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December 7, 2006

60-DAY NOTICE OF VIOLATION IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)

TO: **DISTRIBUTION LIST ATTACHED**

FROM: **CHRISSY DEUBLER**

DEC 2006
CHIEF DEPUTY
ATTORNEY GENERAL

I. WITHDRAWAL OF NOVEMBER 1, 2006 NOTICE

Please consider my previous 60-Day Notice of Violation dated November 1, 2006 **withdrawn**. For all purposes, this Notice is *independent, separate and distinct* from the notice of violation dated November 1, 2006. This Notice is not intended to amend or supplement the previous Notice dated November 1, 2006 – as the November 1, 2006 notice is withdrawn.

II. INTRODUCTION

My name is Chrissy Deubler. I am a citizen of the State of California acting in the interest of the general public I seek to promote awareness of exposures to toxic chemicals in products sold in California and, if possible, to improve human health by reducing hazardous substances contained in such items. This Notice is provided to the parties listed above pursuant to California Health & Safety Code §25249.6 ('Proposition 65'). As noted above notice is being provided to the violators, as listed above and on Exhibit A (the "Violators'). The violations covered by this Notice consist of the product exposure, routes of exposures, and types of harm potentially resulting from exposure to the following toxic chemicals ("listed chemicals"):

Product Exposure:	See Section VI. Exhibit A
Listed Chemicals:	Di-n-butyl phthalate (DBP), also known as dibutyl phthalate
Routes of Exposure:	Dermal and Inhalation
Types of Harm:	Birth Defects arid Other Reproductive Harm

DEC 2006
ATTORNEY GENERAL
Executive Office
0971 AG

AG-1169

III. NATURE OF ALLEGED VIOLATION (PRODUCT EXPOSURE)

The specific type or types of products (hereafter the "products") that are causing consumer and occupational exposures in violation of Proposition 65 (and that are covered by this Notice) are listed on Exhibit A in section VI below. The Violators' sales of these nail products have been occurring from at least from December 2, 2006 to the present. As a result of the sales of these products, exposures to the listed chemicals have been occurring without clear and reasonable warnings as required by Proposition 65. Without proper warnings regarding the toxic effects of exposures to the listed chemicals produced by the products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the toxic chemicals from reasonably foreseeable use of the products.

A. Consumer Product Exposure

California consumers, through the act of buying, acquiring or utilizing the products, are exposed to the listed chemicals- by way of example but not limitation, its intended use as a nail polish. Simply stated, the application of nail polish will cause consumers to be exposed through dermal and inhalation routes of exposure. People likely to be exposed include both children and adults.

The products identified in Exhibit A can be distinguished from other nail polishes for which no violation is alleged. Specifically, there is a number of consumer nail polishes available throughout the marketplace that state in the ingredient section "DBP Free" or something similar. Accordingly, my research and investigation indicates the products listed in Exhibit A, and other products yet to be identified, are currently in violation of Proposition 65. I reserve the right to supplement this Notice of Violation with other alleged violators as my research and investigation continue.

IV. CONTACT INFORMATION

Please direct all questions concerning this notice to my counsel at the following address:

John H. Donboli
JL Sean Slattery
Del Mar Law Group, LLP
322 8th Street, Suite 101
Del Mar, CA 92014
Telephone: (858) 793.6244
Facsimile: (858) 793.6005

V. PROPOSITION 65 INFORMATION

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessments ("OEHHA") Proposition 65 Implementation Office at (916) 445-6900. For the Violators' reference, I have attached a copy of "Proposition 65: A Summary" which has been prepared by OEHHA.

VI. "EXHIBIT A"

Name brand	Product	Manufacturer and/or Parent Company	Location
Avon	Nailwear Nail Enamel (four shades) Nail Experts: Speed Dry Top Shine, Tough Enough Base/Top Coat, and On the Mend Nail Mender. Speed Dry Nail Enamel	*Avon Products, Inc.*	New York, NY 10105
Black Radiance U.S.A.	Black Radiance Nail Color	*AM Cosmetics, Inc.*	City of Industry, CA 91789
Chanel	Nail Colour	*Chanel, Inc.*	New York, NY 10019
Christian Dior	Nail Enamel	*Parfums Christian Dior*	New York, NY 10022
Club Monaco	Nail Color	*Club Monaco Cosmetics*	New York NY 10001
Cosmar	Cosmar Press&Go Nails Kit	*Cosmar Corporation*	Deerfield, FL 33442
Hard Candy	Nail Enamel	*Hard Candy, Inc.*	Beverly Hills, CA 90211
M	M Professional Nail Polish	*Professional Makeup Company*	Hollywood, CA 90028
Maybelline	Express Finish Fast-Dry Nail Enamel Ultimate Wear (nail enamel) Salon Finish Nail Enamel)	*L'Oréal USA (Maybelline LLC)*	New York, NY 10017
Nailene	Professional Solutions Acrylic Tough Polish Shield PROfessional Solutions Acrylic	*Pacific World Corp.*	Lake Forest, CA 92630

	Polish Shield PROfessional Solutions Calcium Growth Builder Nail Paints Art Kit		
NARS	Nail Polish	*Agora Cosmetics, Inc.*	New York, NY 10012
Naturistics	90 Second Dry Super Fast Nail Color	*Del Laboratories, Inc (Naturalistics Div.)*	Farmingdale, NY 11735
Oil of Olay	Nail Lacquer	*Procter & Gamble Inc.*	Hunt Valley, MD 21030
Sally Hansen	Color Fast! One Coat Fast-Dry Enamel Beyond perfect Protein Nail Color Maximum Support Strengthen & Grow No More Breaks Restructurizing Strengthener Hard as Nails with Nylon Triple Strong Advanced Gel Nail Fortifier Thicken Up! Strengthening Nail Thickener Ultimate Shield Fortifyng Base & Top Coat Hard as Nails Instant Strength Calcium Gel Nail Fortifier	*Del Laboratories, Inc (Sally Hansen Div.)*	Uniondale, NY
Tony & Tina	Tony & Tina Nail Enamel	*Tony & Tina, Inc.*	New York, NY 10012
Tropez	Tropez Nail Enamel Wet 'n' Wild Nail Color	*AM Cosmetics, Inc.*	Arlington, NJ 07031
Urban Decay	Nail Enamel	*Urban Decay*	Costa Mesa, CA 92627

The specifically identified example of the type of products subject to this Notice are for the recipients benefit to assist in its investigation of, among other things, the magnitude of potential exposure to the listed chemicals from other items within the

product category listed in Exhibit A. It is important to note that this example is not meant to be an exhaustive or comprehensive identification of each specific offending product of the type listed under Products in Exhibit A. Further, it is this citizen's position that the alleged violator is obligated to continue to conduct a good faith investigation into other specific products within the type or category described above that may have been manufactured, distributed, sold, stored (or otherwise within the notice recipient's control) during the relevant period so as to ensure that the requisite toxic warnings are provided to California citizens prior to purchase.

CERTIFICATE OF MERIT
Health and Safety Code Section 25249 7(d)

I, JL Sean Slattery, hereby declare:

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

2. I am the attorney for the noticing party.

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 alleged exposure to the listed chemicals that are the subject of this action.

4. Based on the information obtained through those consultants and on all other information, in my opinion, 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.

5. 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 information identified in Health and 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: December 7, 2006

DEL MAR LAW GROUP, LLP

By:_____
JL Sean Slattery, Esq.
John H. Donboli, Esq.
Del Mar Law Group, LLP
Attorneys for Plaintiff Chrissy Deubler

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; my business address is 322 8th Street, Suite 101, Del Mar, CA 92014.

On December 7, 2006, I served the following document:

- 60-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d);

- PROPOSITION 65: A SUMMARY;

- CERTIFICATE OF MERIT; AND

- CERTIFICATE OF MERIT ATTACHMENTS (SERVED ONLY ON THE ATTORNEY GENERAL)

served on the Violators listed below via U.S. mail by placing a true and correct copy in each sealed envelope, addressed to each Violator and depositing such envelope in a with the United States Postal Service this same day in the ordinary course of business pursuant to Code of Civil Procedure §1013a.:

Chanel, Inc.
Kitty D'Alessio, President
9 W. 57th Street, Ste. 44
New York, NY 10019-2790

Club Monaco Cosmetics
Joseph Mimran, President
601 West 26th Street
New York, NY 10001

Cosmar Corporation
720 S. Powerline Rd.
Deerfield, FL 33442

Creative Nail Design C.N.D.
Lisa Hamilton, V.P. Operations
1125 Joshua Way
Vista, CA 92081

Maybelline, LLC
Cheryl Vitali, V.P. Marketing
P.O. Box 1010
Clark, NJ 07066

Mirage Cosmetics
Chris Chon, President
10721 Tucker Street
Beltsville, MD 20705

Nars Cosmetics
Satoko Mitani, CEO
Francois Nars, President
580 Broadway
New York, NY 10012-3223

Nordstrom
1617-6th Avenue
Seattle, WA 98101-1742

Del Laboratories
Avon Products, Inc.,
Claudia Poccia, President
1345 Avenue of the Americas
New York, NY 10105

Del Laboratories, Inc
Sally Hansen Division
William McMenemy, President & CEO
176 Reckson Plaza
Uniondale, NY 11553-9357

Hard Candy, Inc. dba
Urban Decay
Sandra Lerner, President
729 Farad Street
Costa Mesa, CA 92627

L'Oréal USA
Laurent Attal, President & CEO
575-5th Avenue
New York, NY 10017

Markwins Beauty Products
AM Cosmetics, Inc.
Jim Koeppl, Vice President
22067 Ferrero
City of Industry, CA 91789-5214

Proctor & Gamble, Inc.
A.G. Lafley, President & CEO
2 Proctor & Gamble Plaza
Cincinnnati, OH 45202

N.Y.C. New York Color
Charles Hinkaty, President
176 Reckson Plaza
P.O. Box 9357
Uniondale, NY 11553-9357

Pacific World Corp.
Joe Fracassi, President & CEO
25791 Commerce Center Drive
Lake Forest, CA 92630

Parfums Christian Dior
Claude Martiniez, President
19 East 57th Street
New York, NY 10022

Professional Makeup Company
1622 N. Highland
Hollywood, CA 90028

Tony & Tina, Inc.
909 3rd Avenue, Ste. 20
New York, NY 10022-4756

as well as providing copies of the notice to the public enforcers by placing a true and correct copy in sealed envelope, addressed to each party listed below.

Thomas J. Orloff Alameda County District Attorney 1225 Fallon Street #900 Oakland, CA 94612	William A. Richmond Alpine County District Attorney 14777 State Route 89 Markleeville, CA 96120
Todd Riebe Amador County District Attorney 708 Court Street Jackson, CA 95642	Michael Ramsey Butte County District Attorney 25 County Center Drive Oroville, CA 95965

Jeffrey Tuttle Calaveras County District Attorney 891 Mountain Ranch Road San Andreas, CA 95249	John Poyner Colusa County District Attorney 547 Market Street Colusa, CA 95932
Robert J. Kochly Contra Costa County District Attorney 100 37th Street Richmond, CA 94805	Mike Riese Del Norte County District Attorney 450 H Street Crescent City, CA 95531
Ron Calhoun Kings County District Attorney 1400 West Lacey Boulevard Hanford, CA 93230	Erni Li Calsi Madera County District Attorney 14227 Road 28 Madera, CA 93638
Larry D. Morse, II Merced County District Attorney 2222 M Street Merced, CA 95340	Gary Lacy El Dorado County District Attorney 515 Main Street Placerville, CA 95667
Elizabeth A. Egan Fresno County District Attorney 2220 Tulare Street Fresno, CA 93721	Robert S. Holzapfel Glenn County District Attorney 540 West Sycamore Street Willows, CA 95988
Paul Gallegos Humboldt County District Attorney 825-5th Street Eureka, CA 95501	Gilbert Otero Imperial County District Attorney 939 West Main Street El Centro, CA 92243
Arthur Maillet INYO County District Attorney P.O. Box Drawer D 386 West Line Street Bishop, CA 93514	Edward Jagels Kern County District Attorney 1215 Truxton Avenue Bakersfield, CA 93301
Gerhard Luck Lake County District Attorney 255 North Forbes Street Lakeport, CA 95453	Robert Brown Mariposa County District Attorney P.O. Box 730 5088 Bullion Street Mariposa, CA 95338

Keith Faulder Mendocino County District Attorney P.O. Box 1000 100 North State Street Ukiah, CA 95482	Jordan Funk Modoc County District Attorney 204 South Court Street, Room 202 Alturas, CA 96101
Steve Cooley Los Angeles County District Attorney 210 West Temple Street Los Angeles, CA 90012	Edward Berberian Marin County District Attorney 3501 Civic Center Drive #130 San Rafael, CA 94903
George Booth Mono County District Attorney P.O. Box 617 Bridgeport, CA 93517	Dean Flippo Monterey County District Attorney 240 Church Street #101 Salinas, CA 93901
Gary Lieberstein Napa County District Attorney 931 Parkway Mall Napa, CA 95959	Michael Ferguson Nevada County District Attorney 201 Church Street #8 Nevada City, CA 95959
Tony Rackauckas Orange County District Attorney 401 Civic Center Drive West Santa Ana, CA 92701	Bradford Fenocchio Placer County District Attorney 11562 B Avenue Auburn, CA 95603
Jeff Cunan Plumas County District Attorney 520 Main Street #404 Quincy, CA 95971	Grover Trask, II Riverside County District Attorney 4075 Main Street Riverside, CA 92501
Jan Scully Sacramento County District Attorney 901 G Street Sacramento, CA 95814	Michael Ramos San Bernardino District Attorney 316 N. Mountain View Avenue San Bernardino, CA 92415
Bonnie Dumanis San Diego County District Attorney 330 West Broadway #1300 San Diego, CA 92101	James Willett San Joaquin County District Attorney P.O. Box 990 Stockton, CA 95201

Gerald Shea San Luis Obispo District Attorney 1050 Monterey Street #450 San Luis Obispo, CA 93408	James Fox San Mateo District Attorney 400 County Center, Third Floor Redwood City, CA 94063
Thomas Sneddon, Jr. Santa Barbara District Attorney 1105 Santa Barbara Street Santa Barbara, CA 93101	George Kennedy Santa Clara County District Attorney 70 West Hedding Street, West Wing San Jose, CA 95110
Bob Lee Santa Cruz District Attorney 701 Ocean Street, Room 200 Santa Cruz, CA 95060	Gerald Benito Shasta County District Attorney 1525 Court Street, Third Floor Redding, CA 96001
Lawrence Allen Sierra County District Attorney P.O. Box 457 100 Courthouse Square Downieville, CA 95936	James Andrews Siskiyou County District Attorney 311 4th Street Yreka, CA 96097
David Paulson Solano County District Attorney 675 Texas Street Fairfield, CA 94533	Stephan Passa Lacqua Sonoma County District Attorney 600 Administration Drive #212J Santa Rosa, CA 95403
Birgit Fladager Stanislaus County District Attorney P.O. Box 442 800 11th Street, Room 200	Carl Adams Sutter County District Attorney 446 2nd Street Yuba, CA 95991
Gregg Cohen Tehama County District Attorney P.O. Box 519 444 Oak Street Red Bluff, CA 96080	David Cross Trinity County District Attorney P.O. Box 1310 101 Court Street FL 2 Weaverville, CA 96093
Phillip Cline Tulare County District Attorney 221 So. Mooney Blvd., Ste. 224 Visalia, CA 93291	Donald Segerstrom, Jr. Tuolumne County District Attorney 423 No. Washington Street Sonora, CA 95370

Gregory Totten Ventura County District Attorney 800 So. Victoria Avenue Ventura, CA 93009	David Henderson Yolo County District Attorney 301 Second Street Woodland, CA 95695
Patrick McGrath Yuba County District Attorney 215 5th Street Marysville, CA 95901	Robert Burns Lassen County District Attorney 221 S. Roop St., Suite 4 Susanville, CA 96130
Kamala D. Harris San Francisco County District Attorney Hall of Justice 850 Bryant Street, Room 325 San Francisco, CA 94103	John Sarsfield San Benito County District Attorney 419 4th Street Hollister, CA 95023-3801
Dennis J. Herrera City Attorney for San Francisco Office of the City Attorney City Hall, Room 234 San Francisco, CA 94102	Rocky Delgadillo City Attorney for Los Angeles 800 City Hall East 200 No. Main Street Los Angeles, CA 90012
Michael Aguirre City Attorney for San Diego 1200 Third Avenue, #1620 San Diego, CA 92101	Richard Doyle Office of the City Attorney 200 East Santa Clara Street San Jose, CA 95113
Eileen M. Teichert Office of the City Attorney 980 9th Street, 10th Floor Sacramento, CA 95814	Bill Lockyer Office of the Attorney General 1300 "I" Street Sacramento, CA 94244-2550 **Via Federal Express**

Executed on December 7, 2006, at Del Mar, California.

Glenda Austin, Secretary
Del Mar law Group, LLP

Proposition 65 in Plain Language

Office of Environmental Health Hazard Assessment
California Environmental Protection Agency

What is Proposition 65?

In 1986, California voters approved an initiative to address their growing concerns about exposure to toxic chemicals. That initiative became the Safe Drinking Water and Toxic Enforcement Act of 1986, better known by its original name of Proposition 65. Proposition 65 requires the State to publish a list of chemicals known to cause cancer or birth defects or other reproductive harm. This list, which must be updated at least once a year, has grown to include approximately 750 chemicals since it was first published in 1987.

Proposition 65 requires businesses to notify Californians about significant amounts of chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. By providing this information, Proposition 65 enables Californians to make informed decisions about protecting themselves from exposure to these chemicals. Proposition 65 also prohibits California businesses from knowingly discharging significant amounts of listed chemicals into sources of drinking water.

The Office of Environmental Health Hazard Assessment (OEHHA) administers the Proposition 65 program. OEHHA, which is part of the California Environmental Protection Agency (Cal/EPA), also evaluates all currently available scientific information on substances considered for placement on the Proposition 65 list.

What types of chemicals are on the Proposition 65 list?

The list contains a wide range of naturally occurring and synthetic chemicals that are known to cause cancer or birth defects or other reproductive harm. These chemicals include additives or ingredients in pesticides, common household products, food, drugs, dyes, or solvents. Listed chemicals may also be used in manufacturing and construction, or they may be byproducts of chemical processes, such as motor vehicle exhaust.

How is a chemical added to the list?

There are three principal ways for a chemical to be added to the Proposition 65 list. A chemical can be listed if either of two independent committees of scientists and health professionals finds that the chemical has been clearly shown to cause cancer or birth defects or other reproductive harm. These two committees—the Carcinogen Identification Committee (CIC) and the Developmental and Reproductive Toxicant (DART) Identification Committee—are part of OEHHA's Science Advisory Board. The

committee members are appointed by the Governor and are designated as the "State's Qualified Experts" for evaluating chemicals under Proposition 65. When determining whether a chemical should be placed on the list, the committees base their decisions on the most current scientific information available. OEHHA staff scientists compile all relevant scientific evidence on various chemicals for the committees to review. The committees also consider comments from the public before making their decisions.

A second way for a chemical to be listed is if an organization designated as an "authoritative body" by the CIC or DART Identification Committee has identified it as causing cancer or birth defects or other reproductive harm. The following organizations have been designated as authoritative bodies: the U.S. Environmental Protection Agency, U.S. Food and Drug Administration (U.S. FDA), National Institute for Occupational Safety and Health, National Toxicology Program, and International Agency for Research on Cancer.

A third way for a chemical to be listed is if an agency of the state or federal government requires that it be labeled or identified as causing cancer or birth defects or other reproductive harm. Most chemicals listed in this manner are prescription drugs that are required by the U.S. FDA to contain warnings relating to cancer or birth defects or other reproductive harm.

In addition to these three listing procedures, Proposition 65 also requires the listing of chemicals meeting certain scientific criteria and identified in the California Labor Code as causing cancer or birth defects or other reproductive harm. This method was used to establish the initial chemical list following voter approval of Proposition 65 in 1986.

What requirements does Proposition 65 place on companies doing business in California?

Businesses are required to provide a "clear and reasonable" warning before knowingly and intentionally exposing anyone to a listed chemical. This warning can be given by a variety of means, such as by labeling a consumer product, posting signs at the workplace, distributing notices at a rental housing complex, or publishing notices in a newspaper. Once a chemical is listed, businesses have 12 months to comply with warning requirements.

Proposition 65 also prohibits companies that do business within California from knowingly discharging listed chemicals into sources of drinking water. Once a chemical is listed, businesses have 20 months to comply with the discharge prohibition.

Businesses with less than 10 employees and government agencies are exempt from Proposition 65's warning requirements and prohibition on discharges into drinking water sources. Businesses are also exempt from the warning requirement and discharge prohibition if the exposures they cause are so low as to create no significant risk of cancer or birth defects or other reproductive harm. Health risks are explained in more detail below.

What does a warning mean?

If a warning is placed on a product label or posted or distributed at the workplace, a business, or in rental housing, the business issuing the warning is aware or believes that one or more listed chemicals is present. By law, a warning must be given for listed chemicals unless exposure is low enough to pose no significant risk of cancer or is significantly below levels observed to cause birth defects or other reproductive harm.

For a chemical that causes cancer, the "no significant risk level" is defined as the level of exposure that would result in not more than one excess case of cancer in 100,000 individuals exposed to the chemical over a 70-year lifetime. In other words, a person exposed to the chemical at the "no significant risk level" for 70 years would not have more than a "one in 100,000" chance of developing cancer as a result of that exposure.

For chemicals that are listed as causing birth defects or reproductive harm, the "no observable effect level" is determined by identifying the level of exposure that has been shown to not pose any harm to humans or laboratory animals. Proposition 65 then requires this "no observable effect level" to be divided by 1,000 in order to provide an ample margin of safety. Businesses subject to Proposition 65 are required to provide a warning if they cause exposures to chemicals listed as causing birth defects or reproductive harm that exceed 1/1000th of the "no observable effect level."

To further assist businesses, OEHHA develops numerical guidance levels, known as "safe harbor numbers" (described below) for determining whether a warning is necessary or whether discharges of a chemical into drinking water sources are prohibited. However, a business may choose to provide a warning simply based on its knowledge, or assumption, about the presence of a listed chemical without attempting to evaluate the levels of exposure. Because businesses do not file reports with OEHHA regarding what warnings they have issued and why, OEHHA is not able to provide further information about any particular warning. The business issuing the warning should be contacted for specific information, such as what chemicals are present, and at what levels, as well as how exposure to them may occur.

What are safe harbor numbers?

As stated above, to guide businesses in determining whether a warning is necessary or whether discharges of a chemical into drinking water sources are prohibited, OEHHA has developed safe harbor numbers. A business has "safe harbor" from Proposition 65 warning requirements or discharge prohibitions if exposure to a chemical occurs at or below these levels. These safe harbor numbers consist of no significant risk levels for chemicals listed as causing cancer and maximum allowable dose levels for chemicals listed as causing birth defects or other reproductive harm. OEHHA has established safe harbor numbers for nearly 250 chemicals to date and continues to develop safe harbor numbers for listed chemicals.

Who enforces Proposition 65?

The California Attorney General's Office enforces Proposition 65. Any district attorney or city attorney (for cities whose population exceeds 750,000) may also enforce

Proposition 65. In addition, any individual acting in the public interest may enforce Proposition 65 by filing a lawsuit against a business alleged to be in violation of this law. Lawsuits have been filed by the Attorney General's Office, district attorneys, consumer advocacy groups, and private citizens and law firms. Penalties for violating Proposition 65 by failing to provide notices can be as high as $2,500 per violation per day.

How is Proposition 65 meeting its goal of reducing exposure to hazardous chemicals in California?

Since it was passed in 1986, Proposition 65 has provided Californians with information they can use to reduce their exposures to listed chemicals that may not have been adequately controlled under other State or federal laws. This law has also increased public awareness about the adverse effects of exposures to listed chemicals. For example, Proposition 65 has resulted in greater awareness of the dangers of alcoholic beverage consumption during pregnancy. Alcohol consumption warnings are perhaps the most visible health warnings issued as a result of Proposition 65.

Proposition 65's warning requirement has provided an incentive for manufacturers to remove listed chemicals from their products. For example, trichloroethylene, which causes cancer, is no longer used in most correction fluids; reformulated paint strippers do not contain the carcinogen methylene chloride; and toluene, which causes birth defects or other reproductive harm, has been removed from many nail care products. In addition, a Proposition 65 enforcement action prompted manufacturers to decrease the lead content in ceramic tableware and wineries to eliminate the use of lead-containing foil caps on wine bottles.

Proposition 65 has also succeeded in spurring significant reductions in California of air emissions of listed chemicals, such as ethylene oxide, hexavalent chromium, and chloroform.

Although Proposition 65 has benefited Californians, it has come at a cost for companies doing business in the state. They have incurred expenses to test products, develop alternatives to listed chemicals, reduce discharges, provide warnings, and otherwise comply with this law. Recognizing that compliance with Proposition 65 comes at a price, OEHHA is working to make the law's regulatory requirements as clear as possible and ensure that chemicals are listed in accordance with rigorous science in an open public process.

Where can I get more information on Proposition 65?

For general information on the Proposition 65 list of chemicals, you may contact OEHHA's Proposition 65 program at (916) 445-6900, or visit http://www.oehha.ca.gov/prop65.html. For enforcement information, contact the California Attorney General's Office at (510) 622-2160, or visit http://caag.state.ca.us/prop65/index.htm.

Updated February 2003