November 28, 2022

Filed Electronically Via TrueFiling

Honorable Tani G. Cantil-Sakauye, Chief Justice
and Associate Justices
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102

Re: *Environmental Health Advocates v. Sream, Inc.*, Court of Appeal Case No. A163346
Opposition to Request for Depublication of Opinion

Dear Chief Justice Cantil-Sakauye and Associate Justices of the Supreme Court:

Pursuant to Rule 8.1125(b) of the California Rules of Court, non-party the California Chamber of Commerce and the other undersigned non-parties respectfully oppose Plaintiff-Appellant Environmental Health Advocates, Inc.'s ("EHA") Request for Depublication ("Request") of the First District Court of Appeal's Opinion in *Environmental Health Advocates, Inc. v. Sream, Inc.*, Case No. A163346 ("*Sream*").

In *Sream*, the Court of Appeal shed light on a decades-old issue under California Proposition 65: how should the statute's warning requirement apply to consumer products that do not themselves contain a listed chemical but that may be used in conjunction with other products to create a listed chemical? Although the lead agency responsible for implementing Proposition 65 and the California Attorney General have provided guidance on this "indirect exposure" issue several times in different situations, private plaintiffs have not heeded this guidance and have continued to raise variations of this issue in new contexts. As discussed below, the *Sream* Court correctly synthesized the prior guidance and Proposition 65's implementing regulations to provide much-needed clarity for all interested stakeholders of Proposition 65, including plaintiffs, regulated entities, and the California public. The Court should allow this precedent to stand.

Sream should be published on several bases: (i) it applies an existing rule of law to a significantly different set of facts; (ii) it resolves a legal issue of continuing public interest; and (iii) it reviews the history of a provision of written law. Cal. R. Ct. 8.1105(c)(2), (6), (7). EHA's arguments to the contrary are unavailing and barely address the standards for publishing appellate opinions.[1] Indeed, EHA's Request does little more than rehash arguments that were unsuccessful before the Court of Appeal. To the extent such arguments are worthy of consideration by the California Supreme Court, the appropriate vehicle for raising them would have been a petition for rehearing (which EHA did not file), or a petition for review by this Court (which EHA also did not file), both of which would have permitted full briefing and argument. The Court should reject EHA's Request as essentially an attempt at summary reversal of the Court of Appeal's well-reasoned decision.

INTEREST IN PUBLICATION

The California Chamber of Commerce ("CalChamber") is a nonprofit business association with 13,000 members, both individual and corporate, representing virtually every economic interest in the State of California. CalChamber's members include several of the largest businesses in California, but seventy-five percent of its members are small businesses with 100 or fewer employees. CalChamber acts on behalf of the business community to improve the state's economic and employment climate by representing businesses on a broad range of legislative, regulatory, and legal issues. The other signatories are trade associations who collectively represent thousands of businesses in specific sectors of the California economy. Together, the members of CalChamber and the other signatories employ millions of Californians.

Countless members of the signatories have been identified in the more than 14,000 notices of violation of Proposition 65 that private enforcers of the statute have issued in the last five years alone.[2] Because so many of its members are directly impacted by Proposition 65, CalChamber has historically been and continues to be deeply involved a wide variety of Proposition 65-related regulatory and litigation matters, often working in conjunction with the other signatories. Specifically, CalChamber has coordinated and spearheaded policy discussions on Proposition 65

[1] *See* Request at 7-8. Only this final section of EHA's Request addresses the standards for publication.
[2] The California Attorney General maintains a public database of Proposition 65 notices of violation, which may be accessed at https://oag.ca.gov/prop65/60-day-notice-search. The database allows users to filter by the dates on which notices of violation were issued. According to the database, private enforcers issued 14,481 notices of violation of Proposition 65 between November 28, 2017 and November 28, 2022.

issues involving business leaders, policy makers, scientists, and advocacy groups in both the regulatory and legislative forums. CalChamber has also closely monitored proposed listings of chemicals and other regulatory activities under Proposition 65, has advised its members on these issues, and has represented its members in policy discussions and litigation, including litigation challenging Proposition 65 provisions and regulations promulgated under Proposition 65.

BACKGROUND ON PROPOSITION 65

The unusual statutory and regulatory provisions of the Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65") have no analog in statute or common law in California or in any other jurisdiction. Because of its onerous private enforcement regime, all but a handful of Proposition 65 lawsuits settle, resulting in a dearth of judicial guidance, much less binding appellate precedent, on even fundamental aspects of the law.

Proposition 65 is unique among California laws in that: (i) it allows private citizens (sometimes known as "bounty hunters") to step into the shoes of public prosecutors, enforce a public health statute on behalf of the California public, and retain a portion of civil penalties that would otherwise be earmarked for the public treasury; and (ii) it employs a unique burden shifting mechanism that requires defendants to prove their innocence after a plaintiff has shown that a chemical is present at *any level*. These features, together with the need for complex, expensive, expert-intensive litigation, the possibility of civil penalties of up to $2,500 per unit sold, and the availability of attorney fees for private enforcers—who bring over 99 percent of all enforcement actions—have combined to create an environment where the overwhelming majority of Proposition 65 actions settle well before trial, irrespective of whether they have merit.

This has long been recognized and criticized by jurists. "[L]awsuits under Proposition 65 can be filed and prosecuted by any person against any business based on bare *allegations* of a violation unsupported by any evidence of an *actual* violation—or even a good faith belief that a defendant is using an unsafe amount of a chemical known by the state to cause cancer or reproductive toxicity." *Consumer Cause, Inc. v. SmileCare*, 91 Cal. App. 4th 454, 477 (2001) (Vogel J., dissenting) (emphasis in original). This burden-shifting scheme results in "a form of judicial extortion," *id.* at 478, because a business's rational response to a Proposition 65 claim is: "Settle with the plaintiff, of course. Save the cost of the assessment. Save the legal fees. Get rid of the case." *Id.* "[B]ringing Proposition 65 litigation is so absurdly easy" and is "intended to frighten all but the most hardy of targets (certainly any small ma and pa businesses) into a quick[] settlement." *Consumer Def. Grp. v. Rental Hous. Indus. Members*, 137 Cal. App. 4th 1185, 1216-17 (2006) (footnote omitted).

Policymakers have also recognized that Proposition 65 not only costs businesses but also affects the public by resulting in too many warnings, payments to lawyers that are in not in the public interest, and a drag on California's economy.[3] Former Governor Edmund G. Brown Jr. attempted reforms in response to "abuse[] by some lawyers, who bring nuisance lawsuits to extract settlements from businesses with little or no benefit to the public or the environment."

[3] *See, e.g., Governor Brown Proposes to Reform Proposition 65* (May 7, 2013), available at: https://www.ca.gov/archive/gov39/2013/05/07/news18026/index.html ("Proposition 65 is a good law that's helped many people, but it's being abused by unscrupulous lawyers.").

His Secretary of the California EPA sought "to prevent groups from exploiting or misconstruing [Proposition 65] for their own personal gain." And the agency that implements Proposition 65 has continuously sought to discourage businesses from providing unnecessary warnings brought on by the law's uncertainty and private enforcement regime. *See, e.g.*, *Nicolle-Wagner v. Deukmejian*, 230 Cal. App. 3d 652, 660-61 (1991) (upholding OEHHA regulation exempting "naturally occurring" chemicals in food because it reduces "unnecessary warnings, which could distract the public from other important warnings on consumer products"); OEHHA, "Final Statement of Reasons: Adoption of New Article 6: Regulations for Clear and Reasonable Warnings" at 110, 197 (Sept. 1, 2016)[4] (observing that Proposition 65 warnings that "include more specific, relevant information will further the right-to-know purposes of the law and reduce the likelihood that businesses will provide unnecessary warnings for non-existent or insignificant exposures"); OEHHA, "Final Statement of Reasons: Adoption of New Section 25704: Exposures to Listed Chemicals in Coffee Posing No Significant Risk" at 12 (June 7, 2019)[5] (reasoning that exempting from Proposition 65 exposures to listed chemicals formed during the heating of coffee beans will "further the purposes of the statute by avoiding unnecessary warnings for exposures to listed chemicals that pose no significant risk of cancer").

The upshot is that superior courts have very little appellate precedent to consult on Proposition 65, let alone on particular issues specific to certain cases. Furthermore, in the rare instances when Proposition 65 cases reach the Court of Appeal, the justices have little precedent on which to rely and instead must review the history of Proposition 65's implementing regulations and advisory letters from the implementing agency and the California Attorney General. CalChamber and the other signatories strongly believe that the publication of a well-reasoned decision like *Sream* would benefit all stakeholders of Proposition 65 by providing appellate precedent on an issue that—despite being raised by private enforcers in several different variations over the last two decades—has evaded appellate review until now.

REASONS FOR PUBLICATION

In *Sream*, the Court of Appeal unanimously upheld the trial court's order granting judgment on the pleadings in favor of the defendant, a manufacturer of water pipe products. EHA alleged that Sream, Inc. violated Proposition 65 by "expos[ing] consumers to marijuana smoke by manufacturing, importing, selling, and/or distributing . . . bong/water pipe products" without providing a clear and reasonable warning. *Sream* at 4. The trial court dismissed the complaint on the pleadings, finding that EHA's allegation that it was "reasonably foreseeable consumers may be exposed to marijuana, depending on how they choose to use a water pipe" was "insufficient to subject manufacturers or distributors of such products to Proposition 65 requirements." *Id.* at 5. The Court of Appeal unanimously upheld this ruling.

The Court of Appeal's decision was not only correct but also appropriate for publication under Rule of Court 8.1105. As such, EHA's Request for Depublication should be denied.

[4] Available at https://oehha.ca.gov/media/downloads/crnr/art6fsor090116.pdf.
[5] Available at https://oehha.ca.gov/media/downloads/crnr/fsorcoffee060719.pdf.

The Court of Appeal Correctly Analyzed the "Indirect Exposure" Alleged in Sream.

Proposition 65 provides that no business with at least ten employees "shall knowingly and intentionally *expose* any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual." Health & Safety Code § 25249.6 (emphasis added). The statute does not define what it means to "expose" any individual to a listed chemical. Proposition 65 authorizes the lead agency designated by the Governor to promulgate regulations to carry out the statute; the implementing regulations specify the meaning of this term.

Proposition 65's implementing regulations define *expose* as "to cause to ingest, inhale, contact via body surfaces, or otherwise come into contact with a listed chemical. An individual may come into contact with a listed chemical through water, air, food, consumer products and any other environmental exposure as well as occupational exposure." Cal. Code Regs. tit. 27, § 25102(i). In adopting this definition, the lead agency responsible for overseeing Proposition 65 explained that this definition clarifies that Proposition 65 "prohibits all means of *directly* bringing individuals into contact" with listed chemicals without providing a "clear and reasonable prior warning."[6]

Proposition 65 lawsuits involving consumer products can allege either "direct exposures" or "indirect exposures." In cases alleging "direct exposure," there is little doubt that a manufacturer would have caused any alleged exposures that did occur. This is the situation with the thousands of Proposition 65 actions involving food products that are removed from a manufacturer's packaging and ingested by the consumer; it is also the case with actions involving allegations that consumers physically touch an object or apply it to their skin. In such cases, the manufacturer cannot contend that the intervening act of a third party "caused" an exposure. Rather, as the Court of Appeal emphasized in its recent decision involving a face cream, the use of these products as intended "would necessarily cause the consumer to ingest, inhale, or otherwise come into bodily contact with a listed chemical." *Lee v. Amazon*, 76 Cal. App. 5th 200, 248 (2022).

By contrast, the question of whether a manufacturer "caused" an exposure to a listed chemical is much less clear in an "indirect exposure" case such as the claim EHA brought in the trial court. In these cases, the product at issue does not contain any listed chemical under Proposition 65 but instead can be used in conjunction with other products to create a listed chemical. To the extent exposures may occur, they are dependent (i) on how consumers choose to use a product and/or (ii) the circumstances under which consumers use the product. The Court of Appeal correctly analyzed this issue as one of statutory interpretation, referred to the regulations of the agency authorized to implement the statute, and finding ambiguity on this point, reviewed the history of its adoption of the regulation.

This is all quite routine for a court interpreting written law that does not clearly address the question before it. Consistent with how courts routinely assess and interpret regulations bearing ambiguities, the few appellate courts that have decided cases involving Proposition 65 have

[6] Health and Welfare Agency, "Proposition 65: Final Statement of Reasons, Preamble and Definitions" (Jan. 1988) at 29, available at https://oehha.ca.gov/media/downloads/crnr/art13fsorjan1988.pdf (emphasis added).

turned to the lead agency's final statements of reasons for determining regulatory intent. *See, e.g.*, *DiPirro v. Bondo Corp.*, 153 Cal. App. 4th 150, 188 (2007); *Consumer Advocacy Grp. v. Kintetsu Enters. Am.*, 150 Cal. App. 4th 953, 963 (2007); *Mateel Envt'l Jus. Found. v. OEHHA*, 24 Cal. App. 5th 220, 226-27 (2018). Indeed, the standards for publication of appellate opinions acknowledge that "reviewing . . . the legislative . . . history of a provision of . . . written law" can "make[] a significant contribution to legal literature," and such decisions deserve to be published. Cal. R. Ct. 8.1105(c)(7); *see also People v. Garcia*, 97 Cal. App. 4th 847, 851 (2002) (citing same). Far from being obliged to "stop there" with the regulatory language, as EHA suggests (Request at 4), the Court of Appeal appropriately reviewed the regulatory history in order to interpret that language in the context of the statute.

Furthermore, at the urging of EHA, the Court of Appeal reviewed guidance issued by the Attorney General over the last 25 years, in consultation with the implementing agency, advising how Proposition 65 should address these "indirect exposure" cases:

- 1995 Attorney General Opinion Letter[7] advising that where the use of a product, such as an internal combustion engine, "actually creates" the chemical in question, the provider of the product is responsible for providing a warning for the exposure, but where the exposure is "an indirect consequence of the intended use of the product," such as "dry clean only" clothing that is treated by a dry cleaner with listed chemicals, "the exposure is more directly the result of 'receiving a consumer service,' i.e., dry cleaning, than the result of the purchase of the garment." This opinion letter was expressly endorsed by the implementing agency.

- 1997 Attorney General Opinion Letter[8] advising that the manufacturers of diesel trucks, a consumer product, are responsible for warning operators of the trucks for exposures to diesel exhaust, but are not responsible for warning bystanders who may breathe exhaust when trucks are operated by others. "This principle follows logically from the premise that a manufacturer or operator is liable only for those emissions that are within the control of such manufacturer or operator."

- 2011 Attorney General Opinion Letter[9] advising that the manufacturer of alcoholic drinking games and novelty products (e.g., beer pong game sets) do not "expose" individuals to alcohol, a listed carcinogen under Proposition 65, and do not need to provide warnings as a result. "Proposition 65 does not, however, require that consumers receive a cancer warning prior to purchasing or using an object just because that object is commonly used to hold alcoholic beverages or may be used at the time individuals are using alcoholic beverages."

[7] California Attorney General (June 12, 1995), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/prop65/wasser_Perchlor_letter.pdf?.
[8] California Attorney General (Sept. 11, 1997), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/prop65/letter-diesel-091197.pdf?.
[9] California Attorney General (Oct. 12, 2011), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/prop65/prop65Alcoholic_Games_and_Novelties.pdf?.

The Court of Appeal reviewed this guidance, as well as the regulatory history on the term "expose," and concluded that EHA's allegation that it was "reasonably foreseeable" that users of water pipes would be exposed to marijuana smoke was insufficient. *See, e.g.*, *Sream* at 19 ("As a preliminary matter, these Attorney General letters clearly reject the 'foreseeability' test that EHA advances here."). Indeed, as the Court of Appeal had explained in a prior decision, the *Sream* Court found that the concept of "reasonably foreseeable use" is not relevant to determining whether a Proposition 65 exposure occurs. *Sream* at 13-17 (citing *Lee v. Amazon*, 76 Cal. App. 5th at 245). The Court of Appeal in *Sream* therefore rightly rejected EHA's proposed standard.[10]

The AG's Power Tools Settlement Does Not Support Depublication.

EHA's Request cites (at 5) a consent judgment between the Attorney General and power tool manufacturers that was not presented to the Superior Court and that the Court of Appeal refused to consider. *Sream*, at 20 n.7. EHA argues this document shows that the Attorney General "necessarily takes the position that Proposition 65 exposures can be actionable even if a product creates listed chemicals only in 'some uses.'" Request at 5. As the Court of Appeal rightly noted, this consent judgment is nothing more than a compromise. *Sream*, at 20 n.7. Further, the settling defendants specifically did "not admit any violations of Proposition 65."[11] It is not inconsistent with any guidance from the Attorney General or the lead agency. And it was a compromise in the face of uncertainty on the very issue the Court of Appeal has now resolved.

The lawsuit settled by the power tools consent judgment followed pre-litigation notices served by a private enforcer on almost two dozen manufacturers of power tools alleging a broad range of exposures from their use with various materials. Those notices were served in May 1998,[12] and the Attorney General's suit was filed on June 18, 1998,[13] within the 60-day notice period. The Attorney General's lawsuit therefore barred the private enforcer from proceeding. Health & Safety Code § 25249.7(d)(2).

This is a common pattern in Proposition 65 litigation, where an industry seeks to head off lengthy, expensive, and uncertain litigation by engaging with the Attorney General on possible settlement under specific standards that will apply uniformly. That those standards included warnings that go beyond positions taken by the Attorney General in official guidance is not evidence of any "implicit" repudiation of that guidance by the Attorney General, but instead an indication that the power tool industry wisely sought to foreclose any possibility of additional

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[10] Furthermore, although not considered by the Court of Appeal, the "reasonably foreseeable" standard would also be entirely inconsistent with the reported decision in *Consumer Cause, Inc. v. Weider Nutrition International, Inc.*, which EHA cites in its Request (at 3). There, the Court of Appeal held that the use of two products that do not contain a listed substance in order to create a listed substance in the human body was not a Proposition 65 exposure, despite the exposure being intended and therefore more than "foreseeable." 92 Cal. App. 4th 363 (2001), *as modified* (Oct. 16, 2001).

[11] *People v. Ace Hardware Corp., et al.*, Consent Judgment, Section 1.7 (Sept. 29, 2000), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/prop65/people_v_ace_hardware_power_tools.pdf.

[12] *See* Proposition 65 Notices, AG Nos. 1998-00085 and -00086 available at: https://www.oag.ca.gov/prop65/60-day-notice-search-results?combine=&combine_1=&field_prop65_defendant_value=&date_filter%5Bmin%5D%5Bdate%5D=01%2F01%2F1995&date_filter%5Bmax%5D%5Bdate%5D=06%2F18%2F1998&field_prop65_product_value=tool&sort_by=field_prop65_id_value&items_per_page=20.

[13] *People v. Ace Hardware Corp., et al.*, Consent Judgment Section 1.1 (Sept. 29, 2000), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/prop65/people_v_ace_hardware_power_tools.pdf.

Proposition litigation by the multiple possible private enforcers who, like EHA did in its claims against Sream, do not respect the Attorney General's guidance.

Had this consent judgment limited warnings to those tools whose use "necessarily" causes an exposure (e.g., masonry bits), the industry would have faced additional Proposition 65 claims seeking to test the legal principle set out in guidance from the AG and OEHHA (and now confirmed by the Court of Appeal in the *Sream* decision). That the power tool industry sought to avoid such litigation, and that the Attorney General felt it was in the public interest for warnings to be provided on power tools even if they do not cause exposures in all instances, does not mean that such warnings were required as a matter of law, much less that the Attorney General believed they were.

The Sream Decision Is Consistent with Sound Policy.

The Court of Appeal's finding that manufacturers of a consumer product cannot be liable for exposures that are a "possible *indirect* consequence, depending on how consumers choose to use" their products, *Sream* at 21, is not only consistent with the Attorney General's guidance and Proposition 65's implementing regulations but also furthers sound public policy.

EHA acknowledges that "difficult questions can arise when two products combine to create a listed chemical." Request at 6. But this is exactly why the *Sream* decision should not be depublished. It clearly "involves a legal issue of continuing public interest," Cal. R. Ct. 8.1105(c)(6), as shown by the Court of Appeal's consideration of various scenarios previously analyzed by the agency and the Attorney General in their guidance: clothing and drycleaning solvents, lawn mowers and gasoline, champagne flutes and champagne, trucks and diesel fuel, drinking games and alcoholic beverages. Furthermore, the *Sream* Opinion "makes a significant contribution to legal literature by reviewing . . . the legislative or judicial history of a provision of . . . written law," Cal. R. Ct. 8.1105(c)(7), namely the use of the term "expose" in Proposition 65. Notwithstanding the Attorney General's repeated guidance on how this term should apply in "indirect exposure" cases, private enforcers like EHA have persisted, and this issue has evaded appellate review until now.

EHA claims the decision "preempts . . . further inquiry and will likely result in good cases not being brought . . . ." Response at 6. But the Court of Appeal rightly rejected EHA's proposed standard of "reasonably foreseeable use" as having no basis in law, agency guidance, or practice. This will not prohibit "good cases" from being brought. If it is "reasonably foreseeable" that a water pipe will be used to smoke marijuana, it is likewise "reasonably foreseeable" that a tobacco pipe or a lighter or even a match will be used to smoke marijuana. Warnings on those everyday products would not further the purpose of Proposition 65 and instead would "invite mass consumer disregard and ultimate contempt for the warning process." *Sream* at 13 (quoting *Johnson v. Am. Standard, Inc.*, 43 Cal. 4th 56, 70 (2008) (internal quotations removed)). EHA's proposed standard has no boundary and would, if anything, exacerbate the Proposition 65 litigation free-for-all.

Furthermore, the *Sream* decision does not mean that marijuana users will not receive Proposition 65 warnings. EHA incorrectly states (at 2) that "[o]nly when marijuana is smoked does

Proposition 65 apply." This is simply wrong. The Proposition 65 list of chemicals includes not only "marijuana smoke," which was at issue in this case, but also the chemical "delta-9-tetrahydrocannabinol" (commonly known as THC), which is necessarily found in marijuana, and for which a warning may be required (depending on the level of exposure) regardless of whether the marijuana is intended for ingestion or inhalation. Moreover, a warning for marijuana smoke on marijuana is perfectly appropriate under Proposition 65, regardless of whether a consumer may choose to ingest or smoke the substance. As a result, a consumer intending to smoke marijuana with a water pipe should already have received a warning on the marijuana itself. EHA's lawsuit sought to require a second, unnecessary warning on water pipes, even though they can be used with non-marijuana substances that do not produce listed chemicals.

Conclusion

The *Sream* decision endorses a standard set by years of agency guidance and Attorney General interpretation that Proposition 65 bounty hunters have willfully ignored. The lack of judicial precedent on this core issue has resulted from the special features of Proposition 65 that prompt robust enforcement by parties out of the control of public officials, discourage businesses that bear the burden of proving their innocence from obtaining judicial clarification, and instead coerce settlements (and warnings) irrespective of a lawsuit's merit.

With its Request for Depublication, EHA has chosen *not* to seek rehearing or review of this decision but instead to attempt, via the back door, to wipe it off the books. Doing so would ensure that EHA and other private enforcers of Proposition 65 can continue to exploit the law's ambiguities without serving its legitimate public purposes. The Supreme Court should apply its rules for publication and honor the labor and the appropriate analytical reasoning of the Superior Court and the Court of Appeal in this case by rejecting EHA's Request.

Sincerely,

Adam J. Regele
California Chamber of Commerce

On behalf of:

American Apparel & Footwear Association
American Bakers Association
American Chemistry Council (ACC)
American Composites Manufacturers Association
American Public Gas Association
Association of Home Appliance Manufacturers (AHAM)
California Attractions and Parks Association
California Building Industry Association (CBIA)

California Business Properties Association (CBPA)
California Grocers Association
California League of Food Producers
California Manufacturers & Technology Association (CMTA)
California Retailers Association
Carlsbad Chamber of Commerce
Chemical Fabrics & Film Association (CFFA)
Consumer Healthcare Products Association (CHPA)
Civil Justice Association of California (CJAC)
Diving Equipment & Marketing Association
Frozen Potato Products Institute (FPPI)
Hach Company
Hearth, Patio & Barbecue Association
Industrial Environmental Association (IEA)
National Federation of Independent Businesses (NFIB)
Outdoor Power Equipment Institute (OPEI)
Outdoor Power Parts & Accessories Association (OPPAA)
Power Tool Institute, Inc.
Specialty Equipment Market Association (SEMA)
Western Growers Association
Western Wood Preservers Institute

Enclosure