



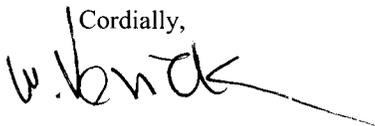
Klamath

October 12, 2006

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
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Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses on the attached service list (sent to their authorized agent) 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, tricycles, and bicycle accessories that have leaded-plastic components, such as cable sheathing, handlebar grips, trim, or which have lead and cadmium containing paint. The specific types of products the letter concerns are those listed in the attached Product List. The plastic and painted parts of these bicycles, components and accessories contain lead and lead compounds ("lead"), as well as acrylonitrile, antimony trioxide, arsenic, 1,3 butadiene, carbon tetrachloride, carbon black extracts, chlorinated-paraffins, chloroform, ethyl acrylate, ethylene thiourea, nickel, toluene, cadmium, hexavalent compounds of chromium, vinyl chloride, lead acetate, lead phosphate, lead subacetate, di(2ethylhexyl) phthalate, butyl benzyl phthalate, and di-n-butyl phthalate (collectively "listed chemicals"). These are chemicals known to cause cancer, birth defects, and other reproductive harm. These businesses market these bicycles, tricycles, components and bicycle accessories (collectively "bicycles"). Children and adults are exposed to listed chemicals when they ride, walk, or work on these bicycles and their skin comes into contact with them. Listed chemicals are transferred from the cable housings and handlebar grips to the hands of those using these products. The chemicals then enter 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 (inhaling the burned listed chemicals) 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 the listed chemicals. The above referenced violations have occurred every day since at least October 12, 2003 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 businesses make outside of California, except as to workplaces the businesses themselves maintain 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

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 12, 2006



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. October 12, 2006 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 12, 2006, at Eureka, California.



Nicole Frank

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PRODUCT LIST

AUTO RACKS
BAR TAPE
BELLS
BICYCLES
BICYCLE MOUNTED RACKS
BICYCLE STORAGE RACKS
BICYCLE BAGS/BASKETS
BICYCLE COMPUTERS
BICYCLE MIRRORS
BICYCLE PROTECTOR
BMX PADS/PEGS
BRAKE CABLES
CLOTHING
DERAILLEUR CABLES
FENDERS, GLOVES
HANDLEBAR GRIPS
HELMETS
KICKSTANDS
LIGHTS
LOCKS
PROTECTIVE GEAR
PUMPS
REFLECTORS
REPAIR STANDS
SHOES
TOOLS
TRAINERS
TRAINING HANDLES/WHEELS
TRICYCLES
WATER BOTTLE CAGES
WATER BOTTLES
WATER/HYDRO PACKS