

ORIGINAL

1 WILLIAM VERICK, CSB #140972  
2 Klamath Environmental Law Center  
3 FREDRIC EVENSON, CSB #198059  
4 424 First Street  
5 Eureka, CA 95501  
6 Telephone: (707) 268-8900  
7 Facsimile: (707) 268-8901  
8 email: wverick@igc.org  
9 ecorights@earthlink.net

10 DAVID H. WILLIAMS, CSB #144479  
11 BRIAN ACREE, CSB #202505  
12 370 Grand Avenue, Suite 5  
13 Oakland, CA 94610  
14 Telephone: (510) 271-0826  
15 Facsimile: (510) 271-0829  
16 email: davidhwilliams@earthlink.net  
17 brianacree@earthlink.net

18 Attorneys for Plaintiff,  
19 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

20 SUPERIOR COURT OF THE STATE OF CALIFORNIA

21 COUNTY OF SAN FRANCISCO  
22 (Unlimited Jurisdiction)

23 MATEEL ENVIRONMENTAL  
24 JUSTICE FOUNDATION,

25 Plaintiff,

26 v.

27 TAPRITE-FASSCO MFG, INC. (F.K.A.  
28 NORTH AMERICAN DISPENSE SYSTEM,  
INC.); CNA INTERNATIONAL; HAIER  
AMERICA TRADING, LLC; LELAND  
LIMITED, INC.; PERLICK  
CORPORATION; and PACIFIC  
MERCHANTS (Krome Dispense);

Defendants.

CASE NO. CGC-11-512718

FIRST AMENDED  
COMPLAINT FOR INJUNCTIVE RELIEF  
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

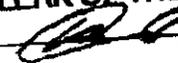
INTRODUCTION

1. This Complaint seeks civil penalties and an injunction to remedy the continuing failure of Defendants TAPRITE-FASSCO MFG, INC. (F.K.A. NORTH AMERICAN

**FILED**  
San Francisco County Superior Court

AUG 05 2011

CLERK OF THE COURT

BY:  Deputy Clerk

1 DISPENSE SYSTEM, INC.); CNA INTERNATIONAL; HAIER AMERICA TRADING, LLC;  
2 LELAND LIMITED, INC.; PERLICK CORPORATION; and PACIFIC MERCHANTS (Krome  
3 Dispense) (hereinafter "Defendants"), to give clear and reasonable warnings to those residents of  
4 California, who handle and use, and drink beverages stored in or served from drink dispensers,  
5 such as beer taps that utilize valves, nozzles, faucets, spigots and stopcocks made from lead  
6 containing alloys (hereinafter referred to as "drink dispensers"), that handling and use of and  
7 drinking from these drink dispensers causes those residents to be exposed to lead and lead  
8 compounds, lead acetate, lead phosphate, and lead subacetate (hereinafter, collectively, "lead").  
9 The types of products to which this Complaint pertains are those types listed in the Product List  
10 appended to the Proposition 65 Notice of Violation Letter that is attached to and incorporated by  
11 reference into this Complaint. Lead is known to the State of California to cause cancer, birth  
12 defects and male and female reproductive toxicity. Defendants distribute, and/or market drink  
13 dispensers. These products cause exposures to lead and lead compounds, which are chemicals  
14 known to the State of California to cause cancer, birth defects and other reproductive harm.

15       2. Defendants market, and/or distribute drink dispensers. Defendants intend that  
16 residents of California handle, use and drink beverages stored in, contained in or served from the  
17 drink dispensers that Defendants market, and/or distribute. When these products are handled and  
18 used in their normally intended manner and when people drink beverages that have been stored  
19 in or served from these drink dispensers, the drink dispensers expose people to lead. In spite of  
20 knowing that residents of California were and are being exposed to this toxic heavy metal when  
21 they handle, use and drink beverages contained in or served from drink dispensers, Defendants  
22 did not and do not provide clear and reasonable warnings that these products cause exposure to  
23 chemicals known to cause cancer, birth defects and other reproductive harm.

24       3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7  
25 to compel Defendants to bring their business practices into compliance with section 25249.5 et  
26 seq. by providing a clear and reasonable warning to each individual who has been and who in  
27 the future may be exposed to lead from the use of Defendants' products. Plaintiff seeks an order  
28 that defendant identify and locate each individual person who in the past has purchased drink

1 dispensers and to provide to each such purchaser a clear and reasonable warning that the drink  
2 dispensers will cause exposures to chemicals known to cause birth defects.

3 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure  
4 of Defendants 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 drink dispensers  
14 manufactured, distributed or marketed by Defendant and are so exposed without a clear and  
15 reasonable Proposition 65 warning.

16 6. Defendants are each a person doing business within the meaning of Health &  
17 Safety Code Section 25249.11. Defendants are businesses that distribute, and/or market drink  
18 dispensers in California, including the City and County of San Francisco. Distribution and/or  
19 marketing of these products in the City and County of San Francisco and/or to people who live in  
20 San Francisco, causes people to be exposed to lead and lead compounds while they are physically  
21 present in the City and County of San Francisco.

22 7. Plaintiff brings this enforcement action against Defendants pursuant to Health &  
23 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of the  
24 Notices of Violation dated December 23,2009 and May 19, 2011 which Mated sent to  
25 California's Attorney General. A substantively identical letter was sent to every District Attorney  
26 in the state, and to the City Attorneys of every California city with a population greater than  
27 750,000, and to each defendant. Attached to the Notices of Violation sent to each defendant was  
28 a summary of Proposition 65 that was prepared by California's Office of Environmental Health

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

7 8. Each defendant employs more than ten people.

8 JURISDICTION

9 9. 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 10. 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 drink dispensers. It is thus consistent with traditional notions of fair play and substantial  
18 justice for the San Francisco Superior Court to exercise jurisdiction over Defendants.

19 11. 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 statute.

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

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

28 13. The People of the State of California have declared by referendum under

1 Proposition 65 (California Health & Safety Code § 25249.5 et seq.) their right "[t]o be informed  
2 about exposures to chemicals that cause cancer, birth defects, and reproductive harm."

3 14. To effectuate this goal, Section 25249.6 of the Health and Safety Code mandates  
4 that businesses that knowingly and intentionally expose any individual to a chemical known to  
5 the State of California to cause cancer or birth defects must first provide a clear and reasonable  
6 warning to such individual prior to the exposure.

7 15. Since at least three years prior to the Notices of Violation, Defendants have  
8 engaged in conduct that violates Health and Safety Code Section 25249.6 et seq. This conduct  
9 includes knowingly and intentionally exposing to the above mentioned toxic chemicals, those  
10 California residents who handle, use or drink beverages stored in or served from Defendants'  
11 drink dispensers. The normally intended use of drink dispensers causes exposure to lead and  
12 lead compounds, which are chemicals known to the State of California to cause cancer, birth  
13 defects and other reproductive harm. Defendants have not provided clear and reasonable  
14 warnings, within the meaning of Health & Safety Code Sections 25249.6 and 25249.11.

15 16. At all times relevant to this action, Defendants knew that the drink dispensers they  
16 distributed or marketed were causing exposures to lead and lead compounds. Defendants  
17 intended that residents of California handle, use and drink beverages stored in, contained in or  
18 served from drink dispensers in such ways as would lead to significant exposures to these  
19 chemicals.

20 17. By the above described acts, Defendants have violated Cal. Health & Safety Code  
21 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition  
22 65, to provide warnings to all present and future customers and to provide warnings to their past  
23 customers who purchased Defendants' products without receiving a clear and reasonable  
24 warning.

25 SECOND CAUSE OF ACTION  
26 (Claim for Civil Penalties)

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

1 19. By the above described acts, Defendants are liable and should be liable pursuant  
2 to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each  
3 individual exposed without proper warning to lead and lead compounds from the handling, use  
4 of, or the drinking of beverages served via Defendants' drink dispensers.

5 PRAYER FOR RELIEF

6 Wherefore, plaintiff prays for judgment against Defendants, as follows:

7 1. Pursuant to the First Cause of Action, that Defendants be enjoined, restrained,  
8 and ordered to comply with the provisions of Section 25249.6 of the California Health & Safety  
9 Code;

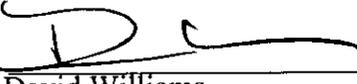
10 2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil  
11 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section  
12 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of  
13 Defendants' distributing or marketing of drink dispensers;

14 3. That Defendants be ordered to identify and locate each individual who purchased  
15 drink dispensers and provide a warning to each such person that the drink dispensers the person  
16 purchased will expose that person to chemicals known to cause birth defects.

17 4. That, pursuant to Civil Procedure Code § 1021.5, Defendants be ordered to pay to  
18 Plaintiff the attorneys fees and costs it incurred in bringing this enforcement action.

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

20 Dated: August 4, 2011

21  
22 By   
23 David Williams  
24 Attorney for Plaintiff  
25 Mateel Environmental Justice Foundation  
26  
27  
28

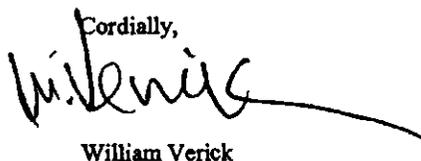


December 23, 2009

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 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 valves, beer taps or stopcocks that are made in whole or in part of brass or other metal alloys containing lead, on beverage dispensers such as lemonade jars, coffee urns, and beverage servers, (hereinafter "beverage dispensers"), and when they drink beverages that have flowed through the lead bearing valves, beertaps or stopcocks that the listed businesses market. Specific examples of the products to which this notice pertains are listed on the attached products list. The valves or stopcocks on these brass valved beverage dispensers are made from brass or other metal alloys containing 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 the valves, beertaps, or stopcocks, such as when serving beverages from these products, when washing them, or when drinking beverages that have flowed through them. Lead is transferred from the valves, beertaps, or stopcocks 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. Lead also leaches from the valves, beertaps, or stopcocks into the beverages that flow through them and is then drunk. 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 December 23, 2006, and will continue every day until the lead is removed from the valves, beertaps, or stopcocks, 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 valved beverage dispenser 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

424 First Street, Eureka, CA 95501 • 707.268.8900 (phone) 707.268.8901 (fax)

## 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 95637

**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 #430  
 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 437  
 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  
 1 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

**JOHN F CALLAHAN, CEO**  
 CAL-MIL PLASTIC PRODUCTS, INC.  
 4979 CALLE PLATINO  
 OCEANSIDE, CA 92056

**JAN AALBERTS, CHAIRMAN**  
 CRAIG SWANSON, GENERAL MANAGER  
 NORTH AMERICAN DISPENSE SYSTEMS, INC.  
 3240 NORTHWESTERN  
 SAN ANTONIO, TX 78238-4043

**SØREN K. VILBY, CEO**  
 MICRO MATIC A/S  
 HOLKEBJERGVEJ 48  
 5250 ODENSE SV  
 DENMARK

**TORBEN TOFTEGAARD, MANAGER**  
 IRMELIN TOFTEGAARD, MANAGER  
 KURT CHRISTIANSEN, MANAGER  
 PETER I MUZZONIGRO, MANAGER  
 MICRO MATIC USA, LLC  
 2386 TURBINE CRT.  
 BROOKSVILLE, FL 34604

**PETER MUZZONIGRO, CEO**  
 MICRO MATIC USA, INC.  
 19791 BAHAMA ST  
 NORTHBRIDGE, CA 91324

**JOHN HJALMARSON, PRESIDENT**  
 JIM GERSON PRESIDENT  
 THE GERSON COMPANY  
 1450 SOUTH LONE ELM  
 OLATHE, KS 66061

**NORMAN GLASSBURG, PRESIDENT**  
 TRADE ASSOCIATES GROUP LTD  
 1730 W WRIGHTWOOD AVE  
 CHICAGO, IL 60614-1972

## PRODUCT LIST

### **CAL-MIL PLASTIC PRODUCTS, INC.**

S/S STEEL BEVERAGE DISPENSER ITEM# , UPC #688640 118134. This product description pertains not only to the specific type of product listed, but also for all units of all similar products that are beverage dispensers with brass spigots.

### **Micro Matic A/S; MICRO MATIC USA, INC.; MICRO MATIC USA, LLC**

2 1/2" COLUMN - BRASS FINISH ITEM # D4740B; G LEGEND W/ GOLD PLATED BASE ITEM # 7509E-G. These product descriptions pertain not only to the specific types of products listed, but also for all units of all similar products with brass parts that are used to dispense beverages.

### **NORTH AMERICAN DISPENSE SYSTEMS, INC.**

POLISHED BRASS BEER FAUCET W/BRASS LEVER MM4933KBR; CHROME FAUCET W/SS LEVER BF CFSL; ECONOMY BRASS GUINNESS STOUT BEER FAUCET TF SF2000; ECONOMY CHROME PLATED GUINNESS STOUT BEER FAUCET TF 2001; POLISHED BRASS BEER FAUCET W/BRASS LEVER; 5/16" - 3 1/8" SHANK WITH 5/16" OD BOR ITEM # 4333A-5/16; CHROME FAUCET W/ BRASS LEVER ITEM#CFBL; COUPLER ASSEMBLY 3" X 5/16" ITEM# 605A-5; RESTRICTED ROD PUMP ASSEMBLY WITH 8" METAL PUMP ITEM # JERR-9; KEG TAP COUPLER -D SYSTEM-LEVER HANDLE ITEM# KT85D-L; STAINLESS STEEL COIL TIGHTLY WRAPPED 50' ITEM #C050X These product descriptions pertain not only to the specific types of products listed, but also for all units of all similar products with brass parts that are used to dispense beverages.

### **THE GERSON COMPANY**

2.5 GAL GLASS BEVERAGE SERVER W/METAL BASE, ITEM#31556, UPC # 037916 315560; 2.5 GAL GLASS BEVERAGE SERVER W/METAL BASE ITEM#31558, UPC # 037916 315584. These product descriptions pertain not only to the specific types of products listed, but also for all units of all similar products that are beverage dispensers with brass spigots.

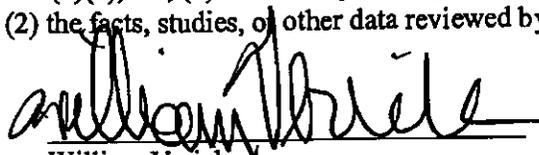
### **TRADE ASSOCIATES GROUP LTD.**

TAG CERAMIC BEVERAGE DISPENSER CODE 187-8547.G; TAG FLORA LIME GREEN CERAMIC 42-CUP DRINK DISPENSER #550598. These product descriptions pertain not only to the specific types of products listed, but also for all units of all similar products that are beverage dispensers with brass spigots.

**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

---

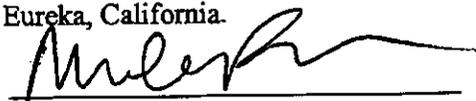
This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed 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



# Klamath

ENVIRONMENTAL  
LAW CENTER

May 19, 2011

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 businesses 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 the leaded valves, stopcocks, faucets or beer taps ("taps") on beverage dispensers (hereinafter "leaded valved beverage dispensers"), and when they drink beverages that have flowed through the leaded valves, stopcocks, faucets or taps that the listed businesses market. Specific examples of the products to which this notice pertains are listed in the accompanying Product List. Though a specific model or UPC number may be given as an example, this notice pertains to all similar types of leaded valved beverage dispenser products. The valves, stopcocks, faucets or taps on these beverage dispensers contain 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 the valves, stopcocks, faucets or taps, such as when serving beverages from these products, when washing them, or when drinking beverages that have flowed through the valves, stopcocks, faucets or taps. Lead is transferred from the valves 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. Lead also leaches from the alloy used to make the valves into the beverages that flow through the valves, stopcocks, faucets or taps and is then drunk. 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 19, 2008, and will continue every day until the lead is removed from the valves, stopcocks, faucets or taps, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer exposures. We do not, however, allege occupational exposure violations as to any leaded valved beverage dispensers made outside of California, except as to workplaces the listed businesses themselves maintain in California. This notice does not allege any environmental exposure violations.

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  
305 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 SANT A 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 COLLUSA  
347 MARKET STREET  
COLLUSA, 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  
513 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 # 434  
LAKEPORT, CA 95453

OFFICE OF THE DISTRICT  
ATTORNEY  
COUNTY OF LASSEN  
220 SOUTH LASSEN ST. STE B  
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 BERNITO  
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  
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 95665

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

KYOO SEUNG CHO, PRESIDENT  
CNA INTERNATIONAL  
771 MARK STREET  
WOOD DALE, IL 60191-2831

MICHAEL JEMAL, CEO  
HAIER AMERICA TRADING, L.L.C.  
1356 BROADWAY SUITE L  
NEW YORK, NY 10018

LELAND C STANFORD, PRESIDENT  
LELAND LIMITED, INC.  
2614 S CLINTON AVE  
SOUTH PLAINFIELD, NJ 07080

RICHARD LUNDBOM, CEO  
JASON ROUSSOS, PRESIDENT  
LIVING DIRECT INC  
C/O ANTHONY C GOODALL, REGISTERED AGENT  
1250 S. CAPITAL OF TEXAS HWY, STE. 2-400  
AUSTIN, TX 78746

RICHARD LUNDBOM, CEO  
JASON ROUSSOS, PRESIDENT  
LIVING DIRECT, INC.  
8606 WALL STREET SUITE 1800  
AUSTIN, TX 78754

RICK LUNDBOM, CEO  
JASON ROUSSOS, PRESIDENT  
LIVING DIRECT, INC.  
500 N. CAPITAL OF TEXAS HWY, BUILDING 5  
AUSTIN, TX 78746

MOHIT ARORA, PRESIDENT  
PACIFIC MERCHANTS  
KROME DISPENSE  
D - 74, FOCAL POINT EXTENSION  
JALANDHAR - 144004, PUNJAB  
INDIA

MADHU BHATTIA  
PACIFIC MERCHANTS  
KROME DISPENSE  
13 CHAUDHRI, KIRKLAND  
H#HACH, MONTRREAL CANADA

STEVEN J. BERGUM, CEO  
LAWRENCE M. MOLINARI, CEO  
PERLUCK CORPORATION  
8300 W. GOOD HOPE ROAD  
MILWAUKEE, WI 53223

MASAMI MURATA, PRESIDENT  
SANYO NORTH AMERICA CORPORATION  
21605 PLUMMER ST  
CHATSWORTH CA 91311

## PRODUCT LIST

### **CNA INTERNATIONAL**

CHROME BEER FAUCET MCKC490S This product description pertains not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

### **HAIER AMERICA TRADING, LLC**

HAIER AMERICA PARTS CHROME FAUCET RF-2700-01; HAIER HBF025ABB KEGERATOR HPB10005112 UPC CODE: 688057 300108 These product descriptions pertain not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

### **LELAND LIMITED, INC.**

CO2 PICNIC TAP UPC CODE: 023965 505007 This product description pertains not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

### **LIVING DIRECT, INC.**

EDGE STAR FULL SIZE KEGERATOR MODEL BR2000BL UPC CODE: 854502 001573 This product description pertains not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

### **PACIFIC MERCHANTS**

#### **KROME DISPENSE**

BRASS FAUCET HEAD-BRASS LEVER; DELUXE US SANKEY KEG BEER PUMP- LEVER COUPLER; D SYSTEM PARTY COUPLER WITH 8" PUMP LEVER HANDLE US SANKEY PUMP #C 686 UPC CODE: 8906016 673868 These product descriptions pertain not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

### **PERLICK CORPORATION**

PERLICK 307-30PB SHANK ASSEMBLY W/ADJ FLOW CONTROL; PERLICK 307XPB FLOW CONTROL FAUCET BRASS; PERLICK 408XPB FAUCET HEAD ASSEMBLY POLISHED BRASS; PERLICK 410XPB FAUCET HEAD ASSEMBLY- POLISHED BRASS; PERLICK 410XTF FAUCET HEAD ASSEMBLY TARNISH FREE; BEER FAUCET GOLD FIN W/SS SHAFT & SPO 425SSTF These product descriptions pertain not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

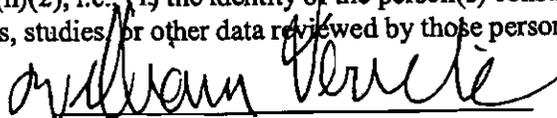
### **SANYO NORTH AMERICA CORPORATION**

SANYO BEER COOLER BC1206S SERIAL # 101000167 UPC CODE: 086483 056789 This product description pertains not only to the specific model of the product listed, but also for all units of all models of drink dispensers with leaded valves.

**CERTIFICATE OF MERIT**

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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 19, 2011

  
William Verick

---

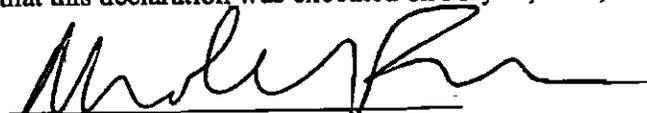
This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed 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 April May 19, 2011, I caused the attached NOTICE OF VIOLATION 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 NOTICE OF VIOLATION 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 19, 2011, at Eureka, California.

  
Nicole Frank