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Bulletin #57, Prop 65 Awareness, May 19, 2022

As fire departments are working through obtaining a 'clean' foam, they should be aware of California Proposition 65 (Prop 65). This law came into effect in 1986 with the intention to allow consumers to make informed decisions on whether to purchase a product. PFOS, was placed as a carcinogen under California Prop 65 laws on December 6, 2021.<sup>1</sup>

Prop 65 applies to any company including internet businesses that sell products to anyone in California.<sup>2</sup> This law could help fire departments determine and obtain safe products for their own communities.

“OEHHA also issued notices to have PFOA listed as carcinogenic and four additional PFAS (PFDA, PFHxS, PFNA, and PFUnDA) for possible reproductive toxicity” around March 2021. During a “Dec. 6 meeting, California’s Carcinogen Identification Committee (CIC) voted 8-2 with one abstention to list PFOS as “known to the state to cause cancer” under Prop. 65, based on a hazard identification document prepared by OEHHA.”<sup>3</sup>

“Proposition 65 has two primary substantive provisions: (1) a warning requirement and (2) a discharge prohibition. The warning requirement provides that businesses with 10 or more employees must provide ‘clear and reasonable warnings’ before knowingly or intentionally exposing individuals in California to any of the chemicals that are listed as known to cause cancer or reproductive harm.”<sup>4</sup>

In order to protect your communities, fire departments should consider using firefighting foams that do not contain carcinogenic chemicals such as those listed in Prop 65.

1 The National Law Review, Prop 65 and PFOS – Impact of the Carcinogenic Finding On Businesses, December 10, 2021, <https://www.natlawreview.com/article/prop-65-and-pfos-impact-carcinogenic-finding-businesses>

2 *ibid.*

3 EHS Daily Advisor, Prop 65 Is Coming for PFAS-California Companies, Take Note, Lisa Whitley Coleman, Apr 14, 2021

4 Prop 65 Is Coming for PFAS-California Companies, Take Note, Lisa Whitley Coleman, Apr 14, 2021, <https://ehsdailyadvisor.blr.com/2021/04/prop-65-is-coming-for-pfas-california-companies-take-note/>



## F3 Foam Concentration List

Replacements for AFFF

Products	Foam Category	Fire Test	Company
<b><u>F3 Concentrates 3RD PARTY FIRE TESTED</u></b>			
Bio for N	F3 Class A/B	NFPA 18	Bioex
Cold Fire	F3 Class A/B	NFPA 18	Fire Freeze
Ecopol 3	F3 Class A/B	EN 1, 2, 3, 4	Bioex
Ecopol Premium	F3 AR	EN 1, 2, 3, 4	Bioex
Ecopol A Airport	F3	ICAO B	Bioex
Enviro Emax	F3 AR	EN 2, 3, 4	Dafo Fomtec
Fire Cap Plus	F3 Class A/B	NFPA 18	Fire Cap
Micro-Blaze Out	F3 Class A/B	NFPA 18	Verde Environmental
Novacool	F3 Class A/B	NFPA 18	Novacool Foam
Phos-Chek WD881	F3 Class A/B	NFPA 18	Perimeter

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