

NOTICE OF VIOLATION

California Safe Drinking Water
and Toxic Enforcement Act

Re: Lead in Jewelry

December 27, 2006

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 ("CEH"), 528 61st Street, Suite A, Oakland, CA 94609, (510) 594-9864. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Michael Green is the Executive Director of and a responsible individual within CEH.

Description of Violation:

- The names and addresses of the violators are attached hereto as Exhibit 1.
- The violations have been occurring since at least December 27, 2003 and are continuing to this day.
- 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 specific type of products causing these violations is jewelry. This jewelry is made of and contains Lead. A list of non-exclusive examples of this specific type of products is attached hereto as Exhibit 2.
- Description of Exposure: Use of the products identified in this notice results in human exposures to Lead. Lead is contained in both the metallic and non-metallic parts of the jewelry. For example, the non-metallic cords of bracelets and necklaces contain Lead, as does the pearl coating on imitation pearls and the metallic components such as beads, pendants, clasps, posts and other parts of the jewelry. 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 products are worn, handled or used. No clear and reasonable warning is provided with these products regarding the carcinogenic or reproductive hazards of Lead.

Resolution of Noticed Claims:

- Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit unless each of the alleged violators agrees in a binding

written instrument to remedy the violations alleged herein by recall of products already sold, warning or reformulation of products in the future, and to pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If any of the alleged violators is interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact CEH through its counsel identified below. It should be noted that CEH cannot: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Please direct any inquiries regarding this notice to CEH and its counsel Eric S. Somers at Lexington Law Group, LLP, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

**Exhibit 1: List of Violators
December 27, 2006, Notice of Violation
Re: Lead in Jewelry**

Aminco International (USA), Inc.
20571 Crescent Bay Dr.
Lake Forest, CA 92630-8825

Aquarius Rags, LLC
1231 Long Beach Ave.
Los Angeles, CA 90021

Big A Drug Stores, Inc.
12030 S. Garfield Ave.
Southgate, CA 90280

Calvin Klein, Inc.
205 W. 39th St.
New York, NY 10018

Chico's FAS, Inc.
11215 Metro Parkway
Fort Myers, FL 33912

Citiwear
545 Downtown Plaza, #1069
Sacramento, CA 95814

Country Visions, Inc.
3333 Vaca Valley Parkway #900
Vacaville, CA 95688

Hand & Mind, Inc.
39420 Liberty Street, Suite 170
Fremont, CA 94538

J.M. Hollister, LLC
6301 Fitch Path
New Albany, OH 43054

Jacadi USA, Inc.
70 W. Red Oak Lane
White Plains, NY 10604

Lesilu Productions, Inc. dba Hey Doll
16 West 36th Street, 13th Floor
New York, NY 10018

Lucas Design International, Inc.
2520 West 6th Street
Los Angeles, CA 90057

Maxfield, Inc.
39420 Liberty Street, Suite 170
Fremont, CA 94538

Metropark USA, Inc.
532 Coral Ridge Pl.
La Puente, CA 91746

Michal Negrin Retail USA, Inc.
1499 W. Palmetto Park Rd.
Suite 300
Fort Lauderdale, FL 33308

Michal Negrin U.S.A., Inc.
18305 Biscayne Blvd., Suite 303
Aventura, FL 33160

Nakajima USA, Inc.
6053 W. Century Blvd., 8th Floor
Los Angeles, CA 90045

Neotek Properties of Florida, Inc.
10550 Wilshire Blvd #304
Los Angeles, CA 90024

Oak Patch Gifts, LLC
1411 4th Ave., Suite 1327
Seattle, WA 98101

Party Concepts, Inc.
5730 Technology Circle
Appleton, WI 54914

PureBeauty, Inc.
555 W. 5th Street, 40th Floor
Los Angeles, CA 90013

Travel Traders Hotel Stores, Inc.
6205 Blue Lagoon Drive, Suite 500
Miami, FL 33126

Travel Traders, LLC
6205 Blue Lagoon Drive, Suite 550
Miami, FL 33126

Whole Foods Market, Inc.
550 Bowie Street
Austin, TX 79703-4677

WinCraft, Inc.
1124 W. Fifth Street.
Winona, MN 55987-0888

EXHIBIT 2: Non-Exclusive Examples of the Products

Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
Aminco International (USA), Inc.	I Heart Monarchs Pin	SM I Love Dangler Misc 2349
Aquarius Rags, LLC	Eagle and crystal pendant	611566636727
Big A Drug Stores, Inc.	Crystal Metal Hair Clip	Scunci #36460-A
Calvin Klein, Inc.	Crystal and Metal Necklace	442755600034
Chico's FAS, Inc.	Gold and Blue Earrings	Carlsbad Wire Ear Multi 401001446130
Citiwear	Crystal and Metal Cat Necklace	
Country Visions, Inc.	WAH Magnetic Therapy Bracelet	Mag Bracelet #4; 19436
Hand & Mind, Inc.; Maxfield, Inc.	Gold Metal Bracelet	CDB0132
J.M. Hollister, LLC	Leather and Metal Necklace with Key Pendant	SKU 1: #12021213; SKU 2: #135 2156 99 70042
Jacadi USA, Inc.	Scrunchy with Beads and Metal Charm	5963200199910
Lesilu Productions, Inc. dba Hey Doll	Pearl Earrings Studs	SKU #0495520137
Lucas Design International, Inc.	Playboy Bunny Pendant	PB Necklace PBNC15 #1122
Metropark USA, Inc.	Heart Shaped Metal Necklace	SKU 1: #401801065791; SKU 2: #01801-0283-11194
Michal Negrin Retail USA, Inc.; Michal Negrin U.S.A., Inc.	Crystal Earrings	Earrings 9288 clips 100092883000
Nakajima USA, Inc.	Black and White Pearl and Metal Hello Kitty Necklace	8 817 80 29549 3
Neotek Properties of Florida, Inc.	MNG by Mango Silver Metal and Crystal Purse Necklace	SKU 1: #33637184 99 33; SKU 2: #RN115455

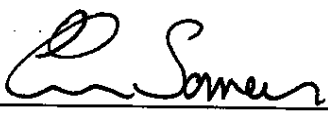
Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
Oak Patch Gifts, LLC	Arabella Crystal and Metal Bracelet	FBR15
Party Concepts, Inc.	Breast Cancer Awareness Pin	722950118412
PureBeauty, Inc.	Metal and Crystal Hair Clip	SKU 1: #5009634; SKU 2: #7 81580 00671 1
Travel Traders, LLC; Travel Traders Hotel Stores, Inc.	Crystal Stoned Broach	4 00000 65980 0
Whole Foods Market, Inc.	Pave Clips Crystal	81580 00671
Wincraft, Inc.	Rhinestone Kings Pin	SK Rhinestone Pin Misc #1136

CERTIFICATE OF MERIT
Health & Safety Code §25249.7(d)

I, Eric S. 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. Members of my firm and 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 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.

December 26, 2006



Eric S. 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 December 27, 2006, 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).

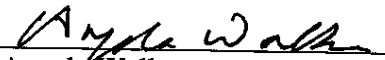
I placed a true copy of this paper in an envelope addressed to:

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 December 27, 2006, 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 December 27, 2006, at San Francisco, California.

Signed:


Angela Walker

SERVICE LIST

District Attorney of Alameda County 1225 Fallon Street, Room 900 Oakland, CA 94612	District Attorney of Imperial County 939 W. Main Street El Centro, CA 92243	District Attorney of Modoc County PO Box 1171 Alturas, CA 96101-4020
District Attorney of Colusa County 547 Market Street Colusa, CA 95932	District Attorney of Lassen County 220 S. Lassen St., Ste 8 Susanville, CA 96130	District Attorney of Placer County 11562 "B" Avenue Auburn, CA 95603
District Attorney of Contra Costa County 725 Court Street, Room 402 Martinez, CA 94553	District Attorney of Inyo County P.O. Drawer D Independence, CA 93526	District Attorney of San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415-0004
District Attorney of Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney of Los Angeles County 210 W. Temple Street, Room 345 Los Angeles, CA 90012	District Attorney of Plumas County 520 Main Street, Room 404 Quincy, CA 95971
District Attorney of Del Norte County 450 H Street, Ste 171 Crescent City, CA 95531	District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney of San Diego County 330 West Broadway, Suite 1320 San Diego, CA 92101
District Attorney of Amador County 708 Court Street, #202 Jackson, CA 95642	District Attorney of Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney of Riverside County 4075 Main Street, 1st Floor Riverside, CA 92501
District Attorney of Butte County 25 County Center Drive Oroville, CA 95965	District Attorney of Marin County 3501 Civic Center Dr., Room 130 San Rafael, CA 94903	District Attorney of San Francisco County 850 Bryant Street, Rm 325 San Francisco, CA 94103
District Attorney of El Dorado County 515 Main Street Placerville, CA 95667	District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93517	District Attorney of Sacramento County 901 "G" Street Sacramento, CA 95814
District Attorney of Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249	District Attorney of Mariposa County P.O. Box 730 Mariposa, CA 95338	District Attorney of San Joaquin County P.O. Box 990 Stockton, CA 95201
District Attorney of Fresno County 2220 Tulare Street, #1000 Fresno, CA 93721	District Attorney of Monterey County PO Box 1131 Salinas, CA 93902	District Attorney of San Luis Obispo County 1050 Monterey St, Room 450 San Luis Obispo, CA 93408
District Attorney of Glenn County P.O. Box 430 Willows, CA 95988	District Attorney of Mendocino County P.O. Box 1000 Ukiah, CA 95482	
District Attorney of Kings County 1400 West Lacey Hanford, CA 93230	District Attorney of Napa County 931 Parkway Mall Napa, CA 94559	
District Attorney of Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney of Merced County 2222 "M" Street Merced, CA 95340	
District Attorney of Humboldt County 825 5th Street Eureka, CA 95501	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	

District Attorney of San Benito County 419 Fourth Street, 2 nd Floor Hollister, CA 95023	District Attorney of Yolo County 301 Second Street Woodland, CA 95695	Paul Thomas (Tom) Murry* President Calvin Klein, Inc. 205 W. 39 th St. New York, NY 10018
District Attorney of San Mateo County 400 County Ctr, 3 rd Fl Redwood City, CA 94063	District Attorney of Trinity County P.O. Box 310 Weaverville, CA 96093	Scott A. Edmonds* Chief Executive Officer Chico's FAS, Inc. 11215 Metro Parkway Fort Myers, FL 33912
District Attorney of Sierra County Courthouse, P.O. Box 457 Downieville, CA 95936	District Attorney of Yuba County 215 Fifth Street Marysville, CA 95901	Owner* Citiwear 545 Downtown Plaza, #1069 Sacramento, CA 95814
District Attorney of Santa Barbara County 1105 Santa Barbara Street Santa Barbara, CA 93101	District Attorney of Tulare County 221 S. Mooney Ave, Room 224 Visalia, CA 93291	Ken Petersen* Chief Executive Officer Country Visions, Inc. 3333 Vaca Valley Parkway #900 Vacaville, CA 95688
District Attorney of Siskiyou County P.O. Box 986 Yreka, CA 96097	District Attorney of Tuolumne County 2 South Green Sonora, CA 95370	Moon Joo Lee* President Hand & Mind, Inc. 39420 Liberty Street, Suite 170 Fremont, CA 94538
District Attorney of Solano County 600 Union Avenue Fairfield, CA 94533	San Jose City Attorney's Office 151 West Mission Street San Jose, CA 95110	President or General Counsel* J.M. Hollister, LLC 6301 Fitch Path New Albany, OH 43054
District Attorney of Santa Clara County 70 West Hedding Street San Jose, CA 95110	Los Angeles City Attorney's Office Room 1800, City Hall East 200 N. Main Street Los Angeles, CA 90012	Bruce Pettibone* President Jacadi USA, Inc. 70 W. Red Oak Lane White Plains, NY 10604
District Attorney of Santa Cruz County 701 Ocean Street, Room 200 Santa Cruz, CA 95061	San Diego City Attorney's Office 1200 3rd Avenue, Suite 1620 San Diego, CA 92101	Lesli Sunshine* President Lesilu Productions, Inc. dba Hey Doll 16 West 36 th Street, 13 th Floor New York, NY 10018
District Attorney of Sonoma County 600 Administration Drive, Room 212J Santa Rosa, CA 95403	San Francisco City Attorney's Office City Hall, Room 234 San Francisco, CA 94102	Leon Landver* Chief Executive Officer Lucas Design International, Inc. 2520 West 6 th Street Los Angeles, CA 90057
District Attorney of Shasta County 1525 Court Street, Third Floor Redding, CA 96001-1632	California Attorney General's Office Attention: Proposition 65 Coordinator 1515 Clay Street, Suite 2000 P.O. Box 7550 Oakland, CA 94612	Moon Joo Lee* President Maxfield, Inc. 39420 Liberty Street, Suite 170 Fremont, CA 94538
District Attorney of Stanislaus County 800 11 th Street, Room 200 Modesto, CA 95354	William Wu* President Aminco International (USA), Inc. 20571 Crescent Bay Dr. Lake Forest, CA 92630-8825	
District Attorney of Sutter County 446 Second Street Yuba City, CA 95991	Allen Schwartz* Aquarius Rags, LLC 1231 Long Beach Ave. Los Angeles, CA 90021	
District Attorney of Ventura County 800 South Victoria Ave Ventura, CA 93009	Edward (Ed) Dallal* President Big A Drug Stores, Inc. 12030 S. Garfield Ave. Southgate, CA 90280	
District Attorney of Tehama County P.O. Box 519 Red Bluff, CA 96080		

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Encino, CA 91436

Sean Anderson*
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Miami, FL 33126

Sean Anderson*
Principal
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