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PROPOSITION 65 LEGISLATIVE ALERT – INDUSTRY CALL TO ACTION **PPAI Webinar Addresses Federal Legislation to Curtail Prop 65**

Irving, Texas, (August 2, 2006) Promotional Products Association International (PPAI) will conduct a free webinar on August 16, 2006, at 10 am CDT to update all industry practitioners about new legislative opportunities to preempt Proposition 65 and address the current prohibition on the sale and distribution of certain promotional products in California.

The U.S. Senate is currently debating a bill that will provide Federal guidelines and stop enforcement for some limited products and purposes of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, approved by California voters in 1986. The initial purpose of Proposition 65 was to protect California citizens and the state's drinking water sources from chemicals known to cause cancer, birth defects or other reproductive harm, and to inform citizens about exposures to such chemicals. However, the "significant risk level" as determined by the state of California is often so low the effects of Prop 65 are significantly more far-reaching than most Californians likely imagined at the time of passage.

"Congress needs to step in and take control of the safety and health regulation chaos of decorated products, such as glassware and ceramics products associated with food," said Steve Slagle, CAE, PPAI president. "Specifically, we call on the Senate to pass S. 3128, the National Uniformity For Food Act. The Senate will return from recess in September, and we urge all U.S.-based members of the promotional products industry to immediately urge their Senators to support this legislation."

To join the 60-minute PPAI webinar, please [click here](#).

To date, distributors conducting business in California have been threatened with penalties, forced to refuse shipments of products and have lost business because their clients refuse to accept products that may be in violation of the law. Additionally, suppliers, particularly those that manufacture ceramic and glassware products, have forfeited thousands of dollars in lost business and have been forced to comply with state guidelines and specifications, much more restrictive than other states or those of the Federal government.

The impact of Proposition 65 is not limited to California, but is a national problem. Even when the entire distribution chain is based outside of California, if even one promotional item ships to California, all involved, suppliers, promotional consultants and end users, are potentially liable under the terms of Prop 65.

Slagle continued, “The need for a federal preemption has becoming increasingly apparent as implementation of California’s Proposition 65 has spiraled out of control. While this law has been on California’s books for a number of years, private sector enforcement has become more aggressive. Private sector individuals are attacking mid and small-sized businesses in our industry. It is sad to note there apparently is enough of a financial incentive in just recovering a portion of the penalties and attorneys’ fees that some of these private sector ‘enforcers’ feel it is worth their while to pursue these actions.”

“While S. 3128 is not a solution for everyone, it does address one of the most immediate and pressing problems, providing a federal mechanism that overrides the California Proposition 65 approach to regulating products that come in contact with food. And as some in our industry have learned, it is not just a California-based distributor or supplier problem or simply a problem for suppliers. Distributors throughout the country have been notified of potential violations, and several have been threatened with penalties or had to settle disputes in court.”

In preparation for the webinar, members may learn more about Proposition 65, the House and Senate legislation that offers to preempt Prop 65, and a comprehensive article, “Indecent Proposition,” published in the May 2006 issue of *PPB* by [clicking here](#).

For more information about Promotional Products Association International (PPAI), visit the PPAI website at www.ppa.org or contact PPAI at 972-258-3041 or PR@ppa.org.

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PPAI—the promotional products industry’s only international not-for-profit trade association—offers education, tradeshow, business products and services, mentoring, technology and legislative support to its more than 7,500 global members. Promotional products are an \$18 billion industry and include wearables, writing instruments, calendars, drinkware and many other items, usually imprinted with a company’s name, logo or message. PPAI created and maintains the UPIC (Universal Promotional Identification Code), the industry’s only free identification system and universal company database.