

ORIGINAL

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 Fax: (707) 268-8901
E-mail: wverick@igc.org
5 E-mail: ecorights@earthlink.net

6 DAVID WILLIAMS, SBN 144479
BRIAN ACREE, SBN 202505
7 370 Grand Avenue, Suite 5
Oakland, CA 94610-4874
8 Telephone: (510) 271-0826
Fax: (510) 271-0829
9 E-mail: dhwill7@gmail.com
E-mail: brianacree@earthlink.net

11 Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

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

16 MATEEL ENVIRONMENTAL
JUSTICE FOUNDATION,

17 Plaintiff,
18 v.
19

CASE NO. CTG 10-502296

FIRST AMENDED
COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

20 CAMPBELL MANUFACTURING, LLC;
and LARSEN SUPPLY CO.

21 Defendants.

BUSINESS TORT

24 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

25 INTRODUCTION

26 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
27 failure of defendants CAMPBELL MANUFACTURING, LLC.; and LARSEN SUPPLY CO.
28 (hereinafter "Defendants"), to warn those residents of California, who handle, use and/or

FILED
San Francisco County Superior Court

AUG 05 2011

CLERK OF THE COURT

BY:  Deputy Clerk

1 maintain brass tools such as test gauges, squares, and drain uncloggers (hereinafter "brass tools")
2 that normal use of those tools exposes people to lead and lead compounds, lead acetate, lead
3 phosphate, and lead subacetate (hereinafter, collectively, "lead"). These brass tools utilize
4 components that are made from leaded brass. The specific products at issue in the complaint are
5 those listed in the Products Lists of the Proposition 65 Notice of Violation Letter that is attached
6 to this complaint and which is incorporated into it. Lead is known to the State of California to
7 cause cancer, birth defects and male and female reproductive toxicity. Defendants manufacture,
8 distribute, and/or market brass tools. These products cause exposures to lead and lead
9 compounds, which are chemicals known to the State of California to cause cancer, birth defects
10 and other reproductive harm.

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

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

24 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
25 of Defendants to provide clear and reasonable warnings regarding exposure to chemicals known
26 to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order that
27 defendants identify and locate each individual person who in the past has purchased Brass tools
28 and to provide to each such purchaser a clear and reasonable warning that the Brass tools will

1 cause exposures to chemicals known to cause birth defects.

2
3 PARTIES

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

13 6. Defendants are each a person doing business within the meaning of Health &
14 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or
15 market brass tools in California, including the City and County of San Francisco. Marketing of
16 these products in the City and County of San Francisco and/or to people who live in San
17 Francisco, causes people to be exposed to lead and lead compounds while they are physically
18 present in the City and County of San Francisco.

19 7. Plaintiff brings this enforcement action against Defendants pursuant to Health &
20 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a
21 Notice of Violation letter dated May 13, 2010, which Mateel sent to California's Attorney
22 General. Letters identical in substance were sent to every District Attorney in the state, and to
23 the City Attorneys of every California city with a population greater than 750,000. On that
24 same day, Mateel sent an identical Notice of Violation Letter to each defendant. Attached to the
25 Notice of Violation Letters sent to each defendant was a summary of Proposition 65 that was
26 prepared by California's Office of Environmental Health Hazard Assessment. In addition, each
27 Notice of Violation Letter plaintiff sent was accompanied by a Certificate of Service attesting to
28 the service of the Notice of Violation Letter on each entity which received it. Pursuant to

1 California Health & Safety Code Section 25249.7(d), a Certificate of Merit attesting to the
2 reasonable and meritorious basis for the action was also sent with each Notice of Violation
3 Letter. Factual information sufficient to establish the basis of the Certificate of Merit was
4 enclosed with the Notice of Violation letter Mateel sent to the Attorney General.

5 8. Defendants are all businesses that employ more than ten people.

6 JURISDICTION

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

12 10. This Court also has jurisdiction over Defendants because they are businesses that
13 have sufficient minimum contacts in California and within the City and County of San Francisco.
14 Defendants intentionally availed themselves of the California and San Francisco County markets
15 for brass tools. It is thus consistent with traditional notions of fair play and substantial justice for
16 the San Francisco Superior Court to exercise jurisdiction over them.

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

22 FIRST CAUSE OF ACTION
23 (Claim for Injunctive Relief)

24 12. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as
25 if specifically set forth herein, paragraphs 1 through 11, inclusive.

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

1 tools.

2 PRAYER FOR RELIEF

3 Wherefore, plaintiff prays for judgment against DEFENDANTS, as follows:

4 A. Pursuant to the First Cause of Action, that all Defendants be enjoined, restrained,
5 and ordered to comply with the provisions of Section 25249.6 of the California Health & Safety
6 Code;

7 B. Pursuant to the Second Cause of Action, that each Defendants be assessed a civil
8 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
9 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
10 Defendants' manufacturing, distributing or marketing of brass tools;

11 C. That Defendants be ordered to identify and locate each individual who purchased
12 Brass tools and provide a warning to each such person that the brass tools the person purchased
13 will expose that person to chemicals known to cause birth defects.

14 D. That Defendants be ordered to pay Mateel's attorney's fees and costs incurred in
15 prosecuting this action.

16 E. For such other relief as this court deems just and proper.

17 Dated: August 4, 2011

18
19
20 By 

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



May 13, 2010

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 tools such as squares, punches, and mitre gauges, valves (including the valve handles), connector hoses with brass fittings that are associated with air, acetylene, propane (or other compressed gases), (collectively "brass products"). A list of specific examples of the specific types of products at issue is attached. Though a specific model or UPC number may be given as an example, this notice pertains to all similar types of brass products that utilize leaded-brass components. The leaded-brass components from these brass products 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 these leaded-brass components on those brass products while using the products in their normally intended manner. Lead is transferred from the leaded-brass components 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 13, 2007, and will continue every day until the lead is removed from the components of these 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 businesses themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the listed businesses' property and in each of California's 58 counties.

Cordially,

A handwritten signature in black ink, appearing to read "W. Verick", with a long horizontal line extending to the right.

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
1315 CLAY STREET, SUITE 2000
POST OFFICE BOX 70530
OAKLAND, CA 94612-0530

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 1944
SACRAMENTO, CA 95812-1944

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
347 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 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. WEDDING 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 1ST. #200
MODESTO, CA 95334

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.
SONOMA, 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

RAY A GRIFFITH, CEO
ACE HARDWARE CORPORATION
2200 KENNINGTON COURT
OAK BROOK, IL 60523

ATTALLAH AMASH, PRESIDENT
AMASH IMPORTS, INC.
3707 R B CHAFFEE MEMORIAL DR
GRAND RAPIDS, MI 49548

EMERY DAVIS, CEO
CAMPBELL MANUFACTURING, LLC
CAMPBELL MANUFACTURING, INC.
127 E SPRING STREET
BECHTELSVILLE, PA 19505

COLIN BL GANDY, MANAGING DIRECTOR
CROWN HAND TOOLS LIMITED
332-334 COLEFORD ROAD
SHEFFIELD
SOUTH YORKSHIRE
S9 5TH
ENGLAND

WILLIAM G JOHNSON, CEO
JOHNSON LEVEL & TOOL MFG. CO., INC.
6333 W DONGES BAY RD
MEQUON, WI 53092

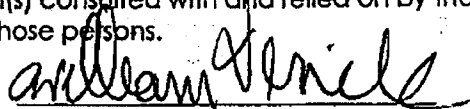
ED MOULIN, CEO
JONES STEPHENS CORP
3249 MOODY PKWY
MOODY, AL 35004

RICHARD H. LARSEN, CEO
LARSEN SUPPLY CO
12055 EAST SLAUSON AVE.
SANTA FE SPRINGS, CA 90670

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 13, 2010

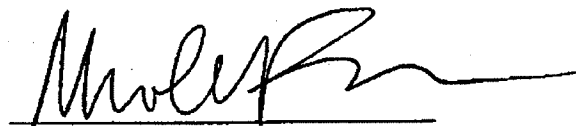

William Verick

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 13, 2010, 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 13, 2010, at Eureka, California.


Nicole Frank

PRODUCT LIST

ACE HARDWARE CORPORATION

ACE 12" COMBINATION SQUARE #27097 UPC CODE: 082901 270973; ACE 6" COMBINATION SQUARE #2117562 UPC CODE: 082901 110934 These product descriptions pertain not only to the specific model of the product listed, but also for all units of all models of brass tool accessories or other tools of the same type that are made in whole or in part of brass.

AMASH IMPORTS, INC.

AUTOMATIC CENTER PUNCH #6580 UPC CODE: 020209 065808 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar center punches made out of leaded brass.

CAMPBELL MANUFACTURING, INC.

WATER PRESSURE TEST GAUGE 0-100 PSI BTG-100 UPC CODE: 039172 000310 This product description pertains not only to the specific model of the product listed, but also for all units of all similar types of valves (including the valve handles) regulators, connector hoses with brass fittings, and other brass guages that are associated with the use of compressed gasses.

CROWN HAND TOOLS LIMITED

TOOLS such as SQUARES, MORTICE GUAGES, MITRE SQUARES & SLIDING BEVELS.

JOHNSON LEVEL & TOOL MFG. CO., INC.

CRAFTSMAN 24 OZ BRASS PLUMB BOB 940105 UPC CODE: 049448 401055; 12" METAL COMBINATION SQUARE UPC CODE: 049448 400003; 6" ENGLISH/METRIC METAL COMBINATION SQUARE 406EM UPC CODE: 049448 406005; 8 OZ BRASS PLUMB BOB UPC CODE: 049448 108008; 8" HARDWOOD TRY SQUARE 480 UPC CODE: 049448 480012 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all similar types of similar products made out of leaded brass.

JONES STEPHENS CORP

LOG LIGHTER KEY ALL BRASS L75-020 UPC CODE: 717510 750201 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products made out of leaded brass.

LARSON SUPPLY CO.

MAGNAFLUSH DRAIN UNCLOGGER 12-1010 UPC CODE: 052151 813688; LASCO WATER TEST GAUGE 0-300 PSI HOOKS UP TO ANY HOSE BIBB 13-1901 UPC CODE: 052151 130044 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all similar types of guages and drain uncloggers.