



Western Wood Products Association

522 SW Fifth Avenue Suite 500 Portland Oregon 97204
503-224-3930 fax: 503-224-3934

www.wwpa.org

November 22, 2010

«FirstName» «LastName»
«Title»
«CustomerName»
«Address1»
«Address2»
«City», «State» «Zip»

IMPORTANT NOTICE – RESPONSE REQUIRED **California Proposition 65 Requirements for Wood Dust Warnings to Consumers**

On December 18, 2009, wood dust was added to the list under California Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, as a substance known to the State of California to cause cancer. Individuals may be exposed to wood dust when wood products are drilled, sawed, sanded, machined, or otherwise handled in a manner that will produce wood dust.

According to California Health and Safety Code Section 25249.6, as of December 18, 2010 no person in the course of doing business shall knowingly and intentionally expose an individual to wood dust without first providing a clear and reasonable warning. The warning requirement applies to any person employing 10 or more employees who manufactures, produces, sells, distributes, or otherwise transfers a wood product into the stream of commerce in California.

The California Attorney General's Office has indicated that distributors of wood products have a duty to inform their retail customers of the warning requirement and to take reasonable steps to ensure their retail customers are properly providing the warning to the ultimate purchaser of the wood products at retail outlets. Representatives of the California Attorney General's Office have stated that the following warning, if properly displayed at the retail outlet satisfies the clear and reasonable warning requirement of the statute:

WARNING: Drilling, sawing, sanding or machining wood products generates wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection.

This warning should be displayed at the retail point of sale or display of the wood products so it will be seen by the purchaser of the wood products.

A copy of the ready-to-post warning sign is included. Additional copies are available from the Lumber Association of California & Nevada (e-mail: info@lumberassociation.org, phone: 916/235-7490).

To comply with your duties under Proposition 65, you must provide a copy of the warning sign along with an explanatory letter to all of your retail customers in California to inform them of their duties under Proposition 65, and you must make reasonable efforts to ensure that retailers are properly posting the warning sign. For that purpose, you are advised to send a letter to your retail customers in California to inform them of their duties under the statute.

An individual in a position of authority within your company should confirm receipt of these warning materials using and acknowledge your company's duty to provide the Proposition 65 warning stated above. WWPA, on behalf of the participating mills and others shown on the attached list, is collecting the required responses from companies such as yours.

Your response to WWPA will cover multiple mills and companies, helping you minimize duplication in meeting your responsibilities under Proposition 65.

Please complete and return the attached form by fax (503-224-3935) or by postal mail. You may also confirm receipt of the wood dust warning materials online by completing the form at www.wwpaprop65.com. When filling out the online form, please enter company name as shown on the first page of this letter.

If we do not hear from you within 21 days from the date of this letter, we will call you to follow up on this reply request.

The Attorney General's Office has advised the Proposition 65 warning materials and confirmations must be done on an annual basis.

You may also choose to include a warning on any invoices for wood products as additional warning to your customer. If you choose to provide the optional warning in an invoice, the following warning language can be used:

According to California Health and Safety Code Section 25249.6, as of December 18, 2010, by purchasing this product you have a duty to inform your retail customers that they must provide a clear and reasonable warning to any customer who purchases wood products, and you must take reasonable steps to ensure that the warning is properly posted at the retail outlet. The following warning should be posted at points of sale or points of display of the wood products in California retail outlets so it will be seen by the ultimate purchaser of the wood products:

WARNING: Drilling, sawing, sanding or machining wood products generates wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection.

Should you have any questions, please contact Butch Bernhardt (503-306-3488, e-mail bbernhardt@wwpa.org), or Frank Stewart (503-306-3473, e-mail fstewart@wwpa.org) at WWPA.

Sincerely,

WESTERN WOOD PRODUCTS ASSOCIATION

Acknowledgement

Receipt of California Proposition 65 Wood Dust Warning Materials

I confirm that I have received materials indicating my duty to communicate to all persons purchasing wood products that drilling, sawing, sanding or machining wood products generates wood dust, a substance known to the State of California to cause cancer, as specified under California Proposition 65. Our company will comply with the California Proposition 65 requirements as outlined in the materials received.

Opt out:

I affirm that our company does not sell wood products to companies or retailers who may in turn sell these products in California retail locations and are exempt from the California Proposition 65 warning requirements.

«CustomerName»

«Address1»

«Address2»

«City», «State» «Zip»

Name: _____

Title: _____

(A person of authority at your company must provide confirmation of receiving these warning materials. This could include the company owner, president, vice president, director, supervisor or manager who has management authority to forward or post the wood dust warnings. By completing this form, you attest that you meet this requirement.)

Company: _____

Address: _____

City: _____ State: _____ Zip code: _____

Phone: _____ Fax: _____

E-mail: _____

Comments: _____

Thank you for confirming your receipt of warning materials for wood dust. Ready-to-post warning signs for retail locations can be ordered from the Lumber Association of California and Nevada at www.lumberassociation.org.

**Return this form by fax to 503-224-3935
or mail to WWPA, 522 SW Fifth Ave., Suite 500, Portland, OR 97204**

**Save time! Complete your confirmation online at
www.wwpaprop65.com**



Participating Mills and Companies

Wood Dust Warning Notification Program

By submitting your confirmation, you have met your responsibilities under California Proposition 65 for the following mills and companies:

C&D Lumber Company
California Redwood Company
Collins Companies – Collins Pine Company
Columbia Vista Corporation
Forest City Trading Group, Inc.
Hampton Affiliates
Hampton Lumber Mills-Cowlitz Division
Hampton Lumber Mills-Darrington Division
Lausmann Lumber
Malheur Lumber Company
Potlatch Corporation
Rosboro, LLC
Sierra Pacific Industries
Simpson Lumber Company, LLC
Stimson Lumber Company
Swanson Group
Tillamook Lumber Company
Willamina Lumber Company
Yakama Forest Products of the Yakama Indian Nation