



Form No. 3431-447 Rev A

**Count on it.**

**Operator's Manual**

**Soil Cultivator  
Compact Tool Carrier**

Model No. 23102—Serial No. 319000001 and Up

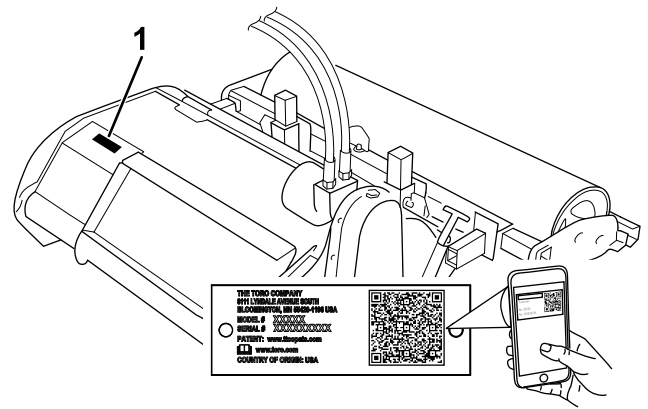


This product complies with all relevant European directives. For details, please see the Declaration of Incorporation (DOI) at the back of this publication.

**⚠ WARNING**

**CALIFORNIA  
Proposition 65 Warning**

**Use of this product may cause exposure to chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm.**



g285760

**Figure 1**

1. Model and serial number location

# Introduction

This soil cultivator is intended to be used on a Toro compact tool carrier. It is designed primarily for burying stones, soil clods, debris, and grass, which creates the perfect germination environment for fresh seeds or sod on residential or commercial properties. Using this product for purposes other than its intended use could prove dangerous to you and bystanders.

Read this information carefully to learn how to operate and maintain your product properly and to avoid injury and product damage. You are responsible for operating the product properly and safely.

Visit [www.Toro.com](http://www.Toro.com) for product safety and operation training materials, accessory information, help finding a dealer, or to register your product.

Whenever you need service, genuine Toro parts, or additional information, contact an Authorized Service Dealer or Toro Customer Service and have the model and serial numbers of your product ready. Figure 1 identifies the location of the model and serial numbers on the product. Write the numbers in the space provided.

Model No. _____
Serial No. _____

This manual identifies potential hazards and has safety messages identified by the safety alert symbol (Figure 2), which signals a hazard that may cause serious injury or death if you do not follow the recommended precautions.



g000502

**Figure 2**

1. Safety alert symbol

This manual uses 2 words to highlight information. **Important** calls attention to special mechanical information and **Note** emphasizes general information worthy of special attention.

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# Safety

## **⚠ DANGER**

**There may be buried utility lines in the work area. Digging into them may cause a shock or an explosion.**

**Have the property or work area marked for buried lines and do not dig in marked areas. Contact your local marking service or utility company to have the property marked (for example, in the US, call 811 or in Australia, call 1100 for the nationwide marking service).**

## General Safety

Always follow all safety instructions to avoid serious injury or death.

- **Do not transport an attachment with the arms raised.** Always transport the attachment close to the ground; refer to [Transport Position \(page 9\)](#).
- Have the property or work area marked for buried lines and other objects, and do not dig in marked areas.
- Read and understand the content of this *Operator's Manual* before starting the engine.
- Use your full attention while operating the machine. Do not engage in any activity that causes distractions; otherwise, injury or property damage may occur.
- Never allow children or untrained people to operate the machine.
- Keep your hands and feet away from the moving components and attachments.
- Do not operate the machine without the guards and other safety protective devices in place and working on the machine.
- Keep bystanders and pets away from the machine.
- Stop the machine, shut off the engine, and remove the key before servicing, fueling, or unclogging the machine.

Improperly using or maintaining this machine can result in injury. To reduce the potential for injury, comply with these safety instructions and always pay attention to the safety-alert symbol **⚠**, which means Caution, Warning, or Danger—personal safety instruction. Failure to comply with these instructions may result in personal injury or death.

## Slope Safety

- **Operate the machine up and down slopes with the heavy end of the machine uphill.** Weight distribution changes with attachments. This attachment makes the front of machine the heavy end.
- **Keep the attachment in the lowered position when on slopes.** Raising the attachment on a slope affects the stability of the machine.
- Slopes are a major factor related to loss of control and tip-over accidents, which can result in severe injury or death. Operating the machine on any slope or uneven terrain requires extra caution.
- Establish your own procedures and rules for operating on slopes. These procedures must include surveying the site to determine which slopes are safe for machine operation. Always use common sense and good judgment when performing this survey.
- Slow down and use extra care on hillsides. Ground conditions can affect the stability of the machine.
- Avoid starting or stopping on a slope. If the machine loses traction, proceed slowly, straight down the slope.
- Avoid turning on slopes. If you must turn, turn slowly and keep the heavy end of the machine uphill.
- Keep all movements on slopes slow and gradual. Do not make sudden changes in speed or direction.
- If you feel uneasy operating the machine on a slope, do not do it.
- Watch for holes, ruts, or bumps, as uneven terrain could overturn the machine. Tall grass can hide obstacles.
- Use caution when operating on wet surfaces. Reduced traction could cause sliding.
- Evaluate the area to ensure that the ground is stable enough to support the machine.
- Use caution when operating the machine near the following:
  - Drop-offs
  - Ditches
  - Embankments
  - Bodies of water

The machine could suddenly roll over if a track goes over the edge or the edge caves in. Maintain a safe distance between the machine and any hazard.

- Do not remove or add attachments on a slope.
- Do not park the machine on a hillside or slope.

## Soil Cultivator Safety

- For wheeled traction units, use the counterweight on the traction unit when using the attachment.
- Always lower the attachment each time you shut off the machine or leave the operating position.

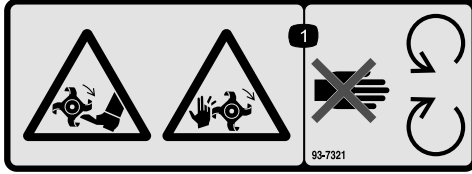
## Maintenance and Storage Safety

- Check fasteners at frequent intervals for proper tightness to ensure that the equipment is in safe operating condition.
- Refer to the *Operator's Manual* for important details if you store the attachment for an extended period of time
- Maintain or replace safety and instruction labels, as necessary.

# Safety and Instructional Decals



Safety decals and instructions are easily visible to the operator and are located near any area of potential danger. Replace any decal that is damaged or missing.



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**93-7321**

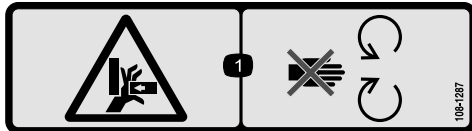
1. Cutting/dismemberment hazard of hands and feet, rotating knives/blades—stay away from moving parts.



decal100-4708

**100-4708**

1. Thrown object hazard—keep bystanders away.



decal108-1287

**108-1287**

1. Crushing hazard, hand—stay away from moving parts.

**WARNING:** Cancer and Reproductive Harm - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).  
For more information, please visit [www.tcoCAProp65.com](http://www.tcoCAProp65.com)

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**133-8061**

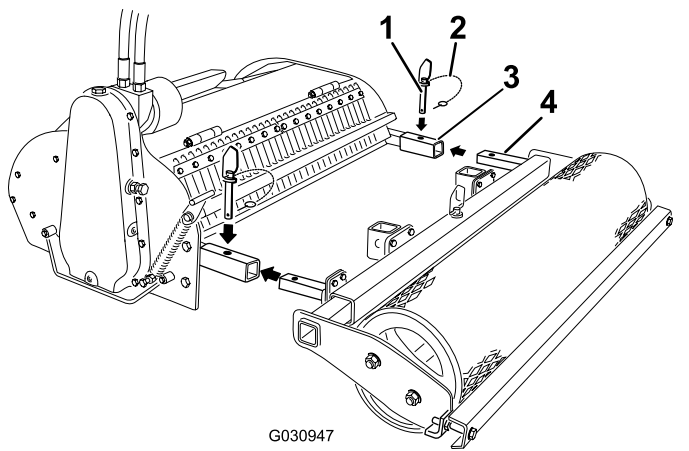
# Setup

## Installing the Roller

1. Remove the roller from the shipping stand.
2. Install the cultivator on the traction unit and remove it from the shipping stand.

**Note:** Refer to your traction unit *Operator's Manual* for more information on installing attachments on your traction unit.

3. Lower the cultivator to the ground.
4. Remove the snap-ring clevis pins from the drift pins (Figure 3).
5. Remove the drift pins from the arms of the cultivator (Figure 3).

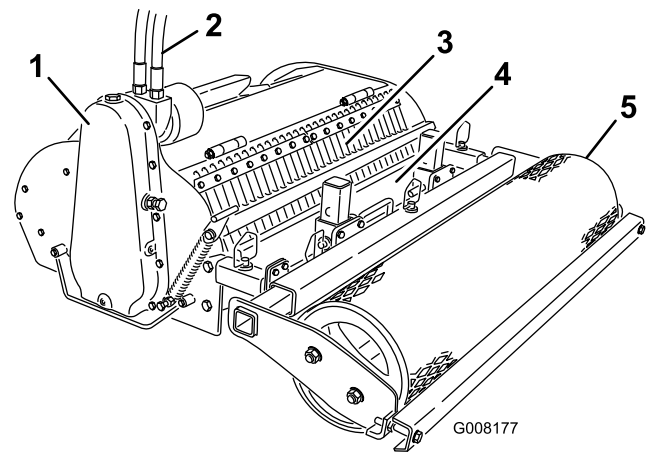


**Figure 3**

1. Drift pin
2. Snap-ring clevis pin
3. Cultivator arm
4. Roller arm

6. Slide the arms on the roller into the arms on the cultivator and connect them with the drift pins (Figure 3).
7. Secure the drift pins with the attached snap-ring clevis pins.

# Product Overview



**Figure 4**

1. Drive-chain housing
2. Hydraulic hoses
3. Digging tines and tine guard
4. Grader blade
5. Roller

## Specifications

**Note:** Specifications and design are subject to change without notice.

Width	130 cm (51 inches)
Length	130 cm (51 inches)
Height	53 cm (21 inches)
Weight	250 kg (550 lb)

To ensure optimum performance and continued safety certification of the machine, use only genuine Toro replacement parts and accessories. Replacement parts and accessories made by other manufacturers could be dangerous, and such use could void the product warranty.

# Operation

Determine the left and right sides of the machine from the normal operating position.

## Installing and Removing the Attachment

Refer to the *Operator's Manual* for the traction unit for the installation and removal procedure.

**Important:** Before installing the attachment, position the machine on a level surface, ensure that the mount plates are free of any dirt or debris, and ensure that the pins rotate freely. If the pins do not rotate freely, grease them.

**Note:** Always use the traction unit to lift and move the attachment.

### ⚠ WARNING

If you do not fully seat the quick-attach pins through the attachment mount plate, the attachment could fall off the machine, crushing you or bystanders.

Ensure that the quick-attach pins are fully seated in the attachment mount plate.

### ⚠ WARNING

Hydraulic fluid escaping under pressure can penetrate skin and cause injury. Fluid injected into the skin must be surgically removed within a few hours by a doctor familiar with this form of injury; otherwise, gangrene may result.

- Ensure that all hydraulic-fluid hoses and lines are in good condition and all hydraulic connections and fittings are tight before applying pressure to the hydraulic system.
- Keep your body and hands away from pinhole leaks or nozzles that eject high-pressure hydraulic fluid.
- Use cardboard or paper to find hydraulic leaks; never use your hands.

### ⚠ CAUTION

Hydraulic couplers, hydraulic lines/valves, and hydraulic fluid may be hot. If you contact hot components, you may be burned.

- Wear gloves when operating the hydraulic couplers.
- Allow the machine to cool before touching hydraulic components.
- Do not touch hydraulic fluid spills.

## Removing the Roller

To use the cultivator as a tiller without the grader or roller, or to perform various adjustments and maintenance procedures, remove the roller and grader as follows:

1. Park the machine on a level surface, lower the attachment, tilt the attachment to raise the roller off of the ground, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Remove the drift pins from the arms of the cultivator (Figure 5).

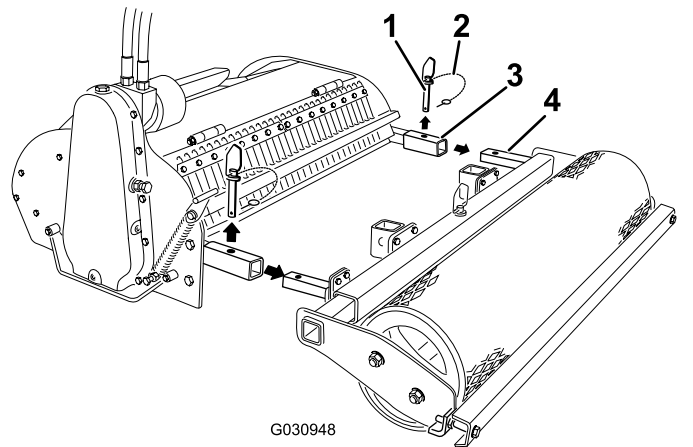


Figure 5

- |                         |                   |
|-------------------------|-------------------|
| 1. Drift pin            | 3. Cultivator arm |
| 2. Snap-ring clevis pin | 4. Roller arm     |

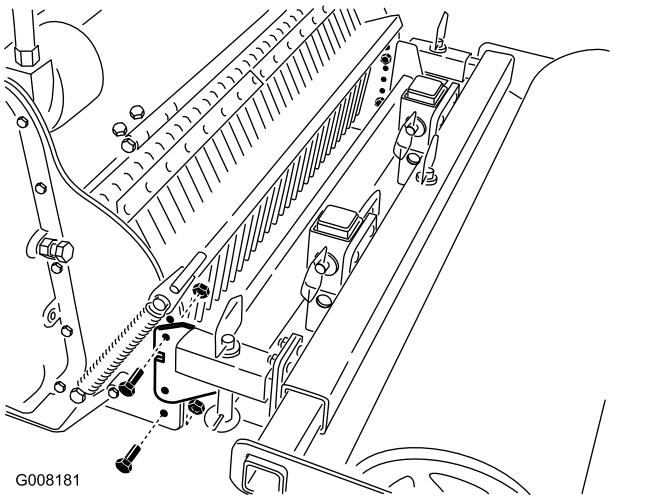
4. Pull the roller off the cultivator (Figure 5).
5. Store the pins in the arms of the roller for future use.

**Note:** To install the roller, refer to [Installing the Roller](#) (page 6).

# Setting the Digging Depth

Set the dig depth of the cultivator according to the work you are performing up to 13.9 cm (5-1/2 inches). The depth of cut is determined by the position of the roller. You can move the roller up and down by changing the mounting location of the arms on the cultivator as follows:

1. Remove the roller from the cultivator; refer to [Removing the Roller \(page 7\)](#).
2. Remove the bolts securing the arms to the cultivator ([Figure 6](#)).



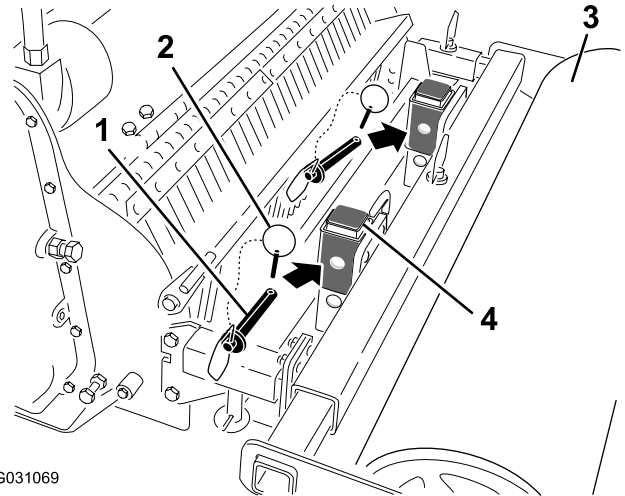
**Figure 6**

3. Move the arms to the set of holes corresponding to the desired depth ([Figure 6](#)).
  - Move the arms up to set the digging depth deeper
  - Move the arms down to set the digging depth shallower.
4. Secure the arms using the bolts and nuts removed previously.
5. Install the roller.

# Adjusting the Grader Blade

You can adjust the grader blade that sits just behind the roller to give the desired finish. Typically, you should adjust it so that the edge of the blade is just slightly higher than the bottom of the roller.

1. Park the machine on a level surface, lower the attachment, tilt the attachment to raise the roller off of the ground, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Remove the drift pins from the grader-blade mounting posts ([Figure 7](#)).



**Figure 7**

1. Drift pin
  2. Snap-ring clevis pin
  3. Roller
  4. Grader-blade mounting post
4. Slide the grader blade up or down to the desired hole position.
  5. Place the drift pins into mounting posts.
  6. Place the attached snap-ring clevis pins into the 2 drift pins.
  7. Swing the snap rings down over the ends of the pin to secure the grader blade.
  8. Lower the roller to the ground.



# Changing the Horizontal Position of the Roller

The roller has 3 horizontal positions. To cultivate along the edge of the work area, align the edges of the roller with the edges of the cultivator. To cultivate an area with no messy edges between cultivation passes, offset the roller to either side so that about 15 cm (6 inches) of the roller overlaps the last cultivating pass.

1. Park the machine on a level surface, lower the attachment, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Remove the drift pin (Figure 8).

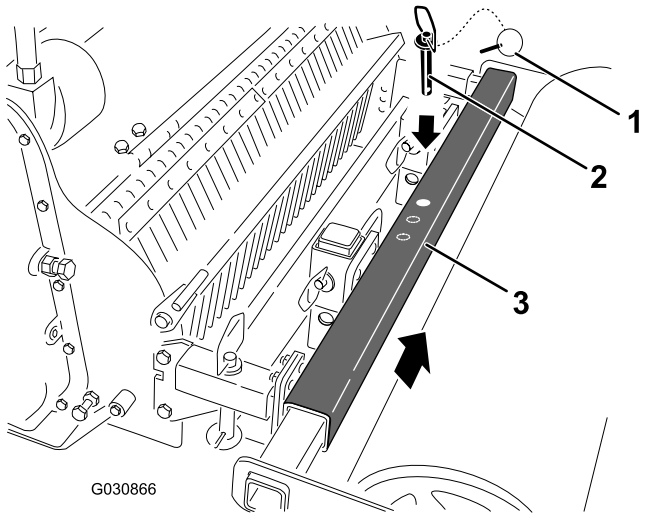


Figure 8

- |                         |                       |
|-------------------------|-----------------------|
| 1. Snap-ring clevis pin | 3. Roller-support bar |
| 2. Drift pin            |                       |

4. Slide the roller to the desired position (Figure 8).
5. Insert the drift pin through the roller-support bar.
6. Insert the attached snap-ring clevis pin through the drift pin to secure the roller.

# Operating the Cultivator

1. Lower the cultivator to the ground and ensure that the chain case is perpendicular to the ground (Figure 9).

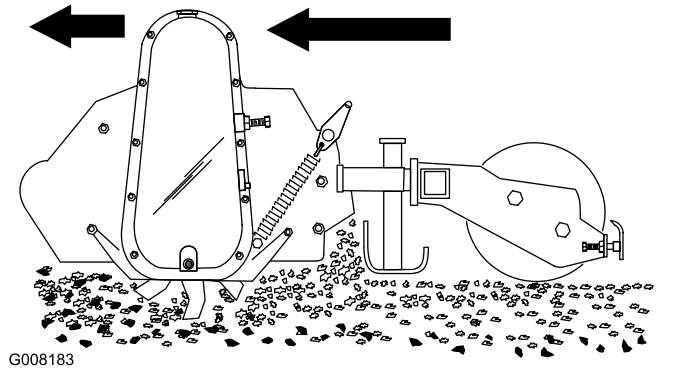


Figure 9

2. Pull the auxiliary-hydraulics lever to the operator grip to start the cultivator.
3. Slowly lower the cultivator until the blades dig into the soil and the roller touches the ground.
4. Slowly move rearward.
5. When the pass is finished, stop the hydraulics and raise the cultivator.

**Important:** Do not drive the machine across pavement or other hard surfaces without first raising the cultivator. Crossing hard surfaces with the tines lowered damages the tines and the property.

# Transport Position

When transporting the attachment, keep it as close to the ground as possible, no more than 15 cm (6 inches) above the ground. Tilt it rearward.

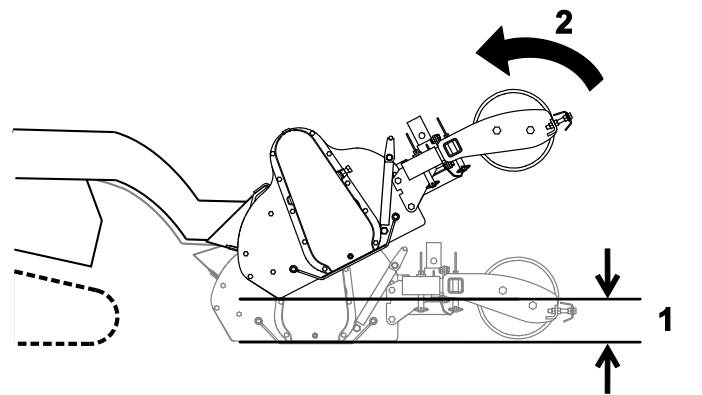


Figure 10

1. No more than 15 cm (6 inches) above the ground
2. Tilt the attachment rearward.

# Operating Tips

- Inspect the area where the cultivator is to be used and remove all objects such as large rocks, trash, and branches before cultivating to prevent equipment damage.
- Always begin cultivating with the slowest ground speed possible. Increase the speed if conditions permit.
- Always use full throttle (maximum engine speed).
- Cultivate in long, straight passes. Turning with the tines lowered causes equipment and property damage.
- If a rock or other obstruction goes into the tines, disengage the hydraulics and drive the traction unit forward until the obstruction is dislodged.
- If you are using a traction unit with a flow divider (some wheeled units have flow dividers; refer to your traction unit *Operator's Manual*), you can use the flow divider to achieve the optimal rotor and ground speed for your soil conditions as follows:
  1. Set the flow divider to the 9 o'clock position and the speed selector to the turtle position.
  2. Pull the auxiliary hydraulics lever to the operator grip to start the cultivator.
  3. Move the flow divider lever while moving the traction unit rearward until the cultivation results are ideal.

# Maintenance

Determine the left and right sides of the machine from the normal operating position.

## ⚠ CAUTION

If you leave the key in the switch, someone could accidentally start the engine and seriously injure you or other bystanders.

Remove the key from the switch before you perform any maintenance.

## Recommended Maintenance Schedule(s)

Maintenance Service Interval	Maintenance Procedure
After the first 5 hours	<ul style="list-style-type: none"><li>Adjust the drive-chain tension.</li></ul>
After each use	<ul style="list-style-type: none"><li>Clean debris from the attachment.</li></ul>
Every 25 hours	<ul style="list-style-type: none"><li>Grease the cultivator.</li><li>Adjust the drive-chain tension.</li></ul>
Every 200 hours	<ul style="list-style-type: none"><li>Change the drive-chain oil.</li></ul>
Before storage	<ul style="list-style-type: none"><li>Grease the cultivator.</li><li>Paint chipped surfaces.</li></ul>

## Greasing the Cultivator

**Service Interval:** Every 25 hours

Before storage

Grease the 2 fittings on the ends of the roller and 1 fitting on the 4-bolt flange on the left side of the main housing.

**Grease Type:** General-purpose grease

**Important:** Grease immediately after every washing

1. Park the machine on a level surface, lower the attachment, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Clean the grease fittings with a rag.
4. Connect a grease gun to each fitting.
5. Pump grease into the fittings until grease begins to ooze out of the bearings.
6. Wipe up any excess grease.

## Changing the Drive-Chain Oil

**Service Interval:** Every 200 hours

Check the gear lubrication oil level in the gear case every 25 operating hours and change it every 200 operating hours or once a year, whichever comes first.

**Oil Type:** 85 W 140

1. Park the machine on a level surface, engage the parking brake (if equipped), and ensure that the drive-chain cover is perpendicular to the ground.
2. Raise the attachment high enough to place a pan under the drive-chain case and support the attachment with jack stands.

## ⚠ WARNING

**Mechanical or hydraulic jacks or the lift arms may fail to support the cultivator and cause a serious injury; use jack stands to support the cultivator.**

**Do not use the lift arms alone or hydraulic jacks.**

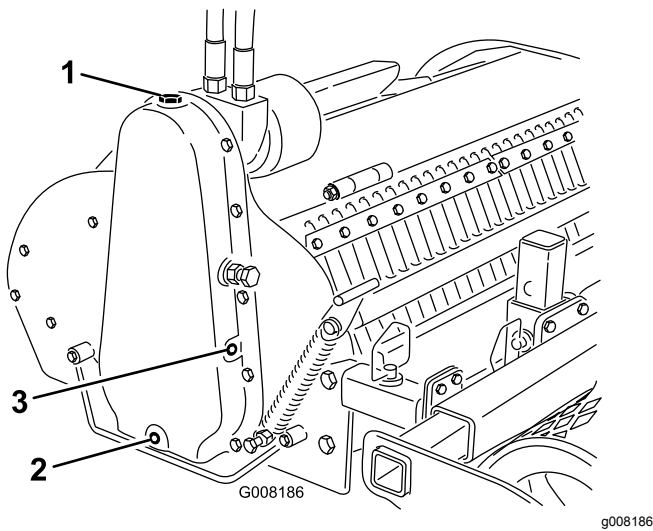
3. Shut off the engine and remove the key
4. Open the oil-fill hole on top of the drive-chain case (Figure 11).

# Adjusting the Drive-Chain Tension

**Service Interval:** After the first 5 hours

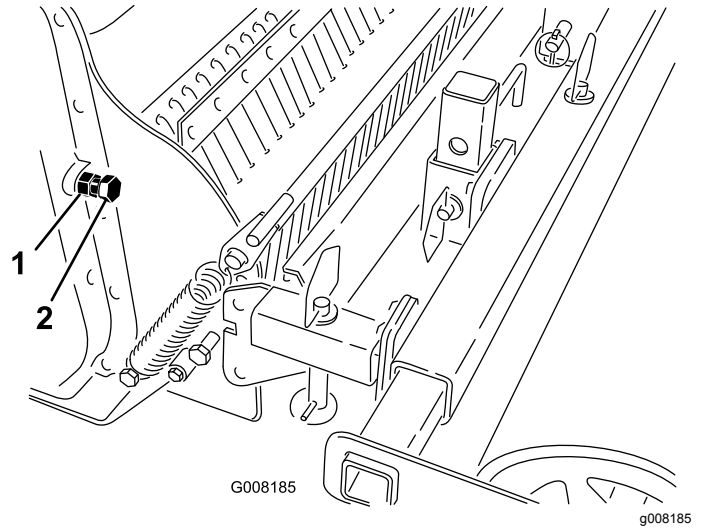
Every 25 hours

1. Park the machine on a level surface, lower the attachment, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Loosen the jam nut on the chain-adjusting screw (Figure 12).



**Figure 11**

1. Oil-fill hole
2. Drain plug
3. Side plug



**Figure 12**

1. Jam nut
2. Chain-adjusting screw

5. Place a large drip pan under the drive-chain case.
6. Remove the drain plug (Figure 11).
7. When all of the oil has drained from the case, replace and tighten the drain plug.
8. Remove the side plug (Figure 11).
9. Pour oil into the fill hole slowly until oil runs out the side-plug hole.
10. Replace the side plug and oil-fill hole plug and tighten them.
11. Wipe up any spilled oil.

4. Turn the screw by hand until you feel resistance (Figure 12).
5. Mark the screw with a pencil and then unscrew it 1 turn.
6. Tighten the jam nut.

# Replacing Tines

Check and replace tines when they become worn or dull. Worn or dull tines degrade the performance of the cultivator

1. Park the machine on a level surface, lower the attachment, and engage the parking brake (if equipped).
2. Shut off the engine and remove the key
3. Remove the roller assembly from the cultivator.
4. Lift up and release the spring catch on the side of the cultivator (Figure 13).

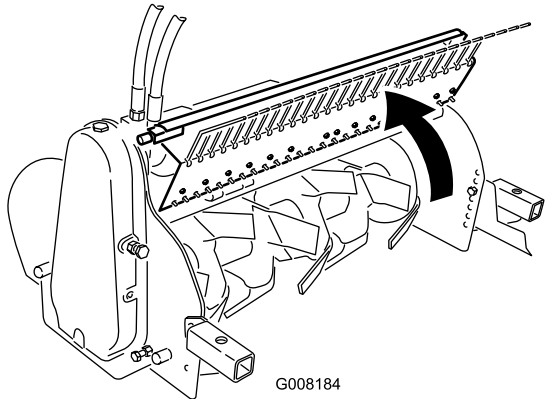
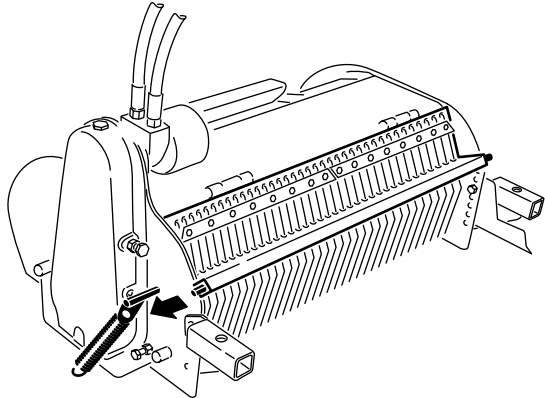


Figure 13

g008184

5. Open the tine cover (Figure 13).
6. Remove old tines, 1 at a time, and install the new tines (Figure 14).

**Note:** Each center hub has 4 tines (2 right-hand and 2 left-hand). The left and right tines are alternated on the hub. Ensure that you replace each tine with the same type of tine that was installed previously.

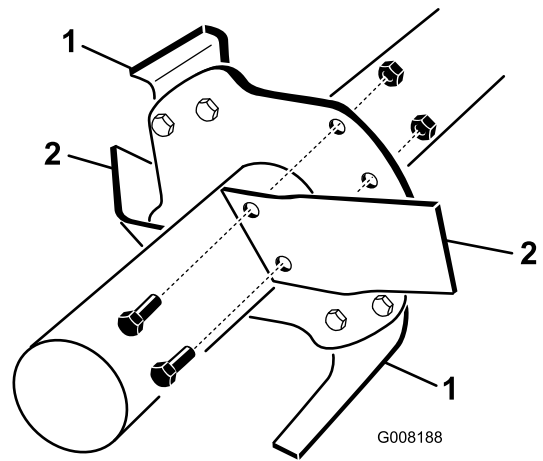


Figure 14

g008188

1. Left tine
2. Right tine

7. Torque the tine-mounting bolts to 86 to 104 N-m (63 to 77 ft-lb).
8. Close the tine cover and secure it with the spring latch.
9. Install the roller assembly.

# Storage

1. Before long-term storage, wash the attachment with mild detergent and water to remove dirt and grime.
2. Grease all fittings.
3. Check and adjust the tension of the drive chain.
4. Check and tighten all hardware. Repair or replace any damaged or worn part.
5. Ensure that all hydraulic couplers are connected together to prevent contamination of the hydraulic system.
6. Paint all scratched or bare metal surfaces. Paint is available from your Authorized Service Dealer.
7. Store the attachment in a clean, dry garage or storage area. Cover it to protect it and keep it clean.

# Troubleshooting

Problem	Possible Cause	Corrective Action
The cultivator does not operate.	<ol style="list-style-type: none"><li>1. A hydraulic coupler is not completely connected.</li><li>2. A hydraulic coupler is damaged.</li><li>3. There is an obstruction in a hydraulic hose.</li><li>4. A hydraulic hose is kinked.</li><li>5. The auxiliary valve on the traction unit is not opening.</li><li>6. A hydraulic valve or the drive motor is damaged.</li><li>7. There is an obstruction in the cultivator (eg, rock or root).</li><li>8. The drive chain is loose.</li><li>9. The drive chain is broken.</li></ol>	<ol style="list-style-type: none"><li>1. Check and tighten all couplers.</li><li>2. Check the couplers and replace any that are damaged.</li><li>3. Find and remove the obstruction.</li><li>4. Replace the kinked hose.</li><li>5. Repair the valve.</li><li>6. Contact your Authorized Service Dealer.</li><li>7. Find and remove the obstruction.</li><li>8. Adjust the chain tension.</li><li>9. Repair or replace the chain.</li></ol>

**Notes:**



**Notes:**

# Declaration of Incorporation

Model No.	Serial No.	Product Description	Invoice Description	General Description	Directive
23102	319000001 and Up	Soil Cultivator, Compact Tool Carrier	SOIL CULTIVATOR	Compact Tool Carrier	2006/42/EC

Relevant technical documentation has been compiled as required per Part B of Annex VII of 2006/42/EC.

We will undertake to transmit, in response to requests by national authorities, relevant information on this partly completed machinery. The method of transmission shall be electronic transmittal.

This machinery shall not be put into service until incorporated into approved Toro models as indicated on the associated Declaration of Conformity and in accordance with all instructions, whereby it can be declared in conformity with all relevant Directives.

Certified:



Joe Hager  
Sr. Engineering Manager  
8111 Lyndale Ave. South  
Bloomington, MN 55420, USA  
March 7, 2019

Authorized Representative:

Marcel Dutrieux  
Manager European Product Integrity  
Toro Europe NV  
Nijverheidsstraat 5  
2260 Oevel  
Belgium

## EEA/UK Privacy Notice

### **Toro's Use of Your Personal Information**

The Toro Company ("Toro") respects your privacy. When you purchase our products, we may collect certain personal information about you, either directly from you or through your local Toro company or dealer. Toro uses this information to fulfil contractual obligations - such as to register your warranty, process your warranty claim or to contact you in the event of a product recall - and for legitimate business purposes - such as to gauge customer satisfaction, improve our products or provide you with product information which may be of interest. Toro may share your information with our subsidiaries, affiliates, dealers or other business partners in connection these activities. We may also disclose personal information when required by law or in connection with the sale, purchase or merger of a business. We will never sell your personal information to any other company for marketing purposes.

### **Retention of your Personal Information**

Toro will keep your personal information as long as it is relevant for the above purposes and in accordance with legal requirements. For more information about applicable retention periods please contact [legal@toro.com](mailto:legal@toro.com).

### **Toro's Commitment to Security**

Your personal information may be processed in the US or another country which may have less strict data protection laws than your country of residence. Whenever we transfer your information outside of your country of residence, we will take legally required steps to ensure that appropriate safeguards are in place to protect your information and to make sure it is treated securely.

### **Access and Correction**

You may have the right to correct or review your personal data, or object to or restrict the processing of your data. To do so, please contact us by email at [legal@toro.com](mailto:legal@toro.com). If you have concerns about the way in which Toro has handled your information, we encourage you to raise this directly with us. Please note that European residents have the right to complain to your Data Protection Authority.

# California Proposition 65 Warning Information

## What is this warning?

You may see a product for sale that has a warning label like the following:



**WARNING: Cancer and Reproductive Harm—[www.p65Warnings.ca.gov](http://www.p65Warnings.ca.gov).**

## What is Prop 65?

Prop 65 applies to any company operating in California, selling products in California, or manufacturing products that may be sold in or brought into California. It mandates that the Governor of California maintain and publish a list of chemicals known to cause cancer, birth defects, and/or other reproductive harm. The list, which is updated annually, includes hundreds of chemicals found in many everyday items. The purpose of Prop 65 is to inform the public about exposure to these chemicals.

Prop 65 does not ban the sale of products containing these chemicals but instead requires warnings on any product, product packaging, or literature with the product. Moreover, a Prop 65 warning does not mean that a product is in violation of any product safety standards or requirements. In fact, the California government has clarified that a Prop 65 warning "is not the same as a regulatory decision that a product is 'safe' or 'unsafe.'" Many of these chemicals have been used in everyday products for years without documented harm. For more information, go to <https://oag.ca.gov/prop65/faqs-view-all>.

A Prop 65 warning means that a company has either (1) evaluated the exposure and has concluded that it exceeds the "no significant risk level"; or (2) has chosen to provide a warning based on its understanding about the presence of a listed chemical without attempting to evaluate the exposure.

## Does this law apply everywhere?

Prop 65 warnings are required under California law only. These warnings are seen throughout California in a wide range of settings, including but not limited to restaurants, grocery stores, hotels, schools, and hospitals, and on a wide variety of products. Additionally, some online and mail order retailers provide Prop 65 warnings on their websites or in catalogs.

## How do the California warnings compare to federal limits?

Prop 65 standards are often more stringent than federal and international standards. There are various substances that require a Prop 65 warning at levels that are far lower than federal action limits. For example, the Prop 65 standard for warnings for lead is 0.5 µg/day, which is well below the federal and international standards.

## Why don't all similar products carry the warning?

- Products sold in California require Prop 65 labelling while similar products sold elsewhere do not.
- A company involved in a Prop 65 lawsuit reaching a settlement may be required to use Prop 65 warnings for its products, but other companies making similar products may have no such requirement.
- The enforcement of Prop 65 is inconsistent.
- Companies may elect not to provide warnings because they conclude that they are not required to do so under Prop 65; a lack of warnings for a product does not mean that the product is free of listed chemicals at similar levels.

## Why does Toro include this warning?

Toro has chosen to provide consumers with as much information as possible so that they can make informed decisions about the products they buy and use. Toro provides warnings in certain cases based on its knowledge of the presence of one or more listed chemicals without evaluating the level of exposure, as not all the listed chemicals provide exposure limit requirements. While the exposure from Toro products may be negligible or well within the "no significant risk" range, out of an abundance of caution, Toro has elected to provide the Prop 65 warnings. Moreover, if Toro does not provide these warnings, it could be sued by the State of California or by private parties seeking to enforce Prop 65 and subject to substantial penalties.