IMPORTANT LEGAL NOTICE

To: All Macy's and Bloomingdale's Food Vendors
All Backstage and Outlet Food Vendors
Re: Changes to California Proposition 65 Warning Regulations

Dear Valued Business Partner:

As you should be aware, California's Proposition 65 (also known as the Safe Drinking Water and Toxic Enforcement Act of 1986) requires businesses to give a "clear and reasonable warning" to California consumers before exposing those individuals to certain levels of a chemical on the state's list of known carcinogens and reproductive toxins.

The regulations governing "safe harbor" warnings under California Proposition 65 are changing and will impact all products manufactured on and after **August 30, 2018**. The purpose of this letter is to inform you of Macy's/Bloomingdale's expectations and requirements of its vendors for products intended to be sold in Macy's or Bloomingdale's California stores or online on Macy's or Bloomingdale's websites. Your continued supply of products to Macy's or Bloomingdale's will constitute your acknowledgment of these requirements and your agreement to comply with the new regulations.

More information is available at http://oehha.ca.gov/proposition-65/crnr/notice-adoption-article-6-clear-and-reasonable-warnings and we encourage your compliance managers to review and understand your company's obligations going forward.

Key changes to the safe harbor warning regulations include:

- Product warnings must now either specifically identify at least one chemical in the product for which a warning is being given for each toxicological endpoint (cancer and/or reproductive toxicity) or follow a prescribed short-format.
- The new form of labeling can be found at the following internet link: https://www.p65warnings.ca.gov/sample-warnings-and-translations-businesses
- Warnings must be given online, even if the product itself is labeled with a Prop 65 warning.
- Warnings provided on a food product label must be set off from other surrounding information and enclosed in a box, and must be provided in any language other customer information is provided on the label. For more details on food warnings, go to www.P65Warnings.ca.gov/food.
- Please note that there are also specific warnings for restaurants or on-site food consumption locations:

For on-site consumption of food and non-alcoholic beverages: [in 28-point type]

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.

What you need to do:

- If you are supplying products that Macy's or Bloomingdale's will offer for sale online, you must provide us with the warning for each such product (by SKU#), in order that we can ensure that the warning is provided to our customers as required by the regulations.
- If you do not provide us with the information for each product, we will not be able to providing the warning online, and you are at risk of an enforcement action.
- Proposition 65 warning information should be provided to us at Prop65Agent@macys.com or AgentProp65@bloomingdales.com, respectively.
- This information must be provided for each new item that you supply to us at the time the product is set up to be offered online.

Please be advised:

- All products intended to be sold online or in Macy's or Bloomingdale's California stores that require a Prop 65 warning must be labeled by your company with the warning at the time they are shipped to Macy's/Bloomingdale's.
- Macy's/Bloomingdale's will not post warning signs in its California stores.
- Macy's/Bloomingdale's will not apply warning stickers to inventory intended to be sold in California.
- Macy's/Bloomingdale's cannot segregate inventory intended for sale in California.
- If your company determines that Macy's or Bloomingdale's has any current inventory in its California stores that requires a warning, your company is responsible for locating and labeling the products with the warning.

General questions may also be directed to: Prop65Agent@macys.com or AgentProp65@bloomingdales.com, respectively.