



May 24, 2007

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

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code §§ 25249.5 and 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 at both Mateel and this office. The above referenced violations pertain to hose accessories made from leaded-brass alloys. The alloys used to make these hose accessories contain lead and lead compounds (hereinafter "lead"). A list of the types of products to which this notice pertains is provided in the attached products list. These products violate Health & Safety Code § 25249.6 when California residents handle the hose accessories either to install them or to use them in gardening and irrigation. Lead from the alloy comes off on their hands and is then absorbed through the skin, enters the body through cuts and abrasions, is ingested orally by being transferred from hands to food which is then eaten, or by hand-to-mouth (or other mucous membranes) behavior such as nail biting, or lead is transferred from hands to cigarettes and then inhaled when the cigarette is smoked. Health & Safety Code § 25249.6 violations also occur when the lead from these hose accessories leaches or otherwise enters the stream of drinking water and is then ingested by people who drink the lead-contaminated water. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. The listed private businesses did not and do not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since May 24, 2004, and will continue every day until the lead is removed from the alloys used to make these hose accessories. This notice makes no allegation as to violations that occurred prior to May 24, 2004. The above-referenced 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 leaded-brass hose accessories made outside of California, except as to workplaces these private businesses themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off these private businesses' property and in each of California's 58 counties.

Cordially,

William Verick

PRODUCT LIST

CAMCO MANUFACTURING, INC.

CAMCO WATER DIVERTER WITH EASY HOSE GRIPPER #22473 UPC: 014717 224734

This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of brass hose accessories.

L.R. NELSON CORPORATION

NELSON 4 OUTLET MANIFOLD WITH MOUNTING HARDWARE #N83 UPC: 077855

800840 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of brass hose accessories.

99 CENTS ONLY STORES

GARDEN TIME 3" SOLID BRASS NOZZLE UPC: 018068 175561; GARDEN TIME 2"

SOLID BRASS NOZZLE UPC: 018068 175554 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose accessories.

ORCHARD SUPPLY HARDWARE CORPORATION

BACK YARD PRO 5/8" HOSE MENDER MODEL#66C4210 SKU#6516587 UPC: 732799

854112; BACK YARD PRO 3/4" HOSE MENDER MODEL#66C4110 SKU#6516611 UPC:

732799 854068; BACK YARD PRO 3/4" MALE HOSE MENDER MODEL#66C4130

SKU#6516629 UPC: 732799 854075; BACK YARD PRO 1/2" MALE HOSE MENDER

MODEL#66C4330 SKU#6516702 UPC: 732799 854174; BACK YARD PRO 5/8" MALE

HOSE MENDER MODEL#66C4220 SKU#6516595 UPC: 732799 854099; BACK YARD PRO

BRASS HOSE MENDER MODEL#665C230 SKU#6516660 UPC: 732799 854167; BACK

YARD PRO 1/2" HOSE MENDER MODEL#66C4310 SKU#6516710 UPC: 732799 854198;

BACK YARD PRO 1/2" FEMALE HOSE MENDER MODEL#66C4350 SKU#6516694 UPC:

732799 854181; BACK YARD PRO BRASS MALE COUPLING MODEL#665C210

SKU#6516678 UPC: 732799 828762; BACK YARD PRO BRASS FEMALE COUPLING

MODEL#665H210 SKU#6516652 UPC: 732799 828779; BACK YARD PRO 3/4" MALE

HOSE MENDER SKU#6516629 MODEL#66C4130 UPC: 732799 854075; BACK YARD PRO

3/4" FEMALE HOSE MENDER SKU#6516603 MODEL#66C4150 UPC: 732799 854082;

BACK YARD PRO 5/8" FEMALE HOSE MENDER SKU#6516579 MODEL#66C4250

UPC: 732799 854105 These product descriptions pertain not only to the specific models of the

products listed, but also for all units of all models of similar types of brass hose accessories.

THRIFTY SUPPLY CO., INC.

THRIFCO PLUMBING FIRE HOSE NOZZLE ONE-PIECE BRASS 1" FIP X 8" #3377-T

UPC: 048314 033772; THRIFCO PLUMBING 5/8" HOSE MENDER BRASS HEAVY DUTY

#346-T UPC: 048314 003461 These product descriptions pertain not only to the specific models

of the products listed, but also for all units of all models of similar types of brass hose accessories.

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: May 24, 2007



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. On May 24, 2007, 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 May 24, 2007, at Eureka, California.



Nicole Frank