

**60-DAY NOTICE OF VIOLATION**

SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(D)

AUGUST 4, 1999

1294

My name is Michael DiPirro. I am a citizen of California who seeks to promote awareness of exposures to toxic chemicals and improve human health by reducing or eliminating hazardous substances contained in or produced by consumer and industrial products. This letter is provided to you pursuant to Health & Safety Code §25249.6 et seq ("Proposition 65"). As required, notice is also being provided to the violator, Mayco Colors ("Violator"). The violations covered by this notice consist of the routes of exposures to the following toxic chemicals:

<u>CHEMICAL(S)</u>	<u>ROUTE(S) OF EXPOSURE</u>
1. Lead and lead compounds	Inhalation, Ingestion, Dermal
2. Cadmium	Inhalation, Ingestion, Dermal

A list of the specific types of products that are causing consumer and occupational exposures in violation of Proposition 65 (and are covered by this notice) is provided below as Exhibit A. The Violator's sales of these products have been occurring from August 4, 1995 to the present. As a result of the sale of these products, exposures to Proposition 65 chemicals have been occurring without adequate warnings.

California consumers purchase the products at issue and are exposed to the listed chemicals in the products. Similarly, men and women in California use the products as a part of their jobs and are, therefore, subject to occupational exposures to the listed chemicals. In addition, these products are used by home hobbyists, sole proprietors and other persons in settings not covered by the OSH Act. Without proper warnings as to the toxic effects of exposures to the listed chemicals in the products, California citizens lack the information necessary to make informed decisions whether to eliminate or reduce risk of exposure to the toxic chemicals in the products.

Please direct all questions concerning this notice to my attorneys at the following addresses:

Hudson Bair, Esq. Kapsack & Bair, LLP 353 Sacramento Street, #1800 San Francisco, CA 94111 (415) 421-1021	or	Clifford A. Chanler, Esq. Chanler Law Group Magnolia Lane (off Huckleberry Hill) New Canaan, CT 06840-3801 (203) 966-9911
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For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900. For the Violators' reference, I have attached a copy of "Proposition 65: A Summary" which has been prepared by OEHHA.

**EXHIBIT A**

<i>Product</i>	<i>Toxins</i>
Glazes (such as Mayco Crystal Glaze)	Lead and lead compounds, Cadmium

## PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; my business address is 353 Sacramento Street, Suite 1800, San Francisco, CA 94111.

On August 4, 1999, I served the following document:

**60-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d)**

on the Violator:

Jim Tewerdahl, President  
Mayco Colors  
4077 Weaver Ct. S.  
Hilliard, OH 43026-1194

as well as providing copies of the notice to:

1. The Attorney General of the State of California;
2. The District Attorney for Each of the 58 counties in California; and
3. The City Attorney for Los Angeles, San Diego, San Jose, San Francisco and Sacramento;

I served these notices by placing a true and correct copy in a sealed envelope, first class postage prepaid, addressed to each party and placing each envelope in a United States Postal Service mail box.

Executed on August 4, 1999, at San Francisco, California.

  
Joyce van Ginkel