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DEPARTMENT OF JUSTICE

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Via U.S. Mail and E-Mail

December 9, 2009

John Deal, Esq.
Dollar Tree Stores, Inc.
500 Volvo Parkway
Chesapeake, VA 23320
jdeal@dollartree.com

RE: Lead in Children's Products Purchased at Dollar Tree (PHT 062, 067)

Dear Mr. Deal:

We received a report about two children's products purchased in a Dollar Tree store in El Cerrito, California, that contain illegal levels of lead. The products are labeled "lead free." We are writing to ask that you stop selling the products immediately and take other corrective action as needed.

The products are two 5-piece sports shoe charms with brand-name "Shoe Dazzler." One set has a sports ball theme, and the other set has a beach or bath toy theme. The SKU for both products is 065203012052. Our internal reference number for the sport set is PHT 062, and for the beach set is PHT 067. (Please use the internal reference number in communications with our office about this.) Both products were purchased on September 28, 2009. We have enclosed photographs of the products.

The items were purchased by an investigator for the Center for Environmental Health, using a grant from a fund administered by the Public Health Institute. The fund was established through a Proposition 65 settlement between our office and several companies over lead in toys. (*People v. Mattel et al.*, Alameda County Super. Ct., Civ. No. RG 07-356892.) After screening the products for lead, the Center for Environmental Health sent a sample of each to a federally-approved laboratory for further testing. The test results for the sport set (PHT 062) indicates 4,130 parts per million ("ppm") lead in the brown plastic on the basketball charm. Test results for the beach set (PHT 067) indicate 4,615 ppm lead in the yellow plastic on the rubber duck charm.

These levels exceed federal lead limits, which deem a children's product with more than 300 ppm lead in an accessible component a "banned hazardous substance." Moreover, both

products are marked "lead free / sin plomo," which appears to be an unlawful false and misleading statement under California state law.

Lead is a toxic metal that damages the nervous system and other organs. Even at low levels of exposure, lead can impact brain development in children. Based on what appears to be violations of federal and state law, you should stop selling the products immediately. Additionally, please send us any test results you have and any representations from the manufacturer or supplier about the lead content in the products. In particular, we would like to know the facts, if any, on which you based the claim that the products are lead free. (Cal. Bus. & Prof. Code, § 17508(b).)

We look forward to hearing from you.

Sincerely,

HARRISON M. POLLAK
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

Enclosures

cc (via electronic mail): Mark Schoem, Consumer Product Safety Commission

OK2007900181
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Testing. Advising. Assuring.

Certificate of Analysis

No.: 09-013-13524-5
Total Lead Test on Children's Product

Client: Centre for Environmental Health **Address:** 2201 Broadway Suite 302, Oakland, CA 94612, U.S.A	**Contact:** Caroline Cox **Phone:** 510-655-3900 **Fax:** 510-655-9100 **Email:** Caroline@ceh.org
Date Received: November 2, 2009	**Date Reported:** November 13, 2009
Lab Book/Page No.: Lab book 12161, pages 14 to 19	

Date Analyzed: November 12, 2009

Client Sample ID	Description of Tested Sample Parts	Exova Sample ID	Method	Total Lead Content (ppm)
PHT067	Yellow material on the duck of shoe charms (Toy theme)	09-13524-38492	CPSC-CH-E1002-08	4615

Analyzed by:

2009-11-13

Jack Li, B.Sc.
Analyst, Trace Metals & Specialty Chemicals
Health Sciences

FOR

Reported by:

2009-11-13

Peter Susel, B.Sc., C. Chem.
Mgr, Trace Metals & Specialty Chemicals
Health Sciences

This report and service are covered under Exova Canada Inc's. Standard Terms and Conditions of Contract which may be found on our company's website www.exova.com, or by calling 1-866-263-9268.

SHOE DAZZLER™
5 Piece Shoe Charms
WARNING:
CHOKING HAZARD--Small parts
Not for children under 3 yrs.

PHT 062

0 65203 01205 2

917951

712

PHT 062

LEAD-FREE/SIN PLOMO

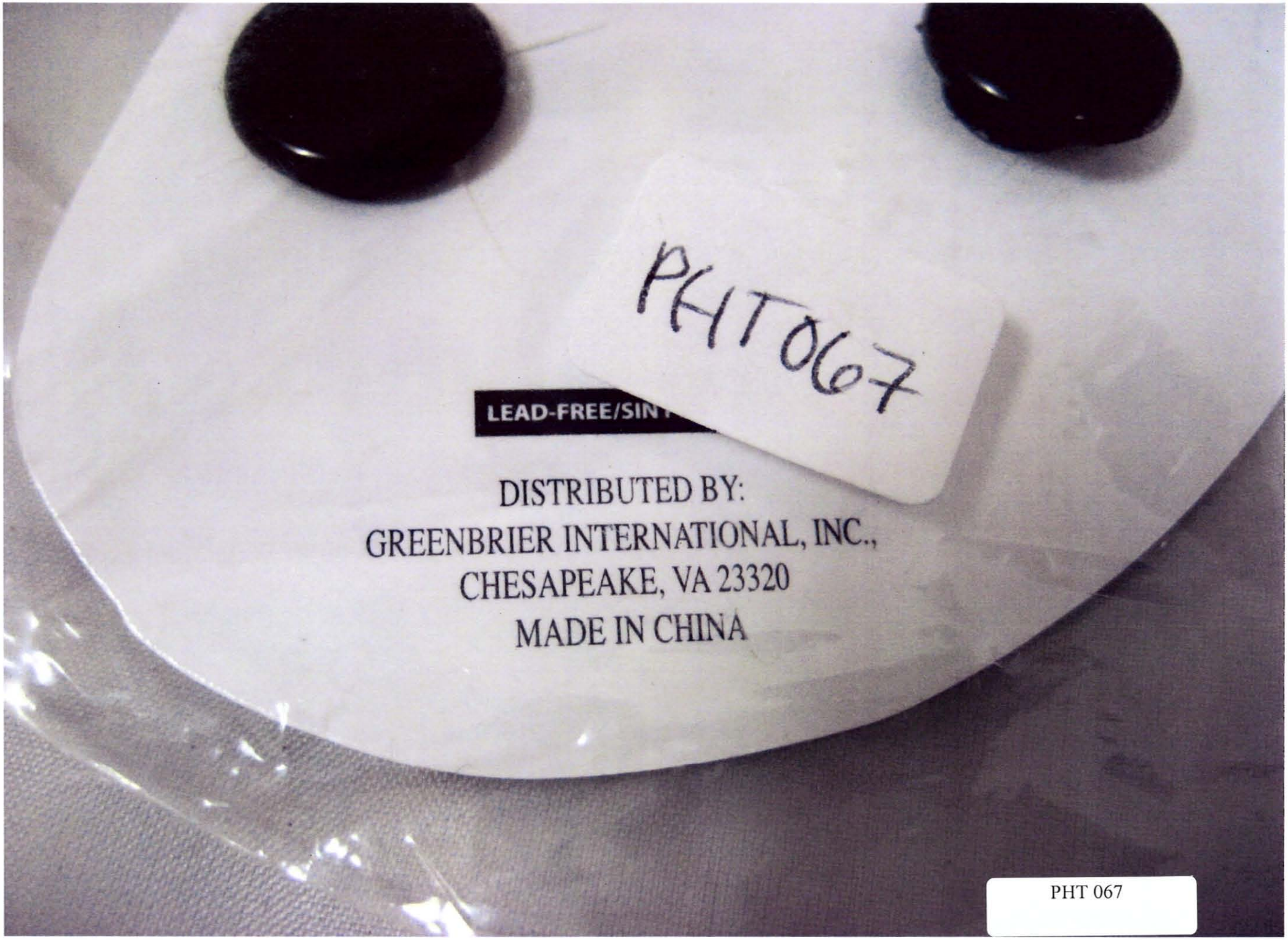
DISTRIBUTED BY:
GREENBRIER INTERNATIONAL, INC.,
CHESAPEAKE, VA 23320
MADE IN CHINA

PHT 062

SHOE DAZZLER
5 Piece Shoe Charms
WARNING:
CHOKING HAZARD--Small parts
Not for children under 3 yrs.

PHT 067

PHT 067


PHT067
LEAD-FREE/SIN
DISTRIBUTED BY:
GREENBRIER INTERNATIONAL, INC.,
CHESAPEAKE, VA 23320
MADE IN CHINA

PHT 067