



Nielsen-Kellerman
 21 Creek Circle, Boothwyn, PA 19061 USA
 610.447.1555 | www.NKhome.com



California Proposition 65 Warning & Statement

NK Products Covered
Nielsen-Kellerman /NK Sports Meters, Watches, Instruments, Amplifiers, Speakers, and Wiring
Blue Ocean Rugged Megaphones
Kestrel Weather and Environmental Meters
Kestrel DROP Environmental Data Loggers
Kestrel Ballistics Weather Meters and Displays
All Accessories and Replacement parts to the above products



WARNING: Use of the above-listed Nielsen-Kellerman (“NK”) products (the “NK Products”) can expose you to chemicals, including lead and lead compounds, which are known to the State of California to cause cancer and bisphenol A (BPA), and phthalates DINP and/or DEHP, which are known to the State of California to cause birth defects or other reproductive harm.

Can I Trust that the NK Products are Safe Despite this Warning?

In 1986, California voters approved the Safe Drinking Water and Toxic Enforcement Act known as Proposition 65 or Prop 65. The purpose of Proposition 65 is to ensure that people are informed about exposure to chemicals known by the State of California to cause cancer, birth defects and/or other reproductive harm. To comply, businesses are: (1) prohibited from knowingly discharging listed chemicals into sources of drinking water; and (2) required to provide a "clear and reasonable" warning before knowingly and intentionally exposing anyone to a listed chemical. Proposition 65 mandates that the Governor of California maintain and publish a list of chemicals that are known to cause cancer, birth defects and/or other reproductive harm. The list, which must be updated annually, includes over 1,000 chemicals, including many that are commonly used in the electronics industry.

NK certifies that its manufacturing process for the NK Products is “lead-free” and compliant with both RoHS 3 and REACH. However, it remains possible that trace amounts of lead below the RoHS and REACH reporting levels could be found in components or subassemblies of the NK Products. Bisphenol A (BPSA) could conceivably be present in minute amounts in our plastic housings, lenses, labels or adhesives, and DEHP & DINP (phthalates) could possibly be found in PVC wire coatings of our cables, housings, carrying cases, and power cords. Unlike RoHS and REACH, Prop 65 does not establish a specific threshold for reporting on the substances of concern and instead sets forth a standard requiring that the business demonstrate with certainty that there is “no significant risk” resulting from exposure. With respect to carcinogens, the "no significant risk" level is defined as the level which is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. In other words, if you are exposed to the chemical in question at this level every day for 70 years, theoretically, it will increase your chances of getting cancer by no more than 1 case in 100,000 individuals so exposed. With respect to reproductive toxicants, the "no significant risk" level is defined as the level of exposure which, even if multiplied by 1,000, will not produce birth defects or other reproductive harm. In other words, the level of exposure is below the "no observable effect level," divided by 1,000. (The "no observable effect level" is the highest dose level which has not been associated with observable reproductive harm in humans or test animals.) Proposition 65 does not clarify whether exposure is to be measured only in normal operation, or in the event of misuse such as intentionally damaging, incinerating or consuming an NK Product or component and NK has not attempted to evaluate the level of exposure.

A Proposition 65 warning means one of two things: (1) the business has evaluated the exposure and has concluded that it exceeds the "no significant risk level"; or (2) the business has chosen to provide a warning simply based on its knowledge about the presence of a listed chemical without attempting to evaluate the exposure. The California government has itself clarified that "The fact that a product bears a Proposition 65 warning does not mean by itself that the product is unsafe." The government has also explained, "You could think of Proposition 65 more as a 'right to know' law than a pure product safety law." For further information about California’s Proposition 65, please visit <http://oehha.ca.gov/prop65/background/p65plain.html>. **While using the NK Products as intended, we believe any potential exposure would be negligible or well within the “no significant risk” range. However, to ensure compliance with California law and our customers’ right to know, we have elected to place the Proposition 65 warning labels on all NK Products.**

Alix James, President & CEO
 January 1, 2019

