

State of California - Department of Justice - Attorney General's Office - Proposition 65 Enforcement Reporting

Attention: Prop 65 Coordinator, 1515 Clay Street, Suite 2000, Oakland, CA 94612

FORM JUS 1500  
(03-01)

PRIVATE ENFORCEMENT FILING - Health and Safety Code section 25249.7(e) and (f)

**REPORT OF CIVIL COMPLAINT FILING**

Please print or type required information

Original Filing     Supplemental Filing     Corrected Filing

<b>PARTIES TO THE ACTION</b>	PLAINTIFF(S) <b>Mateel Environmental Justice Foundation</b>		
	DEFENDANT(S) <b>Baby Trend, Inc. and J&amp;B Importers, Inc.</b>		
<b>CASE INFO</b>	COURT DOCKET NUMBER <b>440721</b>	COURT NAME <b>San Francisco Superior Court</b>	
	SHORT CASE NAME		
<b>REPORT INFO</b>	TYPE OF CLAIM (Check All That Apply)		RELIEF SOUGHT (Check All That Apply)
	<input type="checkbox"/> Propostion 65 Unlawful Discharge <input checked="" type="checkbox"/> Proposition 65 Failure to Warn <input type="checkbox"/> B&P Code section 17200 <input type="checkbox"/> Other _____		<input checked="" type="checkbox"/> Warning <input type="checkbox"/> Discharge Ban <input checked="" type="checkbox"/> Civil Penalty
<b>COPY OF COMPLAINT MUST BE ATTACHED</b>			
<b>FILER INFO</b>	NAME OF CONTACT <b>William Verick</b>		
	ORGANIZATION <b>Klamath Environmental Law Center</b>		TELEPHONE NUMBER <b>((707)) 268-8900</b>
	ADDRESS <b>424 First Street</b>		FAX NUMBER <b>((707)) 268-8901</b>
	CITY <b>Eureka</b>	STATE    ZIP <b>CA 95501-0404</b>	E-MAIL ADDRESS <b>wverick@igc.org</b>

For Internal Use Only

**FILING INSTRUCTIONS:** This form can be completed online and printed. If electronic filing is not available, mail the completed form with a copy of the complaint to the attention of the Prop 65 Coordinator at the address shown above. If you need additional space to complete this form please use an attachment.

ENDORSED  
FILED  
SAN FRANCISCO COUNTY  
SUPERIOR COURT

2005 APR 25 AM 11:49

MARY ANN MORAN  
DEPUTY CLERK

BY: \_\_\_\_\_  
DEPUTY CLERK

1 WILLIAM VERICK, SBN 140972  
Klamath Environmental Law Center  
2 FREDRIC EVENSON, SBN 198059  
Law Offices of Fredric Evenson  
3 424 First Street  
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4 Telephone: (707) 268-8900  
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5 DAVID WILLIAMS, SBN 144479  
6 BRIAN ACREE, SBN 202505  
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7 P.O. Box 12157  
Berkeley, CA 94712-3157  
8 Telephone: (510) 647-1900  
Facsimile: (510) 6471905

CASE MANAGEMENT CONFERENCE SET

PLAN 1 SEP 23 2005 9:02AM

DEPARTMENT 212

9 Attorneys for Plaintiff,  
10 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 COUNTY OF SAN FRANCISCO  
13 (Unlimited Jurisdiction)

14 MATEEL ENVIRONMENTAL  
15 JUSTICE FOUNDATION,

CASE NO. CGC-05-440721

16 Plaintiff,

COMPLAINT FOR INJUNCTIVE RELIEF  
AND CIVIL PENALTIES

17 v.

18 BABY TREND, INC., J&B IMPORTERS,  
19 INC.; and DOES 1 through 100 inclusive,

20 Defendants.

TOXIC TORT/ENVIRONMENTAL

21 \_\_\_\_\_ /  
22 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

23 INTRODUCTION

24 1. This Complaint seeks civil penalties and an injunction to remedy the continuing  
25 failure of defendants BABY TREND, INC., J&B IMPORTERS, INC., and DOES 1 through 100  
26 inclusive (hereinafter "Defendants"), to give clear and reasonable warnings to those residents of  
27 California, who handle and use locks, lock or security cables, and brake and derailleur cables that  
28 are coated with polyvinyl chloride ("PVC") plastic that contains lead, or products that

1 incorporate such PVC locks and cables (hereinafter collectively referred to as "PVC-Coated  
2 Cable Products"), that handling and use of these products causes those residents to be exposed to  
3 lead and lead compounds, lead acetate, lead phosphate, and lead subacetate (hereinafter,  
4 collectively, "lead"). Lead is known to the State of California to cause cancer, birth defects and  
5 male and female reproductive toxicity. Defendants manufacture, distribute, and/or market  
6 PVC-Coated Cable Products. These products cause exposures to lead and lead compounds,  
7 which are chemicals known to the State of California to cause cancer, birth defects and other  
8 reproductive harm.

9         2. Defendants are businesses that manufacture, distribute, and/or market  
10 PVC-Coated Cable Products. Defendants intend that residents of California handle and use  
11 PVC-Coated Cable Products that Defendants manufacture, market, and/or distribute. When these  
12 products are handled and used in their normally intended manner, they expose people to lead. In  
13 spite of knowing that residents of California were and are being exposed to these chemicals when  
14 they handle and use PVC-Coated Cable Products, Defendants did not and do not provide clear  
15 and reasonable warnings that these products cause exposure to chemicals known to cause cancer,  
16 birth defects and other reproductive harm.

17         3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7  
18 to compel Defendants to bring their business practices into compliance with section 25249.5 et  
19 seq. by providing a clear and reasonable warning to each individual who has been and who in the  
20 future may be exposed to the above mentioned toxic chemicals from the use of Defendants'  
21 PVC-Coated Cable Products.

22         4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the  
23 Defendants' failure to provide clear and reasonable warnings regarding exposure to chemicals  
24 known to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order  
25 that Defendants identify and locate each individual person who in the past has purchased  
26 PVC-Coated Cable Products and to provide to each such purchaser a clear and reasonable  
27 warning that the PVC-Coated Cable Products causes and will continue to cause exposures to  
28 chemicals known to cause birth defects.

PARTIES

1  
2           5.       Plaintiff MATEEL ENVIRONMENTAL JUSTICE FOUNDATION ("Mateel")  
3 is a non-profit organization dedicated to, among other causes, the protection of the environment,  
4 promotion of human health, environmental education, and consumer rights. Mateel is based in  
5 Eureka, California, and is incorporated under the laws of the State of California. Mateel is a  
6 "person" pursuant to Health & Safety Code Section 25118. Mateel brings this enforcement  
7 action in the public interest pursuant to Health & Safety Code §25249.7(d). Residents of  
8 California are regularly exposed to lead and lead compounds from PVC-Coated Cable Products  
9 manufactured, distributed or marketed by Defendants and are so exposed without a clear and  
10 reasonable Proposition 65 warning.

11           6.       Defendants are each a person doing business within the meaning of Health &  
12 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or  
13 market PVC-Coated Cable Products in California, including the City and County of San  
14 Francisco. Manufacture, distribution and/or marketing of these products in the City and County  
15 of San Francisco and/or to people who live in San Francisco, causes people to be exposed to lead  
16 and lead compounds while they are physically present in the City and County of San Francisco.

17           7.       Mateel is unaware of the true names or capacities of the Defendants sued herein  
18 under the fictitious names DOES 1 through 100, inclusive. Defendants DOES 1 through 100  
19 inclusive are therefore sued herein pursuant to Cal. Code Civ. Proc. §474. When Mateel learns  
20 their identities, it will amend the complaint.

21           8.       Plaintiff brings this enforcement action against Defendants pursuant to Health &  
22 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a  
23 60-day Notice letter dated January 31, 2005 which Mateel sent to California's Attorney General.  
24 Substantially identical letters were sent to every District Attorney in the state, and to the City  
25 Attorneys of every California city with a population greater than 750,000. On that same date,  
26 Mateel sent identical 60-Day Notice letters to each defendant. Attached to the 60-Day Notice  
27 Letters sent to each defendant was a summary of Proposition 65 that was prepared by  
28 California's Office of Environmental Health Hazard Assessment. In addition, each 60-Day

1 Notice Letter plaintiff sent was accompanied by a Certificate of Service attesting to the service of  
2 the 60-Day Notice Letter on each entity which received it. Pursuant to California Health & Safety  
3 Code Section 25249.7(d), a Certificate of Merit attesting to the reasonable and meritorious basis  
4 for the action was also sent with each 60-Day Notice Letter. Factual information sufficient to  
5 establish the basis of the Certificate of Merit was enclosed with the 60-Day Notice letter Mateel  
6 sent to the Attorney General.

7 9. Defendants are all businesses that employ more than ten people.

8 JURISDICTION

9 10. The Court has jurisdiction over this action pursuant to California Health & Safety  
10 Code Section 25249.7. California Constitution Article VI, Section 10 grants the Superior Court  
11 "original jurisdiction in all causes except those given by statute to other trial courts." Chapter 6.6  
12 of the Health & Safety Code, which contains the statutes under which this action is brought, does  
13 not grant jurisdiction to any other trial court.

14 11. This Court also has jurisdiction over Defendants because they are businesses that  
15 have sufficient minimum contacts in California and within the City and County of San Francisco.  
16 Defendants intentionally availed themselves of the California and San Francisco County markets  
17 for PVC-Coated Cable Products. It is thus consistent with traditional notions of fair play and  
18 substantial justice for the San Francisco Superior Court to exercise jurisdiction over them.

19 12. Venue is proper in this Court because Defendants market their products in and  
20 around San Francisco and thus cause people to be exposed to lead and lead compounds while  
21 those people are physically present in San Francisco. Liability for Plaintiff's causes of action, or  
22 some parts thereof, has accordingly arisen in San Francisco during the times relevant to this  
23 Complaint and Plaintiff seeks civil penalties imposed by statutes.

24 FIRST CAUSE OF ACTION  
25 (Claim for Injunctive Relief)

26 13. Plaintiff realleges and incorporates by reference into this First Cause of Action, as  
27 if specifically set forth herein, paragraphs 1 through 12, inclusive.  
28







# Klamath

January 31, 2005

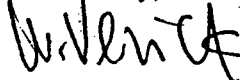
EDWARD G. WEIL  
DEPUTY ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY GENERAL  
P.O. BOX 70550  
OAKLAND CA 94612-0550

**ATTORNEY GENERAL COPY  
CONTAINS OFFICIAL  
INFORMATION PURSUANT TO  
EVIDENCE CODE §1040**

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual at both Mateel and this office. The above referenced violations occur when California residents come into contact with locks, lock or security cables, and brake and derailleur cables (installed on bicycles or sold after-market as spare parts) that are coated with polyvinyl chloride plastic ("PVC") (collectively hereinafter "cables"). The PVC plastic used to coat these cables contains lead and lead compounds ("lead"), chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they handle these cables while locking and unlocking their bikes, or when using their bikes. Lead in the PVC plastic is transferred from the plastic to their hands and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the plastic, from oral contact with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. These lead exposures thus occur via the dermal absorption, subcutaneous, mucus membrane, ingestion and inhalation routes. The listed businesses did not and do not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since at least January 31, 2004, and will continue every day until the lead is removed from PVC used to coat the cables or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any locks or cables made outside of California, except as to workplaces these companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur in every county of the State and occur both on and off the property of the aforementioned private businesses.

Cordially,



William Verick



# SERVICE LIST

EDWARD G. WEIL  
DEPUTY ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY  
GENERAL  
P.O. BOX 70550  
OAKLAND CA 94612-0550

OFFICE OF THE CITY ATTORNEY  
CITY OF OAKLAND  
505 14TH ST 12TH FLOOR  
OAKLAND, CA 94612

OFFICE OF THE CITY ATTORNEY  
CITY OF SAN FRANCISCO  
CITY HALL ROOM 206  
400 VAN NESS  
SAN FRANCISCO, CA 94102

OFFICE OF THE CITY ATTORNEY  
CITY OF SACRAMENTO  
980 9<sup>th</sup> Street, 10<sup>th</sup> Floor  
SACRAMENTO, CA 95814

OFFICE OF THE CITY ATTORNEY  
CITY OF SAN JOSE  
151 W. MISSION ST.  
SAN JOSE, CA 95110

OFFICE OF THE CITY ATTORNEY  
CITY OF LOS ANGELES  
200 N. MAIN ST.  
LOS ANGELES, CA 90012

OFFICE OF THE CITY ATTORNEY  
CITY OF SAN DIEGO  
202 C ST. FLOOR 3  
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF ALAMEDA  
225 FALLON ST. #9  
OAKLAND, CA 94612

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF ALPINE  
P.O. BOX 248  
MARKLEEVILLE, CA 96120

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF AMADOR  
108 COURT ST. SUITE 202  
JACKSON, CA 95642

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF BUTTE  
25 COUNTY CENTER DR.  
OROVILLE, CA 95965

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF CALAVERAS  
GOVERNMENT CENTER  
891 MOUNTAIN RANCH ROAD  
SAN ANDREAS, CA 95249

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF COLUSA  
547 MARKET ST.  
COLUSA, CA 95932

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF CONTRA COSTA  
P.O. BOX 670  
MARTINEZ, CA 94553

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF DEL NORTE  
450 H ST #171  
CRESCENT CITY, CA 95531

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF EL DORADO  
515 MAIN ST.  
PLACERVILLE, CA 95667

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF FRESNO  
2220 TULARE ST #1000  
FRESNO, CA 93721

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF GLENN  
P.O. BOX 430  
WILLOWS, CA 95988

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF HUMBOLDT  
825 5TH ST.  
EUREKA, CA 95501

COUNTY OF IMPERIAL  
COURTHOUSE, FLOOR 2  
939 W. MAIN ST  
EL CENTRO, CA 92243

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF INYO  
P.O. DRAWER D  
INDEPENDENCE, CA 93526

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF KERN  
1215 TRUXTUN AVE. FLOOR 4  
BAKERSFIELD, CA 93301

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF KINGS  
1400 W. LACEY BLVD.  
HANFORD, CA 93230

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF LAKE  
255 N. FORBES ST # 424  
LAKEPORT, CA 95453

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF LASSEN  
COUNTY ADMINISTRATION  
BUILDING  
707 NEVADA ST.  
SUSANVILLE, CA 96130

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF LOS ANGELES  
18000 CRIMINAL COURTS  
BUILDING  
210 W. TEMPLE ST.  
LOS ANGELES, CA 90012

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MADERA  
209 W. YOSEMITE AVE.  
MADERA, CA 93637

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MARIN  
HALL OF JUSTICE #183  
SAN RAFAEL, CA 94903

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MARIPOSA  
P.O. BOX 748  
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MENDOCINO  
301 S. STATE ST.  
UKIAH, CA 95482

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MERCED  
2222 M ST.  
MERCED, CA 95340

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MODOC  
P.O. BOX 1171  
ALTURAS, CA 9610

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF MONO  
P.O. BOX 617  
BRIDGEPORT, CA 93517

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF MONTEREY  
240 CHURCH ST.  
P.O. BOX 180  
SALINAS, CA 93902

COUNTY OF NAPA  
931 PARKWAY MALL  
P.O. BOX 720  
NAPA, CA 94559-0720

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF NEVADA  
COURTHOUSE ANNEX  
NEVADA CITY, CA 95959

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF ORANGE  
400 CIVIC CENTER DR WEST  
SANTA ANA, CA 92701

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF PLACER  
11562 B AVE  
AUBURN, CA 95603-2687

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF PLUMAS  
P.O. BOX 10716  
QUINCY, CA 95971

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COUNTY OF RIVERSIDE  
4075 MAIN ST.  
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY  
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P.O. BOX 749  
SACRAMENTO, CA 95804

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COUNTY OF SAN BENITO  
419 4TH ST  
HOLLISTER, CA 95023

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN BERNARDINO  
316 MT. VIEW AVE.  
SAN BERNARDINO, CA 92415-0004

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN DIEGO  
101 W. BROADWAY #1440  
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN FRANCISCO  
850 BRYANT ST #322  
SAN FRANCISCO, CA 94103

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN JOAQUIN  
222 E. WEBER AVE #202  
STOCKTON, CA 95202

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN LUIS OBISPO  
COUNTY GOVERNMENT CENTER #450  
SAN LUIS OBISPO, CA 93408

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SAN MATEO  
HALL OF JUSTICE AND RECORDS  
REDWOOD CITY, CA 94063

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SANTA BARBARA  
1105 SANTA BARBARA ST.  
SANTA BARBARA, CA 93101

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SANTA CLARA  
70 W. HEDDING ST.  
SAN JOSE, CA 95110

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SANTA CRUZ  
701 OCEAN ST. #200  
SANTA CRUZ, CA 95060

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SHASTA  
1525 COURT ST.  
REDDING, CA 96001

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SIERRA  
P.O. BOX 457  
DOWNEVILLE, CA 95936

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COUNTY OF SISKIYOU  
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YREKA, CA 96097

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SOLANO  
600 UNION AVE  
FAIRFIELD, CA 94533

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SONOMA  
600 ADMINISTRATION DR. #212J  
SANTA ROSA, CA 95403

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF STANISLAUS  
1100 I ST. #200  
MODESTO, CA 95354

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COUNTY OF SUTTER  
1160 CIVIC CENTER BLVD. #A  
YUBA CITY, CA 95993

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TEHAMA  
P.O. BOX 519  
REDBLUFF, CA 96080

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TRINITY  
P.O. BOX 310  
WEAVERVILLE, CA 96093

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TULARE  
COURTHOUSE #224  
VISALIA, CA 93291

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TUOLUMNE  
2 S. GREEN ST.  
SONORA, CA 95370

VENTURA COUNTY DISTRICT  
ATTORNEY'S OFFICE  
c/o GREGORY BROSE D.D.A.  
4245 MARKET ST. #205  
VENTURA, CA 93003

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF YOLO  
204 4TH ST  
P.O. BOX 1247  
WOODLAND, CA 95695

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF YUBA  
215 5TH ST.  
MARYSVILLE, CA 95901

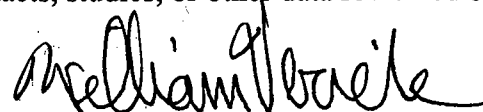
Tzu-Hsien Tsai, President  
Baby Trend, Inc.  
1567 S. Campus Ave.  
Ontario, CA 91761

Ben Joannou, President  
J&B Importers, Inc.  
10155 SW 124th Ave.  
Miami, FL 33186

### CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings. I am the attorney for the noticing party. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: January 31, 2005



William Verick

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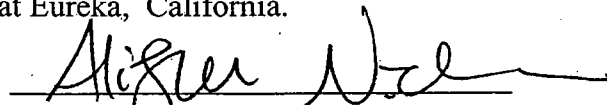
This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

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### CERTIFICATE OF SERVICE

I, Alison Nichols, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On January 31, 2005, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on January 31, 2005, at Eureka, California.



ALISON NICHOLS

# PRODUCT LIST

COMPANY NAME	PRODUCT
BABY TREND, INC.	EXPEDITION JOGGING STROLLER UPC: 090014 007294
J&B IMPORTERS, INC.	ROYCE UNION COMPONENTS 6' VINYL COATED CABLE AND COMBINATION PADLOCK - MODEL 6250-5
	BIKE GEAR COMPONENTS 6' VINYL COATED CABLE - MODEL 6212-5
	BIKE GEAR COMPONENTS BRAKE CABLE SET - MODEL 6992-2