

October 5, 2018

Subject: Annual California “Proposition 65” Letter to Crystal Retailers

Dear ICF Member,

We have enclosed the **October 5, 2018 “Letter to Crystal Sellers”** and a copy of the current “Proposition 65” Crystal Warning Signs for you to distribute to your retailers, distributors and agents who offer leaded crystal products for sale in the State of California. ***This mailing is a reminder to send the attached materials to your customers as required by the “crystal industry” consent judgments - if you have not already done so this year.***

Please remember to include direct sellers, internet retailers, “B2B” companies, premium & incentive companies and other “non-traditional” retailers/distributors when you create your distribution list. Anyone who offers leaded crystal products for sale or delivery to California residents (in the state of California) must comply with the “Proposition 65” warning requirements – even if their business is physically located in another state or country.

Robert Falk, ICF Legal Counsel, on the importance of the annual “Proposition 65” mailing:

“As Legal Counsel to the ICF, I want to underscore the importance of providing the attached Proposition 65 Warning Program information to all your crystal distributors and retail accounts which may put products into the California market, including by internet or mail order. Not only is the distribution of these materials to them important to help protect you from indemnification claims in the event they fail to properly execute the Proposition 65 Warning Program on lead crystal goods you supply them, provision of such an “annual reminder” is your company’s legal obligation under the modified Mangini Consent Judgment (Proposition 65 Lead Crystal). Hence, the failure to execute it diligently could result in loss of the protection that the Mangini Judgment provides and make your company directly vulnerable to the Proposition 65 bounty hunters.” “For this and other reasons, I strongly recommend that you keep a written record of your execution of the annual reminder obligation, including a copy of your transmittal letter and a list of the names and addresses of the distributors and retail accounts to which you send the annual “Proposition 65” mailing.”

We also recommend that you include a “return address” on all of your mailing envelopes so you know who received the mailing. Any returned mail should be rerouted to the correct person/address as soon as it is received. If you have any questions concerning the annual mailing or the “Proposition 65” warning requirements, please contact me directly.

Thank you,

Tim F. Maher  
Vice Chairman and Treasurer, International Crystal Federation

Enclosures: October 5, 2018 Letter to “Companies Selling Lead Crystal Products in the State of California” and Proposition 65 Crystal Warning Signs (2 sizes)