



STOKES WAGNER

ATTORNEYS AT LAW

ATLANTA • ITHACA • LOS ANGELES • PITTSBURGH • SAN DIEGO

Hotel Guide to Prop 65 Warnings

General Warnings Required at or Before Check-In

The Hotel will be required to present a warning to all guests prior to or at the time of registration or check-in. These warnings will be different for each hotel based on the potential carcinogens or other listed substances used in the Hotel. The substances and chemicals that require consumer warning (over 800 in total) can be found on the [Office of Environmental Health Hazard Assessment website](#). Be aware: if the hotel provides information to guests in any language other than English, then **all required warnings** must be presented in that language as well.

Guidelines

The Hotel must provide warnings to guests in one of two ways:

1. On a sign posted at registration desk in 22pt font or larger in location likely to be seen, read and understood prior to completion of registration or check-in process, OR
2. Provided electronically in same size type as other consumer information prior to or during the registration or check-in process

The general content of the warning must be as follows:

1. The warning *must* bear the following symbol:
 - a. A black exclamation point inside a yellow equilateral triangle with a bold black outline
2. The warning must have the word “**WARNING**” in all capital letters in bold print.



The specific language of the warning will depend on materials found to be present in each hotel. The specific language must read as follows:

1. If a guest may be exposed to multiple listed carcinogens:
 - “[Name of one or more exposure source(s)] in this establishment can expose you to chemicals including [name of one or more chemicals] which is [are] known to the State of California to cause cancer. For additional information go to www.P65Warnings.ca.gov/hotels.”
2. If a guest may be exposed to a single carcinogen:
 - “[Name of one or more exposure source(s)] in this establishment can expose you to [name of chemical] which is known to the State of California to cause cancer. For additional information go to www.P65Warnings.ca.gov/hotels.”
3. If a guest may be exposed to multiple reproductive toxicants:

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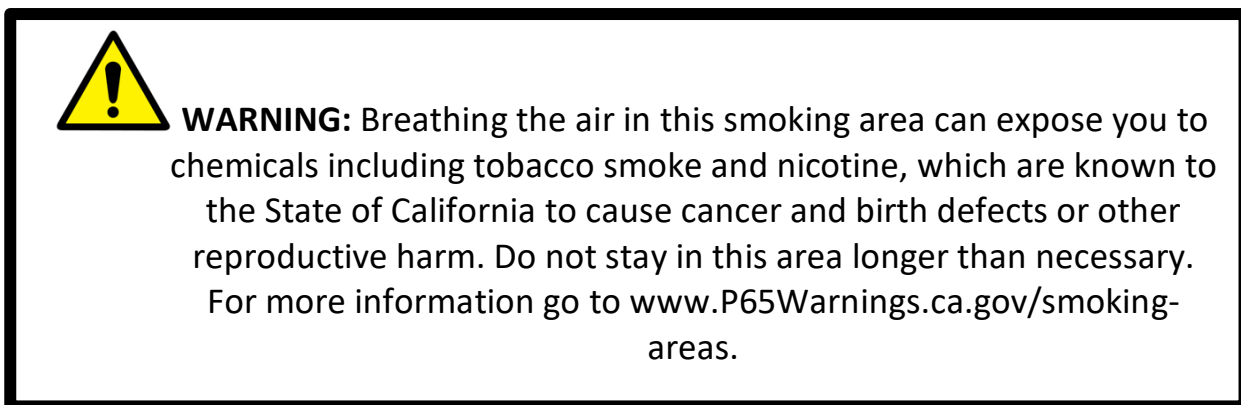
- “[Name of one or more exposure source(s)] in this establishment can expose you to chemicals including [name of one or more chemicals] which is [are] known to the State of California to cause birth defects or other reproductive harm. For additional information go to www.P65Warnings.ca.gov/hotels.”
4. If a guest may be exposed to a single reproductive toxicant:
 - “[Name of one or more exposure source(s)] in this establishment can expose you to [name of chemical] which is known to the State of California to cause birth defects or other reproductive harm. For additional information go to www.P65Warnings.ca.gov/hotels.”
 5. If a guest may be exposed to multiple chemicals listed as both carcinogens and reproductive toxicants:
 - “[Name of one or more exposure source(s)] in this establishment can expose you to chemicals including [name of one or more chemicals] which is [are] known to the State of California to cause cancer and [name of one or more chemicals] which is [are] known to the State of California to cause birth defects or other reproductive harm. For additional information go to www.P65Warnings.ca.gov/hotels.”
 6. If a guest may be exposed to a single chemical listed as both carcinogens and reproductive toxicants:
 - “[Name of one or more exposure sources(s)] in this establishment can expose you to [name of one or more chemicals] which is [are] known to the State of California to cause cancer and birth defects or other reproductive harm. For additional information go to www.P65Warnings.ca.gov/hotels.”

Specific Warnings Required in Designated Areas

In addition to warning requirements at registration, Prop 65 will require Hotels to have posted signage in other designated areas. Those areas are: 1) Designated smoking areas; 2) Areas where alcoholic beverages are served; 3) Restaurants and other locations where food is served; 4) Enclosed parking structures; 5) Where consumer products and packaged food is sold. Be aware: if the hotel provides information to guests in any language other than English, then **all required warnings** must be presented in that language as well.

Designated smoking areas

The following sign must be posted on an 8 ½” x 11” sign at the entrance to and within the area where exposure occurs. The warning must be in an enclosed box in 22-point type or larger. The symbol above must be present and the word “**WARNING**” bolded and in all capital letters must appear along with the warning language as follows:



Areas where alcoholic beverages are served

The following signs must be placed in the following locations:

1. Where customers enter areas where, by permit or license, alcoholic beverages are served.
 - i. This warning must be posted on an 8 ½" x 11" sign.
 - ii. The type must be 22-point or larger.
 - iii. The sign must be placed at eye level so that it is readable and conspicuous.
2. Where alcoholic beverages are sold at a retail point of sale.
 - i. This warning must be posted on a 5" x 5" sign.
 - ii. The type must be 20-point or larger
 - iii. The sign must be displayed where it is readable and conspicuous
3. Where alcoholic beverages are sold for consumption on the premises served by food or beverage persons, or sold through an over-the-counter service.
 - i. The warning message is provided on a menu or list identifying the alcoholic beverages served on the premises

The word "**WARNING**" bolded and in all capital letters must appear along with the warning language as follows:

WARNING: Drinking distilled spirits, beer, coolers, wine and other alcoholic beverages may increase cancer risk, and, during pregnancy, can cause birth defects. For more information go to www.P65Warnings.ca.gov/alcohol.

Restaurants or other areas where food is served

The warning must be provided in one of two alternative ways:

1. Posted on an 8 ½" x 11" sign, printed in no smaller than 28-point type, placed so that it is readable and conspicuous to customers as they enter each public entrance to the restaurant or facility where food or beverages may be consumed; or
2. Posted on any menu or list describing food or non-alcoholic beverage offerings, in a type size no smaller than the largest type size used for the names of general menu items.

The word "**WARNING**" bolded and in all capital letters must appear along with the warning language as follows:

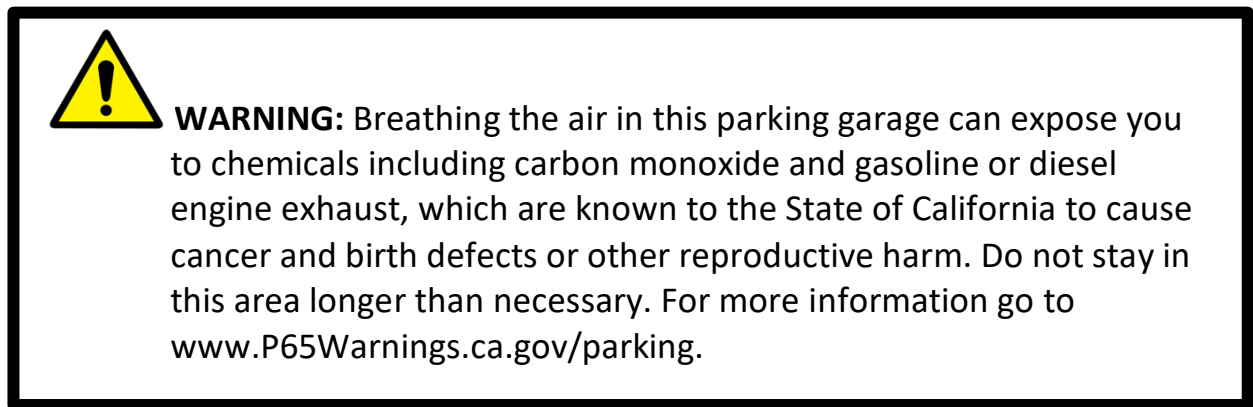
WARNING: Certain foods and beverages sold or served here can expose you to chemicals including acrylamide in many fried or baked foods, and mercury in fish, which are known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov/restaurant.

Enclosed Parking Facilities

The warning must be provided on a 20" x 20" sign posted at each public entrance to the facility in no smaller than 72-point type and placed so that it is readable and conspicuous to individuals before they

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enter the facility. The symbol above must be present and the word “**WARNING**” bolded and in all capital letters must appear along with the warning language as follows:



Where consumer products or packaged foods are sold

In a case where the Hotel provides retail sale of packaged foods and consumer products, the Hotel will also be liable to ensure that those products sold to consumers meet the warning requirements of Prop 65.

The Hotel should be aware of listed chemicals contained in any and all food or consumer products sold at retail points of sale and should check to ensure that such products are properly labeled by the manufacturer/supplier.