

New Proposition 65 Rules Include Supply Chain Liability

By: Adam Regele, CalChamber

Minimizing liability is quintessential for any prudent business. Liability could mean costly lawsuits, the loss of valuable business opportunities or relationships, large monetary penalties, serious financial or reputational damage, or even product recalls. Under Proposition 65 (Prop. 65), liability for businesses can be all of the above.

For decades, companies selling products, food or beverages in California or that manufacture, supply or distribute products sold in California have wrestled with the requirements of Prop. 65. In 2017 alone, nearly 700 cases were settled with defendants paying more than \$25 million in plaintiffs’ attorneys fees and penalties—not including defense counsel fees, business interruption and other costs to comply.

Now come new Prop. 65 regulations that went into effect August 30, 2018. The California Chamber of Commerce has notified members about these new regulations, with a particular focus on the new labeling requirements.

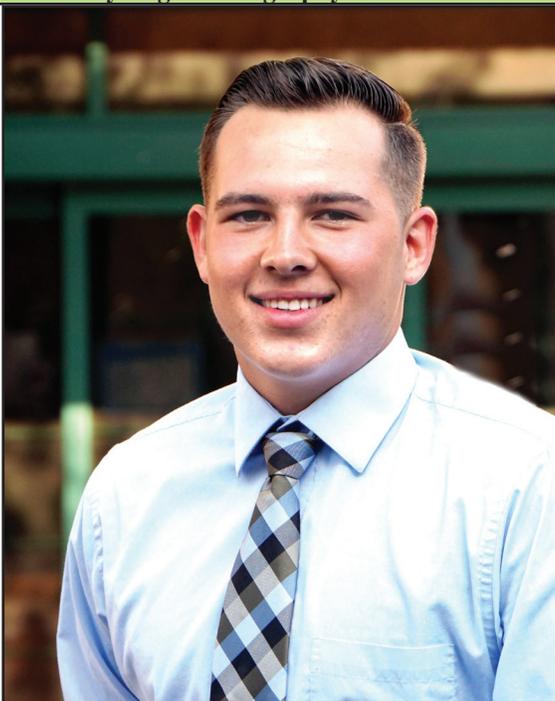
With anxiety running high and time to comply running short, here are five things that California businesses should be considering other than the new labeling requirements:

1. Significant changes to Prop. 65 liability allocation.

(Prog 65 - continued on page 7)

2018 Young Citizen of the Year

Photos by Eagle Photography



The Irwindale Chamber of Commerce and the City of Irwindale are pleased to announce John Fraijo as the Irwindale Young Citizen of the Year for 2018.

The 2018 Young Citizen of the Year Competition was held at the Irwindale Senior Center on Thursday, August 16, 2018. Irwindale Chamber Immediate Past Chair of the Board and City of Hope Associate-Community and Government Affairs, Victor Benavides served as the event emcee to a packed room of local residents, family members of the contestants, local elected officials, city staff and business representatives. Four outstanding Irwindale youth competed by presenting an original essay discussing their thoughts on what they feel are the major challenges facing youth today. The

(Young Citizen-continued on page 4)

MARK YOUR CALENDAR

Holiday Luncheon

December 6, 2018

@ Courtyard By Marriott

Corporate Sponsors:

California Custom Fruits & Flavors

Foothill Transit

IDR Environmental Services

Payroll Vault

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Calendar of Events

September

27 Honoring First Responders Breakfast 7:30 a.m. MillerCoors

October

4 Business Ambassadors 8:00 a.m. Chamber Office
10 Where's Lunch 11:30 a.m.-1:30 p.m. Embassy Suites
19 Food & Brews 5:30 p.m. MillerCoors
25 Good Morning Irwindale 7:30 a.m.-9:00 a.m. DoubleTree
30 Board of Directors 3:30 p.m. Chamber Office

November

6 Milestone & Award Luncheon 11:30a.m.-1:30 p.m/ Edison EED
14 Where's Lunch 11:30 a.m.-1:30 p.m. Picasso's Cafe
22-23 Happy Thanksgiving **CLOSED**
27 Board of Directors 3:30 p.m. Chamber Office

December

6 Holiday Luncheon 11:30 a.m.-1:30 p.m. Courtyard by Marriott
18 Board of Directors 3:30 p.m. Chamber Office
19 Where's Lunch 11:30 a.m.-1:30 p.m. Mariscos Urupan
24-25 Happy Holidays **CLOSED**
31 Happy New Years **CLOSED**



GOOD MORNING IRWINDALE NETWORKING BREAKFAST

Honoring First Responders

Join Us

Thursday, September 27, 2018

7:30 a.m. - 9 a.m.

MillerCoors Brewery Pub-
Irwindale

15801 W 1st St, Irwindale, CA 91706

Members- \$20

(After Sept. 21st- \$25)

Non-Members- \$25

NO WALK INSI

Presenting Sponsors:

MillerCoors, Southern California Edison/EEC, Picasso's Cafe Bakery & Catering

Corporate Sponsors:

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OR CALL 626-960-6606**



Photosby: Eagle Photography



(L-R) Marlene Carney, Irwindale Chamber; Jenna Soria; Eddie Omar Herrera; John Fraijo; Alexander Burrola; Mayor Mark Breceda, City of Irwindale; Councilman Larry Burrola, City of Irwindale; Councilman Manuel Ortiz, City of Irwindale; and Victor Benavides, City of Hope.

contestants also responded to impromptu questions from the judges. John Fraijo, Eddie Omar Herrera, Alexander Burrola and Jenna Soria all impressed the judges with their confidence, poise, enthusiasm, thoughtfulness, and community involvement. Marlene Carney, Irwindale Chamber CEO, said “We are so proud of these smart and thoughtful kids that care about the community and are willing to step out there and do what it takes to make a positive difference in their lives and the lives of others. The Irwindale Chamber considers this a very important chamber event and applauds the participants.”

Irwindale Mayor Mark Breceda, Councilmember H. Manuel Ortiz, Councilmember Larry Burrola, and Planning Commissioner Enoch Burrola were in attendance, along with the 2017 Young Citizen of the Year, Jonathan Almazan. Also in attendance were Irwindale Chamber Board members and staff. Hope Café & Catering provided a lovely dinner.

This event could not have been possible without the generous support of our sponsors, committee members, judges, and attendees. Special thanks to PRESENTING Sponsor The Gas Company (a Sempra Utility Company), DINNER sponsor Hope Café & Catering,

SPEECH Sponsors City of Hope, Foothill Transit, Premiere Career College and United Rock Products, PHOTOGRAPHY Sponsor, Steve Castro of Eagle Photography. Many thanks go to the Irwindale Young Citizen of the Year Committee: Delfina Osterheim from Irwindale Recreation Center, Rebecca Bardales from the Irwindale Senior Center and Irwindale Chamber staff members Veronica Orosco and Amanda Arellan. Additional thanks go to all the Irwindale Senior Center Staff as well as to the event judges- Phyllis Ferguson of California Custom Fruits and Flavors, Martha Gamboa of YaYa Fitness and Veronica Ceballos from East San Gabriel Valley ROP.

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Young Citizen contestants (L-R): Eddie Omar Herrera, John Fraijo, Jenna Soria, and Alexander Burrola.

September Business of the Month

Embassy Suites by Hilton - Arcadia Pasadena



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BUSINESS ACCOMPLISHMENTS

Embassy Suites has been in business since 1982. Embassy Suites by Hilton, part of Hilton Worldwide's portfolio of fourteen brands is a full service brand that offers both leisure and business travelers an approachable, upscale experience with best in class customer service, that anticipates travelers' needs and delivers what matters most to them.

The newly renovated Embassy Suites Arcadia Pasadena Area, conveniently located near Pasadena, Monrovia, Irwindale and City of Industry. The hotel is close to Santa Anita Park, the Los Angeles County Arboretum and Botanical Gardens, Santa Anita Racetrack, Norton Simon Museum and Huntington Library Gardens. In 2018 the hotel completed a multi-million dollar renovation.

Embassy Suites was recognized as the 2017 Business of the Year by the Arcadia Chamber of Commerce and won best booth décor at the 2017 Taste of Arcadia.

Embassy Suites Arcadia/Pasadena are fortunate to have a management company, WCG Hotels and a General Manager that support the employee team in giving back to the community.

COMMUNITY SERVICE

The Embassy Suites Arcadia/Pasadena has partnered with many organization that are close to their hearts. One organization has been Foothill Unity, where they spend several hours a year in supporting the charitable organization by participating in the back to school program for underprivileged youth from K-12, filling and handing out basic school supplies. Embassy Suites also helps out during the holidays by volunteering employee time to help fill Thanksgiving meal orders, and assisting seniors and single mothers by taking the items and loading them into the family vehicles.

Embassy Suites Arcadia/Pasadena, also raises money annually and attends the CHOC walk as a team at Disneyland for CHOC (Children Hospital of Orange County). They

also participate each year in Toys for Tots in partnering with the US Marines to gather toys to bring joy at Christmas time to kids in the area. Embassy Suites also volunteers for the Irwindale Educational Foundation BBQ to help raise money for local student scholarships.

CHAMBER OF COMMERCE ACTIVITY

The Embassy Suites Arcadia/Pasadena is a member of three local chambers of commerce and three of their management level staff serve in various leadership roles at each of these local chambers. Embassy Suites is represented on the Irwindale Chamber Board of Directors. and also has two very engaged and dynamic employees who serve as Irwindale Chamber Ambassadors for over 3 years.

Embassy Suites has been very generous in donating volunteer time and raffle items to many events over the years.

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Medical Waste Disposal Regulations in California

By: Dawn DeVroom, IDR Environmental Services

Medical waste is a serious issue. Used items contaminated with bodily fluids, blood, disease and other hazardous substances carry the danger of infecting other people.

Biological substances, such as vaccines, pose many threats as well. In addition, pharmaceuticals cause harms ranging from environmental to physical to psychological, especially with the ever-increasing problem of addiction.

It should go without saying that proper disposal of medical waste is of utmost importance today. As with so many types of waste, however, this is easier said than done. Following regulations and ensuring that items land safely in treatment centers or disposal sites is a responsibility we all share.

Here's a quick rundown of California's **medical waste disposal** regulations.

Types of Hazardous Waste - There are two main categories when talking about hazardous waste: hazardous and non-hazardous. Hazardous waste is that which is flammable, corrosive, reactive or toxic. Non-hazardous is anything else.

Both are governed by the **Resource Conservation and Recovery Act**, "public law that creates the framework for the proper management of hazardous and non-hazardous solid waste. The law describes the waste management program mandated by Congress that gave EPA authority to develop the RCRA program. The term RCRA is often used interchangeably to refer to the law, regulations and EPA policy and guidance."

The EPA offers different guidelines for hazardous and non-hazardous waste, delineating their:

- Transport
- Management
- Identification
- Listing
- Permitting
- Disposal

... and more. It's important to note that simply because something isn't classified hazardous waste doesn't mean it's not subject to restrictions, which medical waste of all types certainly is. It is also important to note that ***if a substance contains even a little bit of hazardous waste, it is itself considered hazardous.***

Types of Medical Waste - Not all medical waste is hazardous. For instance, plenty of medical waste is neither flammable, corrosive, combustible or toxic, but is still dangerous because it is pathogenic. The main categories of medical waste include:

- **Radioactive medical waste** (isotopes are often used to help physicians diagnose illness, for instance)
- **Hazardous medical waste** (falling into the four main hazardous categories)

- **Infectious medical waste** (from vaccines, stored pathogens or used supplies that contain pathogens picked up from a person), also referred to as biohazardous or biomedical waste
- **Pharmaceutical waste**, which contains substances that might harm the environment or, if still in their original form, can pose a risk of others taking/ingesting them

How to Safely Collect Medical Waste - California has extremely strict requirements detailing the collection and disposal of medical waste. It's critical that you understand each category you're dealing with, as well as the requirements for storage, before you implement a medical waste disposal program. That requires a system.

1. **Separate medical waste into different waste streams according to the above categories.**
2. **Create designated medical waste stations with clear labels. For instance, those for biomedical waste should have the biohazard symbol on them.**
3. **Train employees on where to put their medical waste.**
4. **Bag bins when full, adhering to California's codes for labeling and storing.**

Once you have a clear system set up, you can then store your waste onsite until you send it to a medical waste provider to dispose of it. Of course, that assumes you have an excellent partner in disposal ... so let's talk about that next.

Finding a Hazardous Waste Disposal Partner

The best bet is to find yourself a hazardous waste disposal partner who understands the rules inside and out. That way, you can rely on *them* to stay up to date with current regulations and make changes accordingly – while you continue to do the work you were made to do.

Here are some things to look for:

- ***A company free of hazardous waste violations:*** Seem like an obvious point? It's not necessarily; many honest medical providers are tricked into low-budget, dishonest disposal companies with violations on their record. Don't become blinded by affordability, and *always* check a company's record before you sign on.
- ***Check for financial soundness:*** A good hazardous waste disposal company will provide documentation to prove their reliability.
- ***Insurance coverage:*** You can't guarantee there won't be an accident, which is why your medical waste disposal company needs licensing and insurance to keep *you* out of trouble, should the worst occur.
- ***Clear instructions about how and when they handle waste:*** Look for a company that will give you all their regulations and procedures upfront, so that you can ensure they align with your expectations.

(Prop 65 - continued from coverage)

The new Article 6, Section 25600.2, the “Responsibility to Provide Consumer Product Exposure Warnings,” reallocates liability for Prop. 65 violations by significantly strengthening the indemnity power for retailers against manufacturers and upstream entities.

Although most major retailers already shift obligations for Prop. 65 compliance onto suppliers and manufacturers through indemnity agreements, Section 25600.2 will provide some relief to small retailers by clarifying the obligations of supply chain parties and places the primary burden of Prop. 65 warnings on the manufacturer, producer, packager, importer, supplier or distributor.

2. Consider your full supply chain and indemnification agreements.

Businesses need to consider their full supply chain when analyzing Prop. 65 liability under the new regulations. Since the allocation of liability is more expressly laid at the feet of manufacturers and upstream entities, businesses that sell their products directly to suppliers and distributors, as opposed to the retailers, could still be liable for a retailer’s failure to warn if the supplier or distributor fails to warn the retailer.

Manufacturers and upstream entities should analyze their indemnity agreements with their suppliers and distributors and seek to clarify the specific obligations relative to Prop. 65 in such contracts.

3. Internet warning notifications.

For products sold online or through a catalog into the State of California, businesses cannot comply with the new Prop. 65 regulations merely by placing a warning label on the product. For internet sales, a retail seller must provide a Prop. 65 warning for the product on its website to fall within the safe harbor. Such website warnings must either:

- Be placed on the product’s display page;
- Be given via a hyperlink using the word “WARNING” placed on the product display page; or
- Be displayed to consumers before their purchase is completed with a tie to the product for which the warning is being given.

Additionally, manufacturers and upstream entities could be liable for a retail seller’s failure to warn under the new liability allocation (see items 1 and 2 above). Accordingly, manufacturers and upstream entities should provide to the retailer sellers notice of the need for an internet warning, and the exact language to use.

4. When retailer is liable.

The retail seller is responsible for providing the Prop. 65 warning for a consumer product exposure only when one or more of the following circumstances exist:

- The retail seller is selling the product under a brand or trademark that is owned or licensed by the retail seller or

an affiliated entity. In other words, if your name is on the product, you are probably the manufacturer under California law unless it is clear the product was manufactured by a third party.

- The retail seller has knowingly introduced a listed chemical into the product, or knowingly caused a listed chemical to be created in the product;
- The retail seller has covered, obscured or altered a warning label that has been affixed to the product;
- The retail seller has received a notice and warning materials for the exposure from the upstream entity;
- The retail seller has “actual knowledge” of the potential consumer product exposure requiring the warning, and there is no manufacturer, producer, packager, importer, supplier, or distributor of the product who (A) Is a “person in the course of doing business” under Section 25249.11(b) of the Act, and (B) Has designated an agent for service of process in California, or has a place of business in California.

“Actual knowledge” means specific knowledge of the consumer product exposure received by the retail seller from any reliable source. OEHHA attempts to provide additional guidance in its Final Statement of Reasons by stating: “a retail seller may acquire knowledge of an exposure that requires a warning through news media, its customers, or a trade association.” Nevertheless, the ambiguity over what constitutes a retail seller’s “actual knowledge” will likely be settled by future litigation.

5. Products manufactured before August 30, 2018.

Good news. The new regulations provide a sell-through period of unlimited duration for any products manufactured *prior to the effective date* that complied with existing Prop. 65 requirements. Businesses DO NOT need to relabel, pull from shelves or destroy existing inventories.

Not Legal Advice

The information in this article is not intended to convey or constitute legal advice, and is not a substitute for obtaining legal advice from a qualified attorney. You should not act upon any such information without first seeking qualified professional counsel.





IRWINDALE RECREATION

HALLOWEEN SPOOKTACULAR

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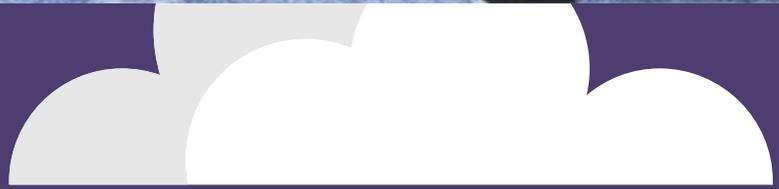
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Hot Dogs, Nachos & More

Bingo For Prizes

25 cents per card/5 for \$1.00

50/50 Raffle

\$1.00 per ticket/6 for \$5.00

Costume Contest

Takes place at 5:15p

Cake Walk

\$1.00 per entry

All Costume participants will receive 10 free game tickets and a Halloween treat bag. 1st, 2nd, and 3rd place will be selected in each division based on the number of participants. Costumes only, no decorative sweatshirts, vest, etc.

Please note: ONLY those who participate in the contest will receive the 10 free tickets.

Costume Contest

Ages 2 and under 3-5 years 6-8 years 9-12 years 13-16 years 17years +

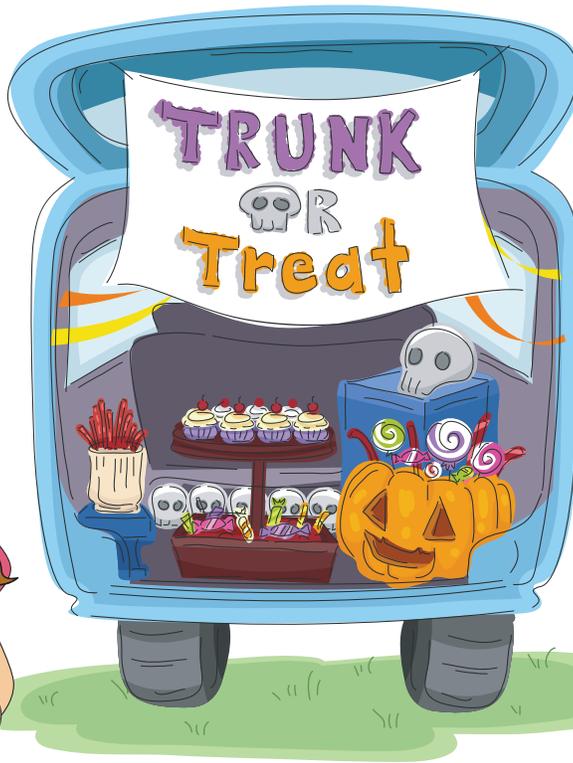
Would you like to lend a helping hand?

Looking for a way to help out in the community? Then the Recreation Department's Halloween Spooktacular is the place for you. Volunteers are needed to work game booths, help out in the Snack Bar and more. Please contact Delfina Osterheim if you are interested in Volunteering for this event.



For more information or to sign up to volunteer
call 626-430-2227





Irwindale Recreation 3RD ANNUAL TRUNK OR TREAT

East Parking Lot @ Irwindale Park
(corner of Allen Drive & Calle de Paseo, near playground)

FREE

Snack Bar Fundraiser for KIDZONE

Great trick-or-treating fun all in one safe family friendly location! Children will trick-or-treat from trunk to trunk and residents get to pass out candy and deck out their trunk, tailgate or hatch back for the chance to win prizes. Sign up now to reserve your spot!

Registration is free for this event, however all registrations are due by Friday, October 26th.

Pick up your registration packet at the Dan Diaz Recreation Center today!

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CHAMBER MEETINGS

Board of Directors Last Tuesday
3:30 p.m. Location Varies
Business Ambassadors 1st Thursday at the Chamber
8:00 a.m.
Breakfast/Luncheon 4th Thursday-Location Varies
Breakfast 7:30 a.m. - Lunch 11:30 a.m.
Toastmasters 1st & 3rd Wednesday
8:00 a.m.

IRWINDALE SERVICE ORGANIZATIONS

Irwindale Educational Foundation
P.O. Box 2307, Irwindale, CA 91706-1168
Board Meets 2nd Thursday, 7:30 a.m. at the Chamber
Irwindale Sister City
PO Box 2333, Irwindale, CA 91706
Meeting information call Marguerite Lopez @ 626-329-6405
Irwindale Lions Club
PO Box 2093, Irwindale CA 91706
Board Meets 2nd & 4th Tuesday at Irwindale Community Center-11:45 a.m.
Contact Dolores Amador (626) 340-5734

City of Irwindale

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5050 Irwindale Avenue
Irwindale, CA 91706-1168

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e-mail: postoffice@ci.irwindale.ca.us

City Council

Mayor: Mark A. Breceda
Mayor Pro Tem: Albert F. Ambriz
Council Members: Larry G. Burrola, Manuel R. Garcia
and H. Manuel Ortiz

City Council Meetings

2nd and 4th Wednesday, 6:30 p.m. at City Hall

City Staff

City Manager William Tam
Assistant City Manager Theresa Olivares
Finance Director & City Treasurer: Eva Carreon
Chief Deputy City Clerk: Laura Nieto

Planning Commission

Chair: Arthur R Tapia Vice Chair: Loretta Corpis
Commissioners: Enoch Burrola, Richard Chico, and Robert E. Hartman

Parks & Recreation Commission

Chair: Dan Diaz Vice Chair: Paula Fraijo
Commissioners: Jason Hickman, Marguerite S. Lopez, and Belen Zepeda

Senior Citizen Commission

Chair: Virginia Diaz Vice Chair: Maggie Guzman
Commissioners: Arline Miranda, Natalie Orosco, and Iris Rodriguez

Library.....(626) 430-2266
City Librarian: Shayna Balli
5050 Irwindale Avenue Fax: (626) 430-2229

Recreation.....(626) 430-2224
16053 Calle de Paseo Fax: (626) 962-3022
Recreation Manager: Priscilla Zepeda

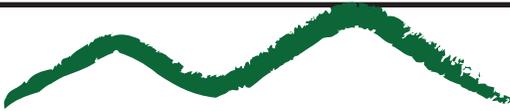
Senior Center.....(626) 430-2283
16116 Arrow Highway Fax: (626) 430-2275
Senior Center Manager: Eloise Beltran

Service Yard.....(626) 430-2280
16034 Calle del Norte

Police Department

Police Chief Ty Henshaw
Emergency..... 9-1-1
Phone (non emergency)...(626) 430-2244
5050 Irwindale Avenue Fax: (626) 962-8212

Los Angeles County Fire- Irwindale Station
Emergency..... 9-1-1
Phone (non emergency)...(626) 337-8919
15546 Arrow Hwy, Irwindale



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