



California Proposition 65 Warning Requirement – Initial Product Notification

Model Affected: Model 783DC, Energy Smart Large Stand Air Circulator

Affected UPC: 0 4376501088 4


Dear Valued Customer:

As you may know, in 1986 California enacted Proposition 65 (“Prop 65”) into California state law, also known as the Safe Drinking Water and Toxic Enforcement Act. This Act requires a warning on products sold in California containing chemicals known to the State of California to cause cancer, birth defects or reproductive harm, unless a defense to the warning requirement applies. A company is entitled to warn even if one of those defenses may apply.

Proposition 65’s warning requirements apply to all companies in the chain of distribution, including suppliers, distributors, and retailers. Amendments to Prop 65, effective August 2018, modified both the manner and the content of the warnings and set forth new requirements for providing safe harbor warnings for online and catalog sales. For further information regarding California’s Prop 65, you may reference <https://oehha.ca.gov/proposition-65/about-proposition-65>.

This letter sets out important information about your obligations for warnings for certain products that you sell or distribute for **online** and **catalog** sales to California residents. Please note that you must provide these warnings **for online and catalog sales even though Vornado is already providing warnings on the product packaging**.


What products are involved: Vornado is providing to you a listing of certain products for which Vornado has decided to include a Prop 65 warning on the product packaging. These products may be under the Vornado®, Vornadobaby®, Steamfast®, McCulloch®, Poulan Pro®, or Sharper Image Home® brands. The list provides the product category, the Vornado product number, and the appropriate warning required. The warning states as follows:

 **WARNING:** This product can expose you to chemicals including 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.

Catalog Sales - A warning provided in a catalog must be “clearly associated” with the item being purchased. Having a warning symbol referring the customer to another page has been deemed



inadequate by the State of California. We recommend that the entire warning be placed on the product display page, close to the product.

Internet Website Sales - A product sold online must include a product-specific warning on the website so that the customer sees it prior to purchase. The online warnings may be provided: (1) on the product's display page, (2) via a single hyperlink using " **WARNING**" on the product display page near the product and linking it to the warning, (3) displayed, with a connection to the product, to the consumer before the purchase is completed (such as having the warning appear in the virtual shopping cart next to the product), or (4) having a pop-up warning appear when the purchaser enters a CA zip code as the shipping address before the purchase is completed, if the product(s) to which the warning applies is clear.

Providing the Warning – Your Duties as a Distributor: If you are a distributor who sells to other distributors or retailers that supply products that may end up being offered for sale online and in catalogs to California residents, to comply with your duties under Prop 65, you must also pass along all the necessary information set forth in this notice letter to your distributor or retail customers, and advise them of their responsibilities to warn for online and catalog sales to California residents. A catalog warning is still required even if the associated product packaging is labeled.

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We plan to send out a similar letter on an annual basis confirming all affected models of interest to you, and to obtain confirmation that you are continuing to provide the Prop 65 warning and instructions to each of your customers.

Your cooperation is greatly appreciated. We will maintain current Prop 65 data about our products. This letter is not intended to provide you with legal advice about Proposition 65, and you may wish to consult with experienced Proposition 65 counsel about the law's requirements.

Please confirm receipt of this letter via email acknowledgement to prop65@vornado.com. In your response, please include your Company Name, your Name as the Person Authorized to Receive Notification at Retailer, and your Title. Should you have any questions, please contact your Vornado sales associate.

Thank you,

Vornado Air LLC
415 East 13th St. Andover, KS 67002, USA

cc: Contact email, prop65@vornado.com
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