

# Champion-Arrowhead, LLC

*Manufacturers of high quality American made plumbing products for over 70 years*

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Written by Jim Gitney, CEO, Champion-Arrowhead LLC

January 1, 2010 is quickly approaching. Besides the start of a new year, it is also the start of a new law, known as AB1953. In a nutshell, starting that day, it will be illegal to “introduce into commerce” any product primarily designed to provide drinking water to humans. What does that mean, you might ask? Well, it means that manufacturers can’t make product that will be sold in California that has more than 0.2% lead content.

Retailers and wholesalers can’t sell any product that doesn’t meet that requirement.

Plumbers can’t install any product that doesn’t meet that standard, irrespective of what stage the project is in on 12/31. Sounds harsh, but the law was signed into effect in November 2006 and modified in February 2007 to include significant penalties for anyone who doesn’t comply. Another question of interest is, How is California going to enforce this law? After a conference call with the Department of Toxic Substance Control [DTSC], it became a lot clearer.

The law requires DTSC to sample up to 75 products from retailer and wholesaler shelves. Anyone who sells ball valves, gate valves, check valves, faucets, etc. will need to have compliant product on their shelves. DTSC will check for two things: Certification from an outside lab and then send the product to a third party lab to verify it. If a product is not compliant, the offending company can be fined up to \$2,500 per day and a per unit per day penalty. DTSC has geared up for this and will start auditing after the first of the year.

DTSC isn’t going to audit jobs in the field. That is the function of the city/county/municipal inspectors. There have been several conversations with local inspectors, and they indicated to us that they will rely on the certifications from the manufacturers to verify compliance. As usual, I believe that each group of inspectors may have slightly different takes on what the law means to them. That means, there is a high probability that a job won’t be signed off unless the inspector is assured that the product in the system is compliant.

I know what you are thinking. What products are included and excluded? You can get a copy of the law from the internet. You can call Champion-Arrowhead at 323-221-9137 and we will answer any questions you might have. We aren’t taking any chances and have had all of our products certified at great cost. At the end of the day, there are still a lot of open questions about how this is going to be handled in the field. Be proactive: talk to your distributor and ask for compliant product, and more importantly, talk to your local inspector in December to find out what their position on this law is and how they will interpret it. That will save a lot of headaches after the start of a new year, which we all hope will be a better one.

Regards,

Jim Gitney CEO