



April 6, 2004

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

Greetings:

This office and the Mateel Environmental Justice Foundation (“Mateel”) hereby give you notice that the private businesses on the attached service list are in violation of Cal. Health & Safety Code § 25249.6. This office and Mateel are both private enforcers of Proposition 65, both organizations may be reached at the below listed address and telephone number, I may be considered a “responsible individual” at both organizations, and I may be contacted at the same address and telephone number. The above referenced violations occur when California residents come into contact with thermoset/thermoplastic-coated wires, cables, and/or cords/cord sets, including PVC-coated wires, cords/cord sets, plugs and connectors, and both SPT and HPN cords/cord sets (hereinafter collectively “Cords”). These businesses market products with, or that are themselves, Cords. Some examples of the products that incorporate Cords are those listed in the attached Appendix A. Handling of, and contact with, these Cords exposes people to acrylonitrile, antimony trioxide, arsenic, 1,3 butadiene, carbon tetrachloride, carbon black extracts, chlorinated paraffins, chloroform, ethyl acrylate, ethylene thiourea, nickel, toluene, cadmium, hexavalent chromium, vinyl chloride, lead and lead compounds, lead acetate, lead phosphate, lead subacetate, and di(2ethylhexyl) phthalate. Handling Cords causes these chemicals to come off the coating of the Cords and to be transferred to the skin of the person handling the Cords. These chemicals are then ingested through hand-to-mouth contact and hand-to-food-to-mouth and hand-to-cigarette-to-mouth behavior. These chemicals are also absorbed through the skin, through mucous membranes and enter the body through cuts, punctures and abrasions. Smokers also inhale those chemicals transferred from hands to cigarettes. People are thus exposed to these chemicals via the ingestion, inhalation, dermal absorption, mucous membrane absorption and subcutaneous routes. These exposures (and resulting violations) occur occupationally, environmentally, and as the result of the sale of consumer products and services. In occupational settings, the type of work that is done during which the above-referenced exposures occur is the handling of, and contact with, Cords, including during the manufacture, installation, maintenance, handling and/or use of electrical equipment to which these Cords are attached. As described above, the exposures that are the subject of this notice occur via the dermal absorption, inhalation, ingestion and subcutaneous routes. These violations have occurred every day since at least April 6, 2000 and will continue every day until reasonable warnings are given to those people exposed. Environmental exposure violations occur in every county of the State and occur both on and off the property of the aforementioned private businesses.

SERVICE LIST

<p>EDWARD G. WEIL DEPUTY ATTORNEY GENERAL OFFICE OF THE ATTORNEY GENERAL P.O. BOX 70550 OAKLAND CA 94612-0550</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF GLENN P.O. BOX 430 WILLOWS, CA 95988</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONTEREY 240 CHURCH ST. P.O. BOX 180 SALINAS, CA 93902</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SISKIYOU P.O. BOX 986 YREKA, CA 96097</p>	<p>PRESIDENT OR CEO SAKAR INTERNATIONAL INC. 195 CARTER DR. EDISON, NJ 08817</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF OAKLAND 505 14TH ST 12TH FLOOR OAKLAND, CA 94612</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF HUMBOLDT 825 5TH ST. EUREKA, CA 95501</p>	<p>COUNTY OF NAPA 931 PARKWAY MALL P.O. BOX 720 NAPA, CA 94559-0720</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SOLANO 600 UNION AVE FAIRFIELD, CA 94533</p>	<p>PRESIDENT OR CEO TECHNOLOGY RESEARCH CORPORATION 5250 140TH AVE N CLEARWATER, FL 33760</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF SAN FRANCISCO CITY HALL ROOM 206 400 VAN NESS SAN FRANCISCO, CA 94102</p>	<p>COUNTY OF IMPERIAL COURTHOUSE, FLOOR 2 939 W. MAIN ST EL CENTRO, CA 92243</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF NEVADA COURTHOUSE ANNEX NEVADA CITY, CA 95959</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SONOMA 600 ADMINISTRATION DR. #212J SANTA ROSA, CA 95403</p>	<p>JAMES SHARMAN, PRESIDENT WKI HOLDING COMPANY, INC. 11911 FREEDOM DRIVE SUITE 600 RESTON, VA 20190-5629</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF SACRAMENTO 980 9th Street, 10th Floor SACRAMENTO, CA 95814</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF INYO P.O. DRAWER D INDEPENDENCE, CA 93526</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ORANGE 700 CIVIC CENTER DR WEST #A-200 SANTA ANA, CA 92701</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF STANISLAUS 1100 I ST. #200 MODESTO, CA 95354</p>	<p>FRANK K LIU, PRESIDENT UNICAL ENTERPRISES, INC 16960 GALE AVE CITY OF INDUSTRY, CA 91745</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF SAN JOSE 151 W. MISSION ST. SAN JOSE, CA 95110</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KERN 1215 TRUXTUN AVE. FLOOR 4 BAKERSFIELD, CA 93301</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLACER 11562 B AVE AUBURN, CA 95603-2687</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YUBA 1100 I ST. #200 MODESTO, CA 95354</p>	<p>W ALAN MCCOLLOUGH, PRESIDENT CIRCUIT CITY STORES, INC. 9950 MAYLAND DR RICHMOND, VA 23233</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF LOS ANGELES 200 N. MAIN ST. LOS ANGELES, CA 90012</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KINGS 1400 W. LACEY BLVD. HANFORD, CA 93230</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF RIVERSIDE 4075 MAIN ST. RIVERSIDE, CA 92501</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TEHAMA P.O. BOX 519 REDBLUFF, CA 96080</p>	<p>MICHAEL T CHALIFOUX, PRESIDENT CIRCUIT CITY STORES WEST COAST, INC. 9950 MAYLAND DR RICHMOND, VA 23233</p>
<p>OFFICE OF THE CITY ATTORNEY CITY OF SAN DIEGO 202 C ST. FLOOR 3 SAN DIEGO, CA 92101</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LAKE 255 N. FORBES ST # 424 LAKEPORT, CA 95453</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SACRAMENTO P.O. BOX 749 SACRAMENTO, CA 95804</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TULARE COURTHOUSE #224 VISALIA, CA 93291</p>	<p>John Hsu, Owner HONOR TRADING CO. 3589 YALE WAY FREMONT, CA 94538-6185</p>
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALAMEDA 225 FALLON ST. #9 OAKLAND, CA 94612</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LASSEN COUNTY ADMINISTRATION BUILDING 707 NEVADA ST. SUSANVILLE, CA 96130</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN BENITO 419 4TH ST HOLLISTER, CA 95023</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TUOLUMNE 2 S. GREEN ST. SONORA, CA 95370</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALPINE P.O. BOX 248 MARKLEEVILLE, CA 96120</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LOS ANGELES 18000 CRIMINAL COURTS BUILDING 210 W. TEMPLE ST. LOS ANGELES, CA 90012</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN BERNARDINO 316 MT. VIEW AVE. SAN BERNARDINO, CA 92415-0004</p>	<p>VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE c/o GREGORY BROSE D.D.A. 4245 MARKET ST. #205 VENTURA, CA 93003</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF AMADOR 108 COURT ST. SUITE 202 JACKSON, CA 95642</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MADERA 209 W. YOSEMITE AVE. MADERA, CA 93637</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN JOAQUIN 222 E. WEBER AVE #202 STOCKTON, CA 95202</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YOLO 204 4TH ST P.O. BOX 1247 WOODLAND, CA 95695</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF BUTTE 25 COUNTY CENTER DR. OROVILLE, CA 95965</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA P.O. BOX 748 MARIPOSA, CA 95338</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN LUIS OBISPO COUNTY GOVERNMENT CENTER #450 SAN LUIS OBISPO, CA 93408</p>	<p>ANDREW MOONEY, PRESIDENT THE DISNEY STORE, INC 500 SOUTH BUENA VISTA ST BURBANK, CA 91521</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CALAVERAS GOVERNMENT CENTER 891 MOUNTAIN RANCH ROAD SAN ANDREAS, CA 95249</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CONTRA COSTA P.O. BOX 670 MARTINEZ, CA 94553</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN MATEO HALL OF JUSTICE AND RECORDS REDWOOD CITY, CA 94063</p>	<p>DAVID K THOMPSON, PRESIDENT BUENA VISTA ENTERTAINMENT, INC 500 SOUTH BUENA VISTA STREET BURBANK, CA 91521</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF COLUSA 547 MARKET ST. COLUSA, CA 95932</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MENDOCINO 301 S. STATE ST. UKIAH, CA 95482</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA BARBARA 1105 SANTA BARBARA ST. SANTA BARBARA, CA 93101</p>	<p>PRESIDENT OR CEO PROGRESSIVE INTERNATIONAL CORP 6111 S 228TH ST KENT, WA 98032</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF DEL NORTE 450 H ST #171 CRESCENT CITY, CA 95531</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MERCED 2222 M ST. MERCED, CA 95340</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA CLARA 70 W. HEDDING ST. SAN JOSE, CA 95110</p>	<p>PRESIDENT OR CEO AUDIO TECHNICA US INC 1221 COMMERCE DR. STOW, OH 44224</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF EL DORADO 515 MAIN ST. PLACERVILLE, CA 95667</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MODOC P.O. BOX 1171 ALTURAS, CA 9610</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SHASTA 1525 COURT ST. REDDING, CA 96001</p>	<p>ROBERT J LAIKIN, PRESIDENT BRIGHTPOINT 501 AIRTECH PKWY PLAINFIELD, IN 46168</p>	
<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF FRESNO 2220 TULARE ST #1000 FRESNO, CA 93721</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONO P.O. BOX 617 BRIDGEPORT, CA 93517</p>	<p>OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SIERRA P.O. BOX 457 DOWNEVILLE, CA 95936</p>		

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: April 6, 2004

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, Gina Klump, 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 6, 2004, 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 April 6, 2004, at Eureka, California.

APPENDIX A

Company

Product

THE DISNEY STORE, INC.
BUENA VISTA ENTERTAINMENT,
INC.

Power Rangers Dino Thunder
Power Ranger Radio FM auto scan radio

PROGRESSIVE INTERNATIONAL
CORP.

Progressive International Immersion Heather GT-7400

AUDIO TECHNICA US INC.

Audio Technica Handheld Microphone #ATR10BL

BRIGHTPOINT

Brightlink Wireless Accessories, Earbud Headset, Nokia
Compatible
Brightlink Earbud Headset Item OHFPPT282 AM040
Brightlink Earbud Headset OHFPP61902 AM030

SAKAR INTERNATIONAL INC.

Cyber Gear Handsfree Mini Phone Item #32466
iConcepts Digital Camera Item # 69052
Cyber Gear Miniphone Recorder Item #60468
Cyber Gear Palm Tunes Touch Screen Databank with
Stylus Item #86468
Cyber Gear Micro Radio Item #45466
iConcepts PDA USB Hot Sync & Charger Item #16346

TECHNOLOGY RESEARCH
CORPORATION

Fire Shield 8-Foot Safety Extension Cord 13 AMP 120
VOLTS 16 AWG Patent #4931894

WKI HOLDING COMPANY, INC.

Ekco Immersion Heater #00426

UNICAL ENTERPRISES, INC

Northwestern Bell Caller ID Telephone #77519-3
Bell Phones by Northwestern Bell Phones Mini
Telephones #28000-M2
Bell Phones by Northwestern Bell Phones Classic
Favorite Trim Style Telephone #52820
Bell Phones by Northwestern Bell Phones Big Button
Plus Telephone #20200-3
Bell Phones by Northwestern Bell Phones Big Wall
Phone #51491

CIRCUIT CITY STORES WEST
COAST, INC.

Audiobahn Earclip Style Stereo Headphones, model
ABN-150
Audiobahn Wraparound Stereo Headphones, model
ABN-11
Liquid Video S-Video/AV Cable For PlayStation 2,
GAMECUBE, Xbox GA-332
Liquid Video Starter Kit for PlayStation 2 GA-331
Liquid Video Starter Kit for Xbox GA-328
Liquid Video Starter Kit for GAMECUBE - GA-330

HONOR TRADING CO.

Wagan Tech Quick Flow Air Compressor, Item #2014

