

1 WILLIAM VERICK, SBN 140972
Klamath Environmental Law Center
2 FREDRIC EVENSON, SBN 198059
424 First Street
3 Eureka, CA 95501
Telephone: (707) 268-8900
4 Facsimile: (707) 268-8901
E-mail: wverick@igc.org

5 DAVID WILLIAMS, SBN 144479
6 BRIAN ACREE, SBN 202505
370 Grand Avenue, Suite 5
7 Oakland, CA 94610
Telephone: (510) 271-0826
8 Facsimile: (510) 271-0829
E-mail: dhwill7

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-09-488988

16 Plaintiff,

17 v.

FIRST AMENDED COMPLAINT FOR
INJUNCTIVE RELIEF AND CIVIL
PENALTIES

18 DAISO CALIFORNIA, LLC.

19 Defendant.

20 TOXIC TORT/ENVIRONMENTAL

21 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

22 INTRODUCTION

23 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
24 failure of defendant DAISO CALIFORNIA, LLC (hereinafter "Daiso" or "Defendant"), to give
25 clear and reasonable warnings to those residents of California, who handle and use products that
26 1) are or that incorporate thermoset/thermoplastic coated tool handles in which the coating
27 material contains lead (hereinafter referred to as "Leaded-Plastic Coated Tools"); 2) are locks
28

ENDORSED
FILED
Superior Court of California
County of San Francisco

MAY 25 2010

CLERK OF THE COURT
BY: GAROLYN BALISTRERI
Deputy Clerk

1 and padlocks made from leaded brass ("brass locks"); and 3) are hose nozzles, quick connects,
2 sprayer nozzles and air hose fittings made from leaded brass ("brass nozzles"); that handling and
3 use of these products causes those residents to be exposed to lead and lead compounds, lead
4 acetate, lead phosphate, and lead subacetate (hereinafter, collectively, "lead"). The products to
5 which this Complaint pertains are those listed in the December 4, 2008, May 7, 2009 and May
6 21 2009 Notice of Violation Letters attached to and incorporated by reference into this First
7 Amended Complaint. Lead is known to the State of California to cause cancer, birth defects and
8 male and female reproductive toxicity. Defendant manufactures, distributes, and/or markets
9 Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles. These products cause exposures to
10 lead and lead compounds, which are chemicals known to the State of California to cause cancer,
11 birth defects and other reproductive harm.

12 2. Defendant is a business that manufactures, markets, and/or distributes Leaded-
13 Plastic Coated Tools, Brass Locks and Brass Nozzles. Defendant intends that residents of
14 California handle and use Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles that
15 Defendant manufactures, markets, and/or distributes. When these products are handled and used
16 in their normally intended manner, they expose people to lead. In spite of knowing that residents
17 of California were and are being exposed to these chemicals when they handle and use Leaded-
18 Plastic Coated Tools, Brass Locks and Brass Nozzles, Defendant did not and does not provide
19 clear and reasonable warnings that these products cause exposure to chemicals known to cause
20 cancer, birth defects and other reproductive harm.

21 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
22 to compel Defendant to bring its business practices into compliance with section 25249.5 et seq.
23 by providing a clear and reasonable warning to each individual who has been and who in the
24 future may be exposed to the above mentioned toxic chemicals from the use of Defendant's
25 products. Plaintiff seeks an order that Defendant identify and locate each individual person who
26 in the past has purchased Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles and to
27 provide to each such purchaser a clear and reasonable warning that the Leaded-Plastic Coated
28

1 Tools, Brass Locks and Brass Nozzles will cause exposures to chemicals known to cause birth
2 defects.

3 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
4 of Defendant to provide clear and reasonable warnings regarding exposure to chemicals known
5 to cause cancer, birth defects and other reproductive harm.

6 PARTIES

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

16 6. Defendant is a person doing business within the meaning of Health & Safety
17 Code Section 25249.11. Defendant is a business that manufactures, distributes, and/or markets
18 Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles in California, including the City
19 and County of San Francisco. Manufacture, distribution and/or marketing of these products in
20 the City and County of San Francisco and/or to people who live in San Francisco, causes people
21 to be exposed to lead and lead compounds while they are physically present in the City and
22 County of San Francisco.

23 7. Plaintiff brings this enforcement action against Defendant pursuant to Health &
24 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of
25 Notice of Violation letters dated December 4, 2008, May 7, 2009 and May 21, 2009 which
26 Mateel sent to California's Attorney General. Substantially identical letters were sent to the
27 District Attorney for each of California's 58 counties, and to the City Attorneys of every
28 California city with a population greater than 750,000. On those same dates, Mateel sent

1 substantially identical Notice of Violation letters to Defendant. Attached to the Notice of
2 Violation Letters sent to each defendant was a summary of Proposition 65 that was prepared by
3 California's Office of Environmental Health Hazard Assessment. In addition, each Notice of
4 Violation Letter plaintiff sent was accompanied by a Certificate of Service attesting to the
5 service of the Notice of Violation Letter on each entity which received it. Pursuant to California
6 Health & Safety Code Section 25249.7(d), a Certificate of Merit attesting to the reasonable and
7 meritorious basis for the action was also sent with each Notice of Violation Letter. Factual
8 information sufficient to establish the basis of the Certificate of Merit was enclosed with the
9 Notice of Violation letter Mateel sent to the Attorney General.

10 8. Defendant is a business that employs more than ten people.

11 JURISDICTION

12 9. The Court has jurisdiction over this action pursuant to California Health & Safety
13 Code Section 25249.7. California Constitution Article VI, Section 10 grants the Superior Court
14 "original jurisdiction in all causes except those given by statute to other trial courts." Chapter
15 6.6 of the Health & Safety Code, which contains the statutes under which this action is brought,
16 does not grant jurisdiction to any other trial court.

17 10. This Court also has jurisdiction over Defendant because it is a business that has
18 sufficient minimum contacts in California and within the City and County of San Francisco.
19 Defendant intentionally availed itself of the California and San Francisco County markets for
20 Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles. It is thus consistent with
21 traditional notions of fair play and substantial justice for the San Francisco Superior Court to
22 exercise jurisdiction over it.

23 11. Venue is proper in this Court because Defendant markets its products in and
24 around San Francisco and thus causes people to be exposed to lead and lead compounds while
25 those people are physically present in San Francisco. Liability for Plaintiff's causes of action, or
26 some parts thereof, has accordingly arisen in San Francisco during the times relevant to this
27 Complaint and Plaintiff seeks civil penalties imposed by statute.

28 ///

FIRST CAUSE OF ACTION
(Claim for Injunctive Relief)

1
2
3 12. Plaintiff realleges and incorporates by reference into this First Cause of Action, as
4 if specifically set forth herein, paragraphs 1 through 11, inclusive.

5 13. The People of the State of California have declared by referendum under
6 Proposition 65 (California Health & Safety Code § 25249.5 et seq.) their right "[t]o be informed
7 about exposures to chemicals that cause cancer, birth defects, and reproductive harm."

8 14. To effectuate this goal, Section 25249.6 of the Health and Safety Code mandates
9 that persons who, in the course of doing business, knowingly and intentionally expose any
10 individual to a chemical known to the State of California to cause cancer or birth defects must
11 first provide a clear and reasonable warning to such individual prior to the exposure.

12 15. Since at least December 4, 2005, Defendant has engaged in conduct that violates
13 Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and
14 intentionally exposing to the above mentioned toxic chemicals, those California residents who
15 handle and use Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles. The normally
16 intended use of Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles causes exposure
17 to lead and lead compounds, which are chemicals known to the State of California to cause
18 cancer, birth defects and other reproductive harm. Defendant has not provided clear and
19 reasonable warnings, within the meaning of Health & Safety Code Sections 25249.6 and
20 25249.11.

21 16. At all times relevant to this action, Defendant knew that the Leaded-Plastic
22 Coated Tools, Brass Locks and Brass Nozzles it manufactured, distributed or marketed were
23 causing exposures to lead and lead compounds. Defendant intended that residents of California
24 handle and use Leaded-Plastic Coated Tools, Brass Locks and Brass Nozzles in such ways as
25 would lead to significant exposures to these chemicals.

26 17. By the above described acts, Defendant has violated Cal. Health & Safety Code
27 § 25249.6 and is therefore subject to an injunction ordering it to stop violating Proposition 65
28 and requiring it to provide warnings to its past customers who purchased Defendant's products
without receiving a clear and reasonable warning.



December 4, 2008

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

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that Daiso California, LLC (hereinafter "Daiso") has been, is, will be and threatens 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 for both Mateel and this office. The above referenced violations occur when California residents come into contact with tools, the handles of which are coated with leaded thermoplastic. Though a specific model or SKU or product number may be given as examples, this notice pertains to all models, and all variations, of the specific types of product of which the named model is an example: RATCHET HANDLE 6.35 M/M SQUARE DRIVE S 45CUPC: 4984343 497351 and RATCHET HANDLE 3/8" DRIVE 19 CM UPC CODE: 4984343 368576. The plastic on the handles of these tools contains high levels of lead and lead compounds ("lead"), chemicals known to cause cancer, birth defects, and other reproductive harm. Daiso makes or markets these cooking utensils. People are exposed to lead at work or elsewhere when they use these tools and their skin comes into contact with the plastic on the handles. Lead is transferred from the tools to the hands of the people using these products. The lead then enters their bodies when it is absorbed directly through the skin, through mucous membranes, or through cuts and/or abrasions when they touch their hands to their mouths and other mucous membranes, or when they touch cigarettes or food and then smoke the cigarettes and/or ingest the food. These exposures thus occur via the dermal absorption, mucous membrane, subcutaneous, inhalation and ingestion routes. Daiso did not and does not provide people with clear and reasonable warnings before it exposes them to lead. The above referenced violations have occurred every day since at least December 4, 2005 and will continue every day until the lead is taken out of these products or until warnings are given. These 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 of these products made outside of California, except as to workplaces Daiso itself maintains in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off Daiso's property and in each of California's 58 counties.

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
PO BOX 1948
SACRAMENTO, CA 95812-1948

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
200 EAST SANTA CLARA STREET
SAN JOSE, CA 95113

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 CONSUMER &
ENVIRONMENTAL PROTECTION
1200 THIRD AVENUE, SUITE 700
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALAMEDA
1225 FALLON STREET ROOM 900
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
708 COURT STREET
JACKSON, CA 95642

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF BUTTE
35 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 STREET
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 TRUXTON 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
220 SOUTH LASSEN ST. STE 8
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 730
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MENDOCINO
PO BOX 1000
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
204 SOUTH COURT STREET
ALTURAS, CA 96101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONO
P.O. BOX 617
BRIDGEPORT, CA 93317

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF MONTEREY
240 CHURCH STREET
P O BOX 1131
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
401 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
520 MAIN STREET #404
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST.
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SACRAMENTO
901 G STREET
SACRAMENTO, CA 95814

OFFICE OF THE DISTRICT ATTORNEY
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
330 W. BROADWAY
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
1112 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
DOWNIEVILLE, CA 95936

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SISKIYOU
P.O. BOX 986
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

OFFICE OF THE DISTRICT ATTORNEY
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 93221

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

VENTURA COUNTY DISTRICT ATTORNEY'S
OFFICE
800 SOUTH VICTORIA AVE
VENTURA, CA 93009

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YOLO
301 SECOND STREET
WOODLAND, CA 95695

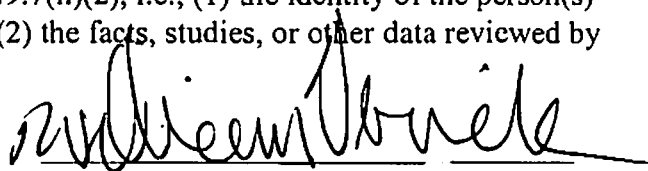
OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YUBA
215 5TH ST
MARYSVILLE, CA 95901

MASAYOSHI NAITO, CEO
DAISO CALIFORNIA LLC
533 AIRPORT BLVD #527
BURLINGAME, CA 94010

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: December 4, 2008



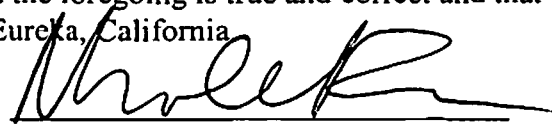
William Verick

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.

CERTIFICATE OF SERVICE

I, Nicole Frank, 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 December 4, 2008, 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 December 4, 2008, at Eureka, California.



Nicole Frank



Klamath

ENVIRONMENTAL
LAW CENTER

May 7, 2009

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

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private companies listed 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 brass padlocks. Specific examples of the specific types of products at issue are listed on the attached products list. These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass locks. The listed companies market these products. The bodies of these brass locks are made from leaded brass, which contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they handle these locks while using them to secure their property, or when they are unlocking them to gain access to their property. Lead is transferred from the brass locks 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 brass, 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, mucous membrane, ingestion and inhalation routes. The listed companies 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 May 7, 2006, and will continue every day until the lead is removed from the brass locks, 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 brass locks made outside of California, except as to workplaces the companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the private companies' properties and in each of California's 58 counties.

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
PO BOX 1948
SACRAMENTO, CA 95812-1948

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
200 EAST SANTA CLARA STREET
SAN JOSE, CA 95113

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 CONSUMER &
ENVIRONMENTAL PROTECTION
1230 THIRD AVENUE, SUITE 700
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALAMEDA
1225 FALLON STREET ROOM 900
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
708 COURT STREET
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 STREET
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 #1090
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
220 SOUTH LASSEN ST STE 8
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 730
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MENDOCINO
PO BOX 1000
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
204 SOUTH COURT STREET
ALTURAS, CA 96101

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 STREET
P.O. BOX 1131
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
110 UNION STREET
NEVADA CITY, CA 95959

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

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLACER
10810 JUSTICE CENTER DR . STE 240
ROSEVILLE, CA 95678

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLUMAS
520 MAIN STREET #404
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SACRAMENTO
901 G STREET
SACRAMENTO, CA 95814

OFFICE OF THE DISTRICT ATTORNEY
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
330 W BROADWAY, SUITE 1100
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
1112 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
DOWNIEVILLE, CA 95936

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SISKIYOU
P.O. BOX 986
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

OFFICE OF THE DISTRICT ATTORNEY
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
25 GREEN ST
SONORA, CA 95370

VENTURA COUNTY DISTRICT
ATTORNEY'S OFFICE
800 SOUTH VICTORIA AVE
VENTURA, CA 93009

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YOLO
301 SECOND STREET
WOODLAND, CA 95695

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

MASAYOSHI NAITO, CEO
DAISO CALIFORNIA LLC
533 AIRPORT BLVD #527
BURLINGAME, CA 94010

MICHAEL J HITE, PRESIDENT
PASCO SPECIALTY & MFG., INC
11156 WRIGHT ROAD
LYNWOOD, CA 90262

SALLY JEWELL, PRESIDENT
RECREATIONAL EQUIPMENT, INC
PO BOX 1938
SUMNER, WA 98390-0800

SALLY JEWELL, PRESIDENT
RECREATIONAL EQUIPMENT, INC.
6750 S. 228TH ST.
KENT, WA 98032

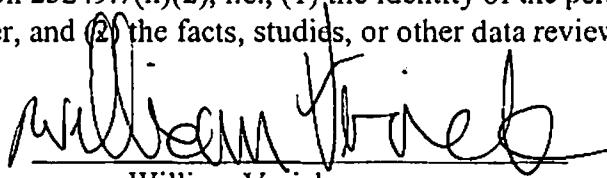
CRAIG LEVRA, PRESIDENT
SPORT CHALET, INC
1 SPORT CHALET DRIVE
LA CAÑADA, CA 91011

CRAIG LEVRA, PRESIDENT
SPORT CHALET, INC
13041 PEYTON DR
CHINO HILLS, CA 91709-6005

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: May 7, 2009

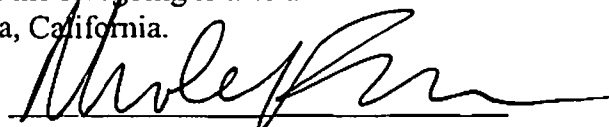

William Verick

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.

CERTIFICATE OF SERVICE

I, Nicole Frank, 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 May 7, 2009, 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 May 7, 2009, at Eureka, California.


Nicole Frank

PRODUCT LIST

DAISO CALIFORNIA LLC

PADLOCK #25 .74" UPC CODE: 4979909 790588 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass padlocks.

PASCO SPECIALTY & MFG., INC.

QUICK HOSEBIB LOCK #21540 UPC CODE: 671451 215406 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass padlocks.

RECREATIONAL EQUIPMENT, INC.

PACSAFE STASHSAFE 100 ANTI-THEFT HIP PACK MODEL #2300 UPC CODE: 688334 023003; PACSAFE STASHSAFE 100 ANTI-THEFT HIP PACK MODEL #2308 DEEP CHOCOLATE UPC CODE: 688334 023089; PACSAFE 85 SECURE BACKPACK AND BAG PROTECTOR These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass padlocks.

SPORT CHALET, INC.

PACSAFE PROSAFE 610 SECURE LUGGAGE LOCKS #1727940015 UPC CODE:688334 010119; PACSAFE STASHSAFE 100 ANTI-THEFT HIP PACK MODEL #2300 UPC CODE: 688334 023003; PACSAFE PROSAFE 100 SECURE PADLOCK MODEL # 1001 UPC CODE: 688334 010010; PACSAFE PROSAFE 610 SECURE LUGGAGE LOCKS MODEL #1011 UPC CODE: 688334 010119 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass padlocks.

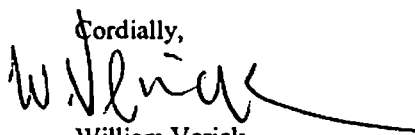


May 21, 2009

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

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private companies listed 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 brass hose nozzles, brass quick connects, and other brass sprayer nozzles and air hose fittings, all of which are made from leaded-brass, (hereinafter "brass nozzles and fittings"). The listed businesses market these products. A list of specific examples of the specific models of the types of products at issue is attached. Though the products on the attached list are listed with a product number or SKU, this notice pertains to all products of the same specific type, not just to those products, the specific numbers for which are listed in the product list. The brass nozzles and fittings that people handle are made from leaded brass, which contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they handle brass nozzles and fittings. Lead is transferred from the brass nozzles and fittings to peoples' 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 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, mucous membrane, ingestion and inhalation routes. The listed companies 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 May, 21, 2006, and will continue every day until the lead is removed from the brass nozzles and fittings, 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 brass nozzles and fittings made outside of California, except as to workplaces the companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the companies private business properties and in each of California's 58 counties.

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 DISTRICT ATTORNEY COUNTY OF GLENN P.O. BOX 430 WILLOWS, CA 95988	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONTEREY 240 CHURCH STREET P O BOX 1131 SALINAS, CA 93902	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SISKIYOU P.O. BOX 986 YREKA, CA 96097
OFFICE OF THE CITY ATTORNEY CITY OF OAKLAND 505 14TH ST 11TH FLOOR OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF HUMBOLDT 825 5TH ST EUREKA, CA 95501	COUNTY OF NAPA 931 PARKWAY MALL P O BOX 720 NAPA, CA 94559-0720	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SOLANO 600 UNION AVE FAIRFIELD, CA 94533
OFFICE OF THE CITY ATTORNEY CITY OF SAN FRANCISCO CITY HALL ROOM 206 400 VAN NESS SAN FRANCISCO, CA 94102	COUNTY OF IMPERIAL COURTHOUSE, FLOOR 2 939 W. MAIN ST EL CENTRO, CA 92243	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF NEVADA 110 UNION STREET NEVADA CITY, CA 95959	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SONOMA 600 ADMINISTRATION DR #212J SANTA ROSA, CA 95403
OFFICE OF THE CITY ATTORNEY CITY OF SACKAMENTO PO BOX 1948 SACKAMENTO, CA 95812-1948	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF INYO P O DRAWER D INDEPENDENCE, CA 93526	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ORANGE 401 CIVIC CENTER DR WEST SANTA ANA, CA 92701	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF STANISLAUS 1100 I ST #200 MODESTO, CA 95354
OFFICE OF THE CITY ATTORNEY CITY OF SAN JOSE 200 EAST SANTA CLARA STREET SAN JOSE, CA 95113	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KERN 1215 TRUXTUN AVE FLOOR 4 BAKERSFIELD, CA 93301	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLACER 10810 JUSTICE CENTER DR , STE 240 ROSEVILLE, CA 95678	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SUTTER 1160 CIVIC CENTER BLVD. #A YUBA CITY, CA 95993
OFFICE OF THE CITY ATTORNEY CITY OF LOS ANGELES 200 N MAIN ST LOS ANGELES, CA 90012	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KINGS 1400 W. LACEY BLVD HANFORD, CA 93230	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLUMAS 520 MAIN STREET #404 QUINCY, CA 95971	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TEHAMA P O BOX 519 REDBLUFF, CA 96080
OFFICE OF THE CITY ATTORNEY CITY OF SAN DIEGO CONSUMER & ENVIRONMENTAL PROTECTION 1200 THIRD AVENUE, SUITE 700 SAN DIEGO, CA 92101	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LASSEN 220 SOUTH LASSEN ST STE 8 SUSANVILLE, CA 96130	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF RIVERSIDE 4075 MAIN ST RIVERSIDE, CA 92501	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TRINITY P.O. BOX 310 WEAVERVILLE, CA 96093
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALAMEDA 1225 FALLON STREET ROOM 900 OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LAKE 255 N. FORBES ST # 424 LAKEPORT, CA 95453	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SACRAMENTO 901 G STREET SACRAMENTO, CA 95814	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TULARE COURTHOUSE #224 VISALIA, CA 93291
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALPINE P O BOX 248 MARKLEEVILLE, CA 96120	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 SAN BERNARDINO 316 MT VIEW AVE SAN BERNARDINO, CA 92415-0004	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TUOLUMNE 2 S GREEN ST. SONORA, CA 95370
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF AMADOR 708 COURT STREET JACKSON, CA 95642	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MADERA 209 W. YOSEMITE AVE MADERA, CA 93637	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN BENITO 419 4TH ST HOLLISTER, CA 95023	VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE 800 SOUTH VICTORIA AVE VENTURA, CA 93009
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 SAN DIEGO 330 W BROADWAY, SUITE 1100 SAN DIEGO, CA 92101	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YOLO 301 SECOND STREET WOODLAND, CA 95695
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF COLUSA 547 MARKET STREET COLUSA, CA 95932	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA P O BOX 730 MARIPOSA, CA 95338	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN FRANCISCO 850 BRYANT ST #322 SAN FRANCISCO, CA 94103	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YUBA 215 5TH ST. MARYSVILLE, CA 95901
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CONTRA COSTA P O BOX 670 MARTINEZ, CA 94553	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MENDOCINO PO BOX 1000 UKIAH, CA 95482	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN JOAQUIN 222 E. WEBER AVE #202 STOCKTON, CA 95202	THOMAS PIENOK, PRESIDENT APACHE HOSE & BELTING COMPANY, INC 4805 BOWLING ST SW PO BOX 1719 CEDAR RAPIDS, IA 52406
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF DEL NORTE 450 H ST #171 CRESCENT CITY, CA 95531	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA P O BOX 730 MARIPOSA, CA 95338	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN LUIS OBISPO COUNTY GOVERNMENT CENTER #450 SAN LUIS OBISPO, CA 93408	DONALD TOLLISON, PRESIDENT BALKAMP, INC 2601 S HOLT RD INDIANAPOLIS, IN 46241
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF EL DORADO 515 MAIN ST PLACERVILLE, CA 95667	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MERCED 2222 M ST MERCED, CA 95340	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA BARBARA 1112 SANTA BARBARA ST SANTA BARBARA, CA 93101	TODD C HACK, PRESIDENT CARQUEST PRODUCTS, INC PO BOX G NEW CASTLE, IN 47362-0686
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF FRESNO 2220 TULARE ST #1000 FRESNO, CA 93721	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MODOC 204 SOUTH COURT STREET ALTURAS, CA 96101	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA CLARA 70 W HEDDING ST SAN JOSE, CA 95110	MASAYOSHI NAITO, CEO DAISO CALIFORNIA LLC 533 AIRPORT BLVD #527 BURLINGAME, CA 94010
	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONO P.O. BOX 617 BRIDGEPORT, CA 93517	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SHASTA 1525 COURT ST REDDING, CA 96001	PRESIDENT OR CEO GOLDEN STATE SUPPLY LLC 2635 MILLBROOK RD RALEIGH, NC 27604
		OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SIERRA P O BOX 457 DOWNTONVILLE, CA 95936	PRESIDENT OR CEO S M ARNOLD, INC 7901 MICHIGAN AVE SAINT LOUIS, MO 63111
			GEOFF EISENBERG, PRESIDENT WEST MARINE, INC 500 WESTRIDGE DRIVE WATSONVILLE, CA 95076

PRODUCT LIST

APACHE HOSE & BELTING COMPANY, INC.

PRECISEFIT PRO-SERIES PRESSURE WASHER GUN KIT #228440 UPC CODE 725559 656927;
PRECISE FIT 25' NON MARKING REPLACEMENT/EXTENSION HOSE #289039 UPC CODE:
725559 706295; PRECISE FIT EASY-LOCK QD RAPPLACEMENT WAND 4000 PSI #213762 UPC
CODE: 725559 656958 These product descriptions pertain not only to the specific models of the
products listed, but also for all units of similar types of brass hose nozzles and accessories.

BALKAMP, INC

NAPA WATER NOZZLE HEAVY DUTY INSULATED (YELLOW) #715-1765 UPC CODE:664766
194924 This product description pertain not only to the specific model of the product listed, but also for
all units of all models of similar types of brass hose nozzles and accessories.

CARQUEST PRODUCTS, INC.

GOLDEN STATE SUPPLY LLC
CARQUEST BRASS TWIST HOSE NOZZLE #50008 UPC: 796397 500086; CARQUEST FLEXIBLE
AIR HOSE NYLON-11 25' X 1/4" #31561 UPC:796397 315611;
CARQUEST INSULATED PROFESSIONAL HOSE NOZZLE #50010 UPC: 796397 500109;
CARQUEST 1/4" X 25' RUBBER AIR HOSE #31660 UPC: 796397 316601; CARQUEST 6"
ADJUSTABLE BRASS NOZZLE #50011 UPC: 796397 500116; CARQUEST DELUXE SPRAY
NOZZLE #50007 UPC:796397 500079; CARQUEST HEAVY DUTY INSULATED SPRAY NOZZLE
#50006 UPC: 796397 500062; SAFETY STRIPE 3/8" X 25' - 300 PSI AIR HOSE #27488 UPC: 072053
387247 These product descriptions pertain not only to the specific models of the products listed, but also
for all units of all models of similar types of brass hose nozzles and accessories.

DAISO CALIFORNIA LLC

PLASTIC SPRAYER WITH BRASS NOZZLE (BLUE) UPC CODE: 4947678 924398;
GARDEN HOSE NOZZLE (BLUE) K-290 UPC CODE: 4984343 319363; PLASTIC SPRAY BOTTLE
WITH BRASS NOZZLE UPC CODE: 4984343 257344; PLASTIC SPRAYER WITH BRASS NOZZLE
UPC CODE: 4984343 590236 These product descriptions pertain not only to the specific models of the
products listed, but also for all units of similar types of brass hose nozzles and accessories.

S.M. ARNOLD, INC.

HEAVY DUTY HOSE NOZZLE #81-200 UPC CODE: 079038 812008
This product description pertain not only to the specific model of the product listed, but also for all units
of all models of similar types of brass hose nozzles and accessories.

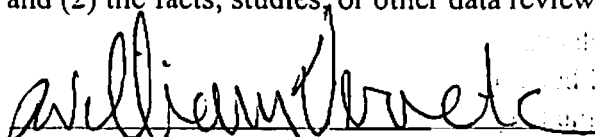
WEST MARINE, INC.

15' SELF-COILING HOSE 3/4" BRASS FITTINGS MODEL #2668648 UPC CODE: 025282 006496;
HOSE COIL WASHDOWN SYSTEMS VALVE PACKAGE 25' HOSE COIL + 7 PATTERN SPRAY
NOZZLE; HOSECOIL WASHDOWN SYSTEMS 20' COCKPIT WASHDOWN SYSTEM 3/4" BRASS
FITTINGS MODEL #HS2005U UPC CODE: 659988 101966; HOSECOIL WASHDOWN SYSTEMS
50' STANDARD SERIES (BLUE) MODEL #HSS5004U UPC CODE: 659988 102239; HOSECOIL
WASHDOWN SYSTEMS 15 FT STANDARD SERIES (BLUE) MODEL HS1500U UPC CODE:
659988 101973; 15' SELF-COILING HOSE 3/4" BRASS FITTINGS MODEL #2668648 UPC CODE:
025282 006496 These product descriptions pertain not only to the specific models of the products listed,
but also for all units of all models of similar types of brass hose nozzles and accessories.

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: May 21, 2009

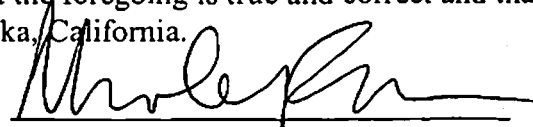

William Verick

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.

CERTIFICATE OF SERVICE

I, Nicole Frank, 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 May 21, 2009, 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 May 21, 2009, at Eureka, California.


Nicole Frank