



October 17, 2005

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

**ATTORNEY GENERAL COPY  
CONTAINS OFFICIAL  
INFORMATION PURSUANT TO  
EVIDENCE CODE §1040**

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses on the attached service list are 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 for both Mateel and this office. The above referenced violations occur when California residents, including children, come into contact with bicycles and tricycles that have brake cables and/or derailleur cables (hereinafter "cables") or when they come into contact with plastic handlebar grips. Some examples of the products that are or that incorporate cables and/or handlebar grips are those listed in the attached Product List. Though a specific model or SKU or product number is given as an example, this notice pertains to all variations of the specific type of product of which the named model is an example. The housing of these cables, and the handlebar grips themselves, is made from thermoplastic that contains lead and lead compounds ("lead") which are chemicals known to cause cancer, birth defects, and other reproductive harm. These businesses either make or market these bicycles and tricycles. In addition, one other company, Bell Sports, Inc., does not market bicycles or tricycles, but instead markets the cable housings themselves and also markets plastic handlebar grips for bicycles and tricycles. Children and adults are exposed to lead when they ride, walk, or work on these bicycles and tricycles and/or cables and handlebar grips. Their skin thus comes into contact with the plastic on the cable housings or the handlebar grips. Lead is transferred from the cable housings and handlebar grips to the hands of the users using these products. The lead then enters their bodies when it is absorbed directly through the skin, through mucous membranes, or through cuts and/or abrasions, or when they touch their hands to their mouths and other mucous membranes, or when they touch cigarettes or food and then smoke the cigarettes or ingest the food. These exposures thus occur via the dermal absorption, mucous membrane, subcutaneous, inhalation and ingestion routes. These businesses did not and do not provide people with clear and reasonable warnings before they expose them to lead. The above referenced violations have occurred every day since at least October 17, 2002 and will continue every day until the lead is taken out of these brake cable housings and handlebar grips, or until warnings are given. These 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 of these products the listed business makes outside of California, except as to workplaces the business itself maintains in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the property of these private businesses and in each of California's 58 counties.

Cordially,

William Verick

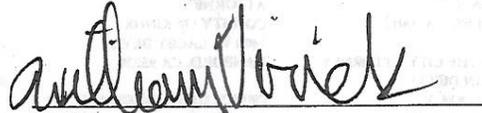
# SERVICE LIST

EDWARD G. WEIL DEPUTY ATTORNEY GENERAL OFFICE OF THE ATTORNEY GENERAL P.O. BOX 70550 OAKLAND CA 94612-0550	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF GLENN P.O. BOX 430 WILLOWS, CA 95988	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONTEREY 240 CHURCH ST. P.O. BOX 180 SALINAS, CA 93902	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SISKIYOU P.O. BOX 986 YREKA, CA 96097	RIXHARD J. HACKMANN, CEO K2, INC. 2051 PALOMAR AIRPORT RD STE 100 CARLSBAD, CA 92009
OFFICE OF THE CITY ATTORNEY CITY OF OAKLAND 505 14TH ST 12TH FLOOR OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF HUMBOLDT 825 5TH ST. EUREKA, CA 95501	COUNTY OF NAPA 931 PARKWAY MALL P.O. BOX 720 NAPA, CA 94559-0720	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SOLANO 600 UNION AVE FAIRFIELD, CA 94533	RIXHARD J. HACKMANN, CEO K2, INC. 5818 EL CAMINO REAL CARLSBAD, CA 92008
OFFICE OF THE CITY ATTORNEY CITY OF SAN FRANCISCO CITY HALL ROOM 206 400 VAN NESS SAN FRANCISCO, CA 94102	OUNTY OF IMPERIAL COURTHOUSE, FLOOR 2 939 W. MAIN ST EL CENTRO, CA 92243	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF NEVADA COURTHOUSE ANNEX NEVADA CITY, CA 95959	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SONOMA 600 ADMINISTRATION DR. #212J SANTA ROSA, CA 95403	CHRIS HORNING, CEO PACIFIC CYCLE, INC. 4902 HAMMERSLEY RD MADISON, WISCONSIN 53711
OFFICE OF THE CITY ATTORNEY CITY OF SACRAMENTO 980 9 <sup>th</sup> Street, 10 <sup>th</sup> Floor SACRAMENTO, CA 95814	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF INYO P.O. DRAWER D INDEPENDENCE, CA 93526	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ORANGE 400 CIVIC CENTER DR WEST SANTA ANA, CA 92701	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF STANISLAUS 1100 I ST. #200 MODESTO, CA 95354	CHRIS HORNING, CEO PACIFIC CYCLE, INC C/O MARGE BAUSEK 660 SEARS TOWER CHICAGO, IL 60606-6473
OFFICE OF THE CITY ATTORNEY CITY OF SAN JOSE 151 W. MISSION ST. SAN JOSE, CA 95110	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KERN 1215 TRUXTUN AVE. FLOOR 4 BAKERSFIELD, CA 93301	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLACER 11562 B AVE AUBURN, CA 95603-2687	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SUTTER 1160 CIVIC CENTER BLVD. #A YUBA CITY, CA 95993	CHRIS HORNING, CEO PACIFIC CYCLE, INC WILLIAM AUSTIN, PRESIDENT RALEIGH AMERICA 6004 S 190TH ST., STE. 101 KENT, WA 98032
OFFICE OF THE CITY ATTORNEY CITY OF LOS ANGELES 200 N. MAIN ST. LOS ANGELES, CA 90012	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KINGS 1400 W. LACEY BLVD. HANFORD, CA 93230	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLUMAS P.O. BOX 10716 QUINCY, CA 95971	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TEHAMA P.O. BOX 519 REDBLUFF, CA 96080	SALLY JEWELL, PRESIDENT RECREATIONAL EQUIPMENT, INC. PO BOX 1938 SUMNER, WA 98390-0800
OFFICE OF THE CITY ATTORNEY CITY OF SAN DIEGO 202 C ST. FLOOR 3 SAN DIEGO, CA 92101	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LAKE 255 N. FORBES ST # 424 LAKEPORT, CA 95453	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF RIVERSIDE 4075 MAIN ST. RIVERSIDE, CA 92501	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TULARE COURTHOUSE #224 VISALIA, CA 93291	SALLY JEWELL, PRESIDENT RECREATIONAL EQUIPMENT, INC. 6750 S. 228th ST. KENT, WA 98032
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALAMEDA 225 FALLON ST. #9 OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LASSEN COUNTY ADMINISTRATION BUILDING 707 NEVADA ST. SUSANVILLE, CA 96130	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN BENITO 419 4TH ST HOLLISTER, CA 95023	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TUOLUMNE 2 S. GREEN ST. SONORA, CA 95370	LARRY MARTIN, PRESIDENT SCOTT USA PO BOX 2030, SUN VALLEY, ID 83353-2030
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALPINE P.O. BOX 248 MARKLEEVILLE, CA 96120	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 SAN BERNARDINO 316 MT. VIEW AVE. SAN BERNARDINO, CA 92415-0004	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YOLO 204 4TH ST P.O. BOX 1247 WOODLAND, CA 95695	MIKE SINYARD, PRESIDENT SPECIALIZED BICYCLE COMPONENTS, INC. 15130 CONCORD CIR. MORGAN HILL, CA 95037
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF AMADOR 108 COURT ST. SUITE 202 JACKSON, CA 95642	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MADERA 209 W. YOSEMITE AVE. MADERA, CA 93637	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN DIEGO 101 W. BROADWAY #1440 SAN DIEGO, CA 92101	VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE c/o GREGORY BROSE D.D.A. 4245 MARKET ST. #205 VENTURA, CA 93003	JOHN BURKE, PRESIDENT TREK BICYCLE CORP 801 W. MADISON ST. WATERLOO, WI 53594
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF BUTTE 25 COUNTY CENTER DR. OROVILLE, CA 95965	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA P.O. BOX 748 MARIPOSA, CA 95338	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN FRANCISCO 850 BRYANT ST #322 SAN FRANCISCO, CA 94103	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YUBA 215 5TH ST. MARYSVILLE, CA 95901	BILL FRY, PRESIDENT BELL SPORTS, INC. 6225 N. ST. HWY 161 STE 300 IRVING, TX 75038
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CALAVERAS GOVERNMENT CENTER 891 MOUNTAIN RANCH ROAD SAN ANDREAS, CA95249	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIN HALL OF JUSTICE #183 SAN RAFAEL, CA 94903	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN JOAQUIN 222 E. WEBER AVE #202 STOCKTON, CA 95202	RODNEY JEWETT, PRESIDENT CYCLEUROPE U.S.A., INC. 21325A CABOT BLVD HATWARD, CA 94545	MATTHEW MANNELLY, PRESIDENT CANNONDALE BICYCLE CORPORATION 16 TROWBRIDGE DR BETHEL, CT 06801
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF COLUSA 547 MARKET ST. COLUSA, CA 95932	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MENDOCINO 301 S. STATE ST. UKIAH, CA 95482	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA BARBARA 1105 SANTA BARBARA ST. SANTA BARBARA, CA 93101	CARINE JOANNOU, PRESIDENT G. JOANNOU CYCLE CO. 151 LUDLOW AVE NORTHVALE NJ 07647	PHILIP TONG, PRESIDENT DYNACRAFT BSC, INC. 2550 KERNER BLVD SAN RAFAEL, CA 94901
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CONTRA COSTA P.O. BOX 670 MARTINEZ, CA 94553	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MERCED 2222 M ST. MERCED, CA 95340	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA CRUZ 701 OCEAN ST. #200 SANTA CRUZ, CA 95060	BENNO BAENUGER, PRESIDENT ELECTRA BICYCLE COMPANY, INC. 2262 RUTHERFORD RD STE 104 CARLSBAD, CA 92008	PAT CUNNANE, PRESIDENT FUJI AMERICAN ANDVANCED SPORTS, INC. 118 BAUER DR. OAKLAND, NJ 07436
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF EL DORADO 515 MAIN ST. PLACERVILLE, CA 95667	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONO P.O. BOX 617 BRIDGEPORT, CA 93517	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SHASTA 1525 COURT ST. REDDING, CA 96001		
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF FRESNO 2220 TULARE ST #1000 FRESNO, CA 93721		OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SIERRA P.O. BOX 457 DOWNEVILLE, CA 95936		

**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: October 19, 2005

  
William Verick

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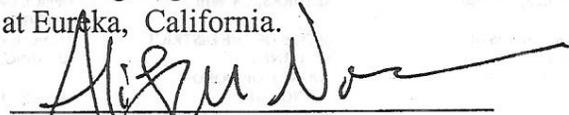
This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed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

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**CERTIFICATE OF SERVICE**

I, Alison Nichols, 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 October 19, 2005, 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 October 19, 2005, at Eureka, California.

  
ALISON NICHOLS

## PRODUCT LIST

### **BELL SPORTS, INC.**

BELL BMXERS GRIPS # 109553, BELL BMX GRIPS #106427 and BIKE FIX BRAKE AND GEAR CABLE SET UPC #03501100022 This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycle cable housings and bicycle or tricycle handle bar grips.

### **CYCLEUROPE U.S.A., INC.**

BIANCHI 16" BOARDWALK This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **CANNONDALE BICYCLE CORPORATION**

CANNONDALE R500 50CM This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **G. JOANNOU CYCLE CO.**

JAMIS 19" EXILE This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **DYNACRAFT BSC, INC.**

NEXT 26" PLUSH MODEL #WM3-970, ITEM #766224 This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **ELECTRA BICYCLE COMPANY, INC.**

ELECTRA TOWNIE 3 This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **FUJI AMERICAN ADVANCED SPORTS, INC.**

FUJI 21" SAGRES This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **K2, INC.**

K2 SEASIDE LWB 18"-21" This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **PACIFIC CYCLE, INC.**

24" BOYS SLASH, SKN #374062, ITEM #200030TR This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **RALEIGH AMERICA**

SCHWINN 26" SX2000 This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **RECREATIONAL EQUIPMENT, INC.**

NOVARA PIEORA This product description pertains not only to the specific model of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **SCOTT USA**

SCOTT SPEEDSTER S 54CM and SCOTT RACING 20 KIDS BIKE This product description pertains not only to the specific model or models of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **SPECIALIZED BICYCLE COMPONENTS, INC.**

SPECIALIZED 19" ROCKHOPPER COMP DISC and SPECIALIZED 17" ROCKHOPPER COMP This product description pertains not only to the specific model or models of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.

### **TREK BICYCLE CORP**

LEMOND FILLMORE 55CM, TREK MT60 KIDS BIKE and TREK 6500 19.5" This product description pertains not only to the specific model or models of the product listed, but also for all units of all models of bicycles that have brake or derailleur cables.