August 21, 2018

**Important Legal Information: California Proposition 65 Warning Requirements**

Dear Distributor Partner:

California’s Safe Drinking Water and Toxic Enforcement Act of 1986 (known as “Prop 65”), seeks to ensure that individuals in California are informed about exposure to chemicals known by the State to cause cancer and/or reproductive harm. To comply, businesses are required to provide a clear and reasonable warning before exposing anyone to a listed chemical. Failure to comply may result in the business having to suspend sales, conduct a recall, reformulate, pay civil penalties up to $2,500 per violation per day, and pay the plaintiff’s attorney fees. In late 2016, the State of California amended the warning language and methods that are deemed “clear and reasonable” under the statute (i.e., that provide a “safe harbor” from enforcement). These amendments become effective on August 30, 2018.

Littelfuse, Inc. and its subsidiaries (including IXYS subsidiaries, “Littelfuse”) value their relationship with you. This letter serves as notice that certain Littelfuse products may result in an exposure to a Prop 65 chemical. We have determined that such products sold, distributed or otherwise transferred into California shall carry a clear and reasonable warning. Since Littelfuse does not directly distribute products within the state, we require your assistance in applying appropriate Prop 65 warnings to the Littelfuse products (as further identified in this notice letter) that are or may be sold to consumers in California.

**Products and Warning Language:** The attached file contains the part numbers for Littelfuse products that shall carry a warning and the appropriate warning language to be used with each product.

[https://www.p65warnings.ca.gov/sites/default/files/ws/12pt.png](https://www.p65warnings.ca.gov/sites/default/files/ws/12pt.png)**NOTE:** Each warning must be preceded with a warning symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold, black outline.

**Products and Warning Language (cont.):**

The symbol must be placed to the left of the text of the warning in a size no smaller than the height of the word “WARNING”. If the sign, label, or shelf tag for the product is does not already have yellow in it, the symbol may be provided in black and white. The warning symbol is a required element of safe harbor warning content. Businesses may download the symbols provided below for use in Proposition 65 warnings at <https://www.p65warnings.ca.gov/warning-symbol>.

**Providing the Warning – Your Duties as a Distributor**

**Distributor-to-Distributor or Distributor-to-Retailer.** If you are a distributor who sells to other distributors or retailers that supply products that may end up in California, you must pass along all the necessary compliance information, instructions, and materials (as set forth in this notice letter) to your customers, and advise them of their responsibility to make sure the retailers have, or have access to, the necessary compliance information, instructions, and materials. This includes passing on instructions (as further described below) that the retailer should post the suggested warning sign at the retail outlet where the products being offered for sale are displayed so that it is likely to be seen and read by consumers purchasing the products.

If you have customers that order products via the internet, catalog, or by phone, you are similarly required to provide the necessary compliance information, instructions, and materials (as set forth in this notice letter) explaining their Prop 65 obligations prior to purchase.

**Warning Methods**

By August 30, 2018, Prop 65 warnings must be 1) either on the product or its packaging, 2) on an in-store sign, label, or tag that associates the warning with the specific product, or 3) be provided via any electronic device or process that automatically provides the warning prior to or during the purchase without requiring the purchaser to seek out the warning. Additional steps must be taken with respect to ecommerce warnings for online sales and catalog warnings for mail/phone order sales.

**In-Store Sales**

An in-store, point-of-sale warning is needed for certain of our products which, due to their size, cannot practically be labeled individually. Additionally, if any distributor or the retailer decides to remove product that is already individually packaged and labeled to repackage, sell in bulk or in lesser quantities, they will need to provide a warning at the point-of-sale. The distributor must either relabel the product or provide the retailer with the appropriate labels, signage and warning language. The warning sign must be posted at the store where the products are displayed so that it is likely to be seen and read by consumers prior to purchase.

If non-Prop 65 signs are provided in languages other than English, then these Prop 65 signs should be translated into those languages. Please see <https://www.p65warnings.ca.gov/sample-warnings-and-translations-businesses> for translations or contact us if you need further assistance.

To assist in complying with Proposition 65, printable warning signs have been included in this document and are online at http://www.littelfuse.com/prop65.

**Online and Catalog Sales**

Distributors and retailers are vulnerable to a Proposition 65 claim if you sell a covered product without an online or catalog warning—even if there is a compliant warning label on the product. Additionally, if any distributor or retailer decides to remove product that is already individually packaged and labeled to repackage, sell in bulk or in lesser quantities through online or catalog sales, the distributor or retailer will need to provide online or catalog warnings for the repackaged products. See additional details below for providing warnings for online and catalog sales.

**Online Sales**

A product sold online must include a product-specific warning on your 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 the word “**Warning Triangle Icon** WARNING” on the product display page near the product and linking it to the appropriate 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 before the

**Online Sales (cont.):**

purchase is completed, if the product(s) to which the warning applies is clear. A warning for an internet purchase is not “prominently displayed” if the warning requires the purchaser to seek out the warning.

**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.

**Acknowledgement**

An individual in a position of authority within your company (i.e., an authorized agent) must confirm receipt of these warning materials and instructions from Littelfuse and let us know your company agrees to comply with Proposition 65 requirements. Specifically, you confirm that your company has provided these materials and instructions to your direct customers and that you have further required your customers to pass them along to the next business in the chain of commerce until they reach the retailer. To provide such confirmation, we request that you complete and submit the below Acknowledgement Form within 5 business days from the date of this letter.

You may either print and mail the below form to the following address:

Littelfuse, Inc.

c/o Prop 65

8755 West Higgins Road

Suite 500

Chicago, IL 60631

or return via email to [prop65@littelfuse.com](mailto:prop65@littelfuse.com).

Please contact your Littelfuse sales representative immediately if you learn of a request from the retailer to provide additional warning materials. If you have questions about the specifics of the warning program, you should contact your company's general counsel or attorneys, or you may wish to consult the “Proposition 65 resources for businesses” available at <https://www.p65warnings.ca.gov/businesses> or send Littelfuse related questions to [prop65@littelfuse.com](mailto:prop65@littelfuse.com).

Littelfuse appreciates the opportunity to do business with you. Again, we apologize for any inconvenience that the California Prop 65 requirements may impose on your business, but compliance is mandatory. Thank you again for your timely assistance in this matter.

Sincerely,

Littelfuse, Inc.

**Email to:**

[Prop65@Littelfuse.com](mailto:Prop65@Littelfuse.com)

**Or mail to:**

Littelfuse, Inc.

c/o Prop 65

8755 West Higgins Road

Suite 500

Chicago, IL 60631

**Prop 65 Acknowledgement and Confirmation**

Our company, **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**has acknowledged the receipt of California Proposition 65 Warning Requirements set forth by Littelfuse and the state of California. Our company will comply with the California Proposition 65 requirements as described and shall also cooperate with Littelfuse as may be necessary to ensure that individuals in California receive appropriate clear and reasonable warnings.

**Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**