limit permissible lead levels to 90 parts per million in surface coatings and 100 parts per million in total lead content. Where applicable, Genesco vendors must certify compliance to these standards through testing by an accredited third-party laboratory.