

ENDORSED
FILED
SAN FRANCISCO COUNTY
SUPERIOR COURT

2010 APR 12 AM 1:03

CLERK OF THE COURT
BY: ELIAS BUTT
DEPUTY CLERK

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Klamath Environmental Law Center
2 FREDRIC EVENSON, CSB #198059
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3 Eureka, CA 95501
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brianacree@earthlink.net

CASE MANAGEMENT CONFERENCE SET

SEP 10 2010 - 9⁰⁰ AM

DEPARTMENT 212

10 Attorneys for Plaintiff,
11 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN FRANCISCO
14 (Unlimited Jurisdiction)

15 MATEEL ENVIRONMENTAL
16 JUSTICE FOUNDATION,

CASE NO. **CCC-10-498558**

17 Plaintiff,

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

18 v.

19 AKERUE INDUSTRIES, LLC; BRUNTON
20 COMPANY; STANDARD SALES, INC.;
21 and THE COLEMAN COMPANY, INC.,

TOXIC TORT/ENVIRONMENTAL

22 Defendants.

23 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

24 INTRODUCTION

25 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
26 failure of Defendants AKERUE INDUSTRIES, LLC; BRUNTON COMPANY; STANDARD
27 SALES, INC.; and THE COLEMAN COMPANY, INC., (hereinafter individually "Defendant"
28 and collectively "Defendants"), to give clear and reasonable warnings to those residents of

1 California, who handle and use products that are made of, or incorporate parts made of brass
2 and/or bronze (hereinafter referred to as "Brass Products") that handling and use of these
3 products causes those residents to be exposed to lead and lead compounds, lead acetate, lead
4 phosphate, and lead subacetate (hereinafter, collectively, "lead"). The types of products to which
5 this Complaint pertains are those types listed in the Product List appended to the Proposition 65
6 Notice of Violation Letter that is attached to and incorporated by reference into this Complaint.
7 Lead is known to the State of California to cause cancer, birth defects and male and female
8 reproductive toxicity. Each defendant distributes, and/or markets Brass Products. These
9 products cause exposures to lead and lead compounds, which are chemicals known to the State
10 of California to cause cancer, birth defects and other reproductive harm.

11 2. Each Defendant markets, and/or distributes Brass Products. Each defendant
12 intends that residents of California handle, use Brass Products.. When these Brass Products are
13 handled and used in their normally intended manner the Brass Products expose people to lead.
14 In spite of knowing that residents of California were and are being exposed to this toxic heavy
15 metal when they handle, use Brass Products, each Defendant did not and does not provide clear
16 and reasonable warnings that these Brass Products cause exposure to chemicals known to cause
17 cancer, birth defects and other reproductive harm.

18 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
19 to compel each Defendant to bring its business practices into compliance with section 25249.5 et
20 seq. by providing a clear and reasonable warning to each individual who has been and who in the
21 future may be exposed to the above mentioned toxic chemicals from the use of each Defendant's
22 products. Plaintiff seeks an order that each defendant identify and locate each individual person
23 who in the past has purchased Brass Products and to provide to each such purchaser a clear and
24 reasonable warning that the Brass Product will cause exposures to chemicals known to cause
25 birth defects.

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

1 PARTIES

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 Brass Products manufactured,
9 distributed or marketed by Defendant and are so exposed without a clear and reasonable
10 Proposition 65 warning.

11 6. Each Defendant is a person doing business within the meaning of Health & Safety
12 Code Section 25249.11. Each Defendant is a business that distributes, and/or markets Brass
13 Products in California, including the City and County of San Francisco. Distribution and/or
14 marketing of these Brass Products in the City and County of San Francisco and/or to people who
15 live in San Francisco, causes people to be exposed to lead and lead compounds while they are
16 physically present in the City and County of San Francisco.

17 7. Plaintiff brings this enforcement action against each defendant pursuant to Health
18 & Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a
19 60-day Notice letter, dated December 23, 2009, which Mateel sent to California's Attorney
20 General. Substantively identical letters were sent to every District Attorney in the state, and to
21 the City Attorneys of every California city with a population greater than 750,000, and to each
22 defendant. Attached to the 60-Day Notice Letter sent to each Defendant was a summary of
23 Proposition 65 that was prepared by California's Office of Environmental Health Hazard
24 Assessment. In addition, each 60-Day Notice Letter plaintiff sent was accompanied by a
25 Certificate of Service attesting to the service of the 60-Day Notice Letter on each entity which
26 received it. Pursuant to California Health & Safety Code Section 25249.7(d), a Certificate of
27 Merit attesting to the reasonable and meritorious basis for the action was also sent with each 60-
28 Day Notice Letter. Factual information sufficient to establish the basis of the Certificate of Merit

1 was enclosed with the 60-Day Notice letter Mateel sent to the Attorney General.

2 8. Each Defendant employs more than ten people.

3 JURISDICTION

4 9. The Court has jurisdiction over this action pursuant to California Health & Safety
5 Code Section 25249.7. California Constitution Article VI, Section 10 grants the Superior Court
6 "original jurisdiction in all causes except those given by statute to other trial courts." Chapter
7 6.6 of the Health & Safety Code, which contains the statutes under which this action is brought,
8 does not grant jurisdiction to any other trial court.

9 10. This Court also has jurisdiction over each Defendant because it is a business that
10 has sufficient minimum contacts in California and within the City and County of San Francisco.
11 Each defendant intentionally availed itself of the California and San Francisco County markets
12 for Brass Products. It is thus consistent with traditional notions of fair play and substantial
13 justice for the San Francisco Superior Court to exercise jurisdiction over each defendant.

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

19 FIRST CAUSE OF ACTION
20 (Claim for Injunctive Relief)

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

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

26 14. To effectuate this goal, Section 25249.6 of the Health and Safety Code mandates
27 that businesses that knowingly and intentionally expose any individual to a chemical known to
28 the State of California to cause cancer or birth defects must first provide a clear and reasonable

1 warning to such individual prior to the exposure.

2 15. Since at least December 23, 2006, each defendant has engaged in conduct that
3 violates Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and
4 intentionally exposing to the above mentioned toxic chemicals, those California residents who
5 handle and use Brass Products. The normally intended use of Brass Products causes exposure to
6 lead and lead compounds, which are chemicals known to the State of California to cause cancer,
7 birth defects and other reproductive harm. Each Defendant has not provided clear and
8 reasonable warnings, within the meaning of Health & Safety Code Sections 25249.6 and
9 25249.11.

10 16. At all times relevant to this action, each Defendant knew that the Brass Products
11 it distributed or marketed were causing exposures to lead and lead compounds. Each Defendant
12 intended that residents of California handle and use Brass Products in such ways as would lead
13 to significant exposures to these chemicals.

14 17. By the above described acts, each Defendant has violated Cal. Health & Safety
15 Code § 25249.6 and is therefore subject to an injunction ordering them to stop violating
16 Proposition 65, to provide warnings to all present and future customers and to provide warnings
17 to their past customers who purchased that defendant's products without receiving a clear and
18 reasonable warning.

19 SECOND CAUSE OF ACTION
20 (Claim for Civil Penalties)

21 18. Plaintiff realleges and incorporates by reference into this Second Cause of Action,
22 as if specifically set forth herein, paragraphs 1 through 17, inclusive.

23 19. By the above described acts, each Defendant is liable and should be liable
24 pursuant to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each
25 individual exposed without proper warning to lead and lead compounds from the handling, use
26 of Defendant's Brass Products.

27 PRAYER FOR RELIEF

28 Wherefore, plaintiff prays for judgment against each Defendant, as follows:

1 1. Pursuant to the First Cause of Action, that each Defendant be enjoined, restrained,
2 and ordered to comply with the provisions of Section 25249.6 of the California Health & Safety
3 Code;

4 2. Pursuant to the Second Cause of Action, that each Defendant be assessed a civil
5 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
6 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
7 Defendant's distributing or marketing of Brass Products;

8 3. That each Defendant be ordered to identify and locate each individual who
9 purchased Brass Products and provide a warning to each such person that the Brass Products the
10 person purchased will expose that person to chemicals known to cause birth defects.

11 4. That, pursuant to Civil Procedure Code § 1021.5, that each Defendant be ordered
12 to pay to Plaintiff the attorneys fees and costs it incurred in bringing this enforcement action.

13 5. For such other relief as this court deems just and proper.

14 Dated: April 11, 2010

15
16 By 

David H. Williams
Attorney for Plaintiff
Mateel Environmental Justice Foundation



Klamath

ENVIRONMENTAL
LAW CENTER

December 23, 2009

PROPOSITION 65 ENFORCEMENT REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
P.O. BOX 70550
OAKLAND CA 94612-0550

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 products that are made of, or that incorporate parts made of, brass and/or bronze, including valves (including the valve handles) and connector hoses with brass fittings that are associated with propane (or other compressed gas) tanks, (collectively "brass products"). A list of examples of the specific 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 products are made in whole, or in part, 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 whenever they handle these brass products, such as when buying them, when handling them, or when using them. Lead is transferred from the brass products 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 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 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 December 23, 2006, and will continue every day until the lead is removed from the brass products, 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 products made outside of California, except as to workplaces these companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the companies' property and in each of California's 58 counties.

Cordially,

William Verick

SERVICE LIST

PROPOSITION 65 ENFORCEMENT
REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
POST OFFICE 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
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 #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
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 MAIL
P.O. BOX 730
NAPA, CA 94559-0720

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF NEVADA

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 94511

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

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF STANISLAUS
1160 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
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

PRESIDENT OR CEO
AKERUE INDUSTRIES, LLC
90 McMILLEN ROAD
ANTIOCH, IL 60002

PRESIDENT OR CEO
BRUNTON COMPANY
620 E MONROE AVE
RIVERTON, WY 82501

RAY DOMBROWSKI, CEO
KEE ACTION SPORTS, LLC
570 MANTUA BLVD
SEWELL, NJ 08080

MICHAEL CHIARELLO, CEO
NAPASTYLE, INC.
574 GATEWAY DR
NAPA, CA 94558

MAX WARTNIEM CEO
STANDARD SALES, INC.
2801 E 12TH ST
LOS ANGELES, CA 90023

SAM SOLOMON, CEO
THE COLEMAN COMPANY, INC.
3600 N. HYDRAULIC ST
WICHITA, KANSAS 67219

PRODUCT LIST

AKERU INDUSTRIES, LLC

CENTURY OUTDOORS SINGLE BURNER STOVE #4262 UPC # 025531 012537; CENTURY 8' PROPANE HOSE ASSEMBLY #9008 UPC # 025531003207; CENTURY 8' PROPANE HOSE ASSEMBLY W/ TYPE 1 COUPLING # 9078 UPC # 025531 003672; CENTURY FEMALE "Y" PROPANE ADAPTER #9074 UPC # 025531010281; CENTURY HAND TIGHT TYPE1 PROPANE ADAPTER #8855 UPC # 025531 011042; These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of valves (including the valve handles) regulators, connector hoses with brass fittings, and other brass fittings that are associated with the use of compressed gasses.

BRUNTON COMPANY

PROFILE TWO BURNER PROPANE STOVE UPC # 080078 007286 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of valves (including the valve handles) regulators, connector hoses with brass fittings, and other brass fittings that are associated with the use of compressed gasses.

KEE ACTION SPORTS, LLC

PMI PURE ENERGY 20OZ CO2 ALUMINUM CYLINDER ITEM# 40120 UPC # 789625 401200; PMI PURE ENERGY 12 OZ CO2 ALUMINUM CYLINDER ITEM #40112 UPC # 789625 41125 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar products made out of leaded brass.

NAPASTYLE, INC.

BRASS BELL GARLAND #7141; VIOLA CORKSCREW SKU# 6940 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar products made out of leaded brass.

STANDARD SALES, INC.

GREATLAND TWO BURNER PROPANE STOVE UPC # 011319 257658 This product description pertains not only to the specific model of the product listed, but also for all units of all models of valves (including the valve handles) regulators, connector hoses with brass fittings, and other brass fittings that are associated with the use of compressed gasses.

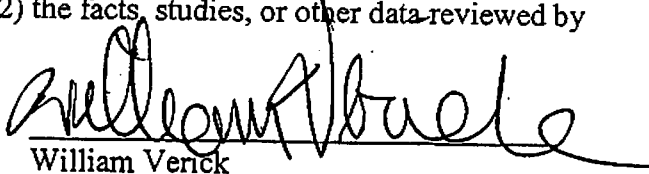
THE COLEMAN COMPANY, INC.

PERFECTFLOW STOVE 2-BURNERMODEL# 5466AA00 UPC # 076501 221480; COLEMAN EXPONENT STOVE MAINTENANCE KIT MODEL # 550-677 UPC # 076501 215519; COLEMAN FILLER CAP MODEL #3000000454 POS# 4010003444 UPC # 076501 002478; PERFECTFLOW INSTASTART STOVE 2 BURNER MODEL # 2000002048 UPC # 076501 229486; COLEMAN POWERMATE VP401 AIR COMPRESSOR UPC # 017565 227087; COLEMAN STOVE GENERATOR (REPLACEMENT PART) 413A5621 UPC # 076501 000214 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of valves (including the valve handles) regulators, connector hoses with brass fittings, and other brass fittings that are associated with the use of compressed gasses.

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 23, 2009

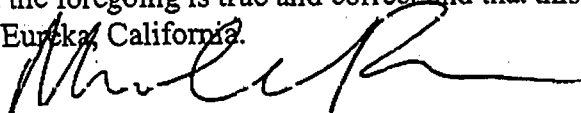

William Verick

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 December 23, 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 December 23, 2009, at Eureka, California.


Nicole Frank