



EAGLE MANUFACTURING COMPANY
Protecting People, Property & the Planet

Valued Eagle Distributor:

15 June 2018


As a recognized authorized Eagle distributor, this correspondence provides notice pursuant to California Health and Safety Code section 25249.5 et seq. ("Prop 65") and one of its enabling regulations at 27 CCR § 25600.2(b) (effective 30 August 2018). California law requires any company to declare if their products contain certain substances, as so listed on <https://oehha.ca.gov/proposition-65/proposition-65-list> and those products are sold in California.

The products indicated in the attached listing with Eagle's SKU number and description require a Prop 65 warning for any sales into California. This listing can also be accessed by visiting our website at www.eagle-mfg.com to view updated affected products. (Look for the Prop 65 tab)

Eagle will provide the necessary warning on the product labels, on its website, and in all future printed publications. Distributors are expected to convey identical warning language in their printed literature as well.

Since Eagle will be labeling its products, this will satisfy the requirements of Prop 65 for any sales in Californian brick-and-mortar stores.

For Eagle distributors who sell online, the warning language for products sold must be shown to the online consumer prior to completing the purchase, and should also be provided on the product display page with a clearly marked hyperlink using the word "WARNING," or by otherwise prominently displaying the warning to the purchaser prior to completing the purchase, e.g.:

 **WARNING:** This product can expose you to chemicals including _____ [e.g. lead], which is known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

As a condition of distributing Eagle's products to retail sellers:

- a. The distributor acknowledges that it is an authorized agent, for purpose of complying with Prop 65, of any retail seller to whom it distributes Eagle's products. Under the Prop 65 regulations, this means that the distributor is authorized by the retailer seller(s) to receive Prop 65 notices from manufacturers.
- b. The distributor agrees to provide Eagle's Prop 65 notice to any retail seller that is allowed to sell Eagle's products.
- c. The distributor agrees to indemnify and hold harmless Eagle for any liability if the distributor fails to provide the Prop 65 notice (which is provided by this notice) to an authorized retail seller, and distributor also indemnifies Eagle if the retail seller fails to provide the notice.

EAGLE REQUIRES YOUR CONFIRMATION OF RECEIPT of this notice either electronically, by emailing your response to the following questions to Prop65@eagle-mfg.com, or in writing, by returning the enclosed postcard completed with your response, company name and email address included. If Eagle does not receive confirmation, we will be unable to ship products to you after the effective date, 30 August 2018.

For an email response, please respond to Prop65@eagle-mfg.com with one of the following responses:

YES I agree that I have read and understand this Prop 65 notice.

Or,

NO I do not sell into California, but understand if I do, then I must agree to provide Eagle's Prop 65 notice to any retail seller that sells Eagle's products.

IMPT: Please include your company name, your name and title, and your email address in the email.

For a written response, please fill out the enclosed postcard with your response noted, including company name, your name and title, date of signature, and your email address, and place in the mail for return to Eagle.

If you have specific questions concerning this notice, please call Eagle at 304-737-3171 and request to speak with Scott Trimmer, one of our compliance engineers.

For further questions concerning Prop 65, refer to:

<https://oehha.ca.gov/proposition-65/law/proposition-65-law-and-regulations>
For any additional questions, contact us at prop65@eagle-mfg.com

Sincerely,

Eagle Manufacturing Company
A Justrite Safety Group Company