NOTICE OF VIOLATION

California Safe Drinking Water
and Toxic Enforcement Act

Re: Lead In Imitation Pearls

June 9, 2005

This Notice of Violation is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice of Violation is provided by the Center for Environmental Health. The Center for Environmental Health is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices.

Description of Violation:

- The names and addresses of the violators are:
  - Margola Import Corporation
    48 West 37th Street
    New York, NY 10018
- This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- The names of the listed chemicals involved in these violations are lead and lead compounds ("Lead"). Exposures to Lead occur from use of the products identified in this notice.
- The category of products causing these violations is imitation pearls. These imitation pearls are used for various purposes, including but not limited to as beads and as buttons for clothing. A non-exclusive example of these products is "Jones Tones Gem Stones" glue-on imitation pearls (Item SKU #4315283058). The Lead is contained in these products.
- Description of Violations: Use of the products identified in this notice results in human exposures to Lead. Lead is contained in both the imitation pearls and the accompanying strings, pendants, and other attachments. The route of exposure for the violations is direct ingestion when consumers place the products in their mouths, ingestion via hand to mouth contact after consumers touch or handle the products, and dermal absorption directly through the skin when consumers touch, handle, or wear the products. These exposures occur in homes, workplaces and everywhere else throughout California where these imitation pearls are worn or handled. No clear and reasonable warning is provided with these products regarding the carcinogenic or reproductive hazards of Lead.

Please direct any inquiries regarding this notice to counsel for the Center for Environmental Health: Eric Somers, Lexington Law Group, LLP, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

CERTIFICATE OF MERIT

Health & Safety Code §25249.7(d)

I, Eric Somers, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health & Safety Code §25249.6 by failing to provide clear and reasonable warnings.

2. I am an attorney with the Lexington Law Group, LLP, and I represent the noticing party, the Center for Environmental Health ("CEH").

3. 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 exposures to the listed chemical that is the subject of the action.

4. 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 plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the 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 & Safety Code §25249.7(h)(2), i.e. (1) the identity of the persons consulted

with and relied on by the certifier, and (2) the facts, studies or other data reviewed by those persons.

Dated: June 9, 2005

Eric Somers
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

PROOF OF SERVICE BY MAIL

I declare that:

I am employed in San Francisco County, California. I am over the age of 18 years and not a party to the within cause; my business address is 1627 Irving Street, San Francisco, California 94122.

On June 9, 2005, I served true copies of the following documents:

NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT;

CERTIFICATE OF MERIT; and

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those on service list marked with an asterisks).

I placed a true copy of this paper in an envelope addressed to:

See Attached Service List.

I am readily familiar with my firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit, that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I placed the envelope containing the above-mentioned documents for collection and mailing on June 9, 2005, following the ordinary business practice.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on June 9, 2005, at San Francisco, California.

Signed: _____
Emily Morgan

SERVICE LIST

District Attorney of Alameda County
1225 Fallon Street, Room 900
Oakland, CA 94612

District Attorney of Colusa County
547 Market Street
Colusa, CA 95932

District Attorney of Contra Costa County
725 Court Street, Room 402
Martinez, CA 94553

District Attorney of Alpine County
P.O. Box 248
Markleeville, CA 96120

District Attorney of Del Norte County
450 H Street, Ste 171
Crescent City, CA 95531

District Attorney of Amador County
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Jackson, CA 95642

District Attorney of Butte County
25 County Center Drive
Oroville, CA 95965

District Attorney of El Dorado County
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District Attorney of Calaveras County
891 Mountain Ranch Road
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District Attorney of Fresno County
2220 Tulare Street, #1000
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District Attorney of Humboldt County
825 5th Street
Eureka, CA 95501

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939 W.Main Street
El Centro, CA 92243

District Attorney of Lassen County
220 S. Lassen St., Ste 8
Susanville, CA 96130

District Attorney of Inyo County
P.O. Drawer D
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210 W. Temple Street, Room 345
Los Angeles, CA 90012

District Attorney of Madera County
209 West Yosemite Avenue
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3501 Civic Center Dr., Room 130
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District Attorney of Mono County
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District Attorney of Monterey County
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District Attorney of Mendocino County
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District Attorney of Napa County
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Napa, CA 94559

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2222 "M" Street
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District Attorney of Nevada County
201 Church St., Suite 8
Nevada City, CA 95959

District Attorney of Orange County
401 Civic Ctr Drive West
Santa Ana, CA 92702

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Auburn, CA 95603

District Attorney of San Bernardino County
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District Attorney of Plumas County
520 Main Street, Room 404
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330 West Broadway, Suite 1320
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District Attorney of Riverside County
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Riverside, CA 92501

District Attorney of San Francisco County
880 Bryant Street, Rm 325
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Sacramento, CA 95814

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District Attorney of San Luis Obispo County
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San Luis Obispo, CA 93408

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San Jose, CA 95110

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Los Angeles, CA 90012

San Diego City Attorney's Office
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San Diego, CA 92101

San Francisco City Attorney's Office
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Ed Weil, Deputy Attorney General
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Neil Chalfin, Chairman or CEO*
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