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October 1, 2008

Re: Notice of Violation Against Eastern America Trio Products, Inc. for Violation of California Health & Safety Code Section 25249.6/Exposure to Lead from Cables and Cords

Dear Prosecutors:

I represent the Center for Environmental Health, a non-profit California corporation whose primary mission is to prevent and reduce toxic hazards to human health and the environment. CEH is located at 2201 Broadway, Suite 302, Oakland, CA 94612-301; Telephone ((510) 655-3900. This letter constitutes notification that Eastern America Trio Products, Inc. located at 25-10 Ulmer Street, College Point, New York 11356-2709 has violated the warning requirement of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with section 25249.5 of the Health and Safety Code).

In particular, this company distributes cables and cords which have exposed and continue to expose numerous individuals within California to lead. Lead was listed pursuant to Proposition 65 as a chemical known to cause developmental toxicity, and male and female reproductive toxicity on February 27, 1987. Lead and lead compounds were also listed pursuant to Proposition 65 as carcinogens on October 1, 1992. The time period of these violations commenced from after the listing of these chemicals and are continuing. The route of exposure has been primarily through dermal contact with the products and/or by dermal contact with and ingestion by hand to mouth contact, of these chemicals.

The following products are exposing people to lead: (1) Trisonic 6 Foot Heavy Duty Stereo Cable (TS-1618G); (2) Trisonic 15 Foot Modular Coil Cord (TS-615); (3) Trisonic 15 Foot RG-59U Coaxial Cable (TS-FF-15BLK); (4) Trisonic 12 Foot Heavy Duty Stereo Cable (TS-1613G12); (5) Trisonic 6 Foot 2 RCA Plugs (TS-1306G); (6) Trisonic 6 Foot Coaxial Cable RG 59U (TS-FF-06BLK); (7) Trisonic 3 Foot RG-59U (TS-FF-03BLK) ; and (8) Trisonic 15 Foot Modular Extension Cord (TS-815).

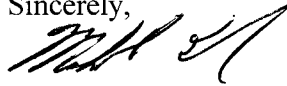
Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to certain listed chemicals. Eastern America Trio Products, Inc. is in violation of Proposition 65 because it failed to provide a warning to persons touching the cable/cords of the above products that they are being exposed to lead. (22 C.C.R. section 12601.) While in the course of doing business, the company is knowingly and intentionally exposing people to these chemicals, without first providing clear and reasonable warning. (Health and Safety Code section 25249.6.) The method of warning should be a warning that appears on the product's label. 22 C.C.R. section 12601 (b)(1) (A).

Proposition 65 requires that notice and intent to sue be given to a violator 60-days before the

suit is filed. With this letter, the Center for Environmental Health gives notice of the alleged violation to the noticed party and the appropriate governmental authorities. This notice covers all violations of Proposition 65 that are currently known to the Center for Environmental Health from information now available to us. The Center for Environmental Health is continuing its investigation that may reveal further violations. A summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, and referenced as Appendix A, has been provided to the noticed party.

If you have any questions, please contact my office at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Freund', written in a cursive style.

Michael Freund

cc: Michael Green, CEH

## **CERTIFICATE OF MERIT**

### **Health and Safety Code Section 25249.7 (d)**

I, Michael Freund hereby declare:

1. This Certificate of Merit accompanies the attached Notice of Violation in which it is alleged that the party identified in the Notice has violated Health and Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.

2. I am the attorney for the noticing party Center for Environmental Health (“CEH”)

3. CEH is a non-profit California corporation whose primary mission is to prevent and reduce toxic hazards to human health and the environment.

4. The Notice of Violation alleges that the party identified has exposed persons in California to lead from cables and cords that it distributes in California. Please refer to the Notice of Violation for additional details regarding the alleged violations.

5. I have consulted with a scientist with 17 years of experience in chemical exposure issues. The consultant has the appropriate experience and expertise regarding the exposure issues in this case. The consultant has reviewed facts, studies or other data regarding the exposure to the listed chemical that is the subject of this action. These facts, studies or other data overwhelmingly demonstrate that the party identified in the Notice exposes persons to lead through dermal contact and hand to mouth ingestion.

6. Based on my consultation with an experienced consultant in this field and especially the results of testing the products listed, it is clear that there is sufficient evidence that human exposures exist from exposure to the products from the noticed party.

Furthermore, as a result of the above, I have concluded that 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 violator will be able to establish any of the affirmative defenses set forth in the statute.

7. The copy of this Certificate of Merit served on the California Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health & Safety Code Section 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: October 1, 2008



Michael Freund  
Attorney for Center for Environmental  
Health

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the County of Alameda. I am over the age of eighteen years and not a party to the within entitled action; my business address is 1915 Addison Street, Berkeley, California 94704. On October 1, 2008 I served the within:

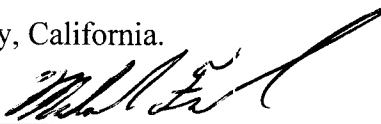
Notice of Violation and Certificate of Merit (Supporting documentation pursuant to 11 CCR section 3102 sent to Attorney General only)

on the parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box in Oakland, California to said parties addressed as follows:

See Attached Service List

I, Michael Freund, declare under penalty of perjury that the foregoing is true and correct.

Executed on October 1, 2008 at Berkeley, California.

A handwritten signature in black ink, appearing to read "Michael Freund", written over a horizontal line.

Michael Freund

## SERVICE LIST

District Attorney of Alameda County  
1225 Fallon Street, Room 900  
Oakland, CA 94612

District Attorney of Colusa County  
547 Market Street  
Colusa, CA 95932

District Attorney of Contra Costa  
County  
627 Ferry Street  
Martinez, CA 94553

District Attorney of Alpine County  
P.O. Box 248  
Markleeville, CA 96120

District Attorney of Del Norte  
County  
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Crescent City, CA 95531

District Attorney of Amador County  
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Oroville, CA 95965

District Attorney of El Dorado  
County  
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Placerville, CA 95667

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County  
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San Andreas, CA 95249

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Lakeport, CA 95453

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County  
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Eureka, CA 95501

District Attorney of Imperial County  
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El Centro, CA 92243

District Attorney of Lassen County  
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Susanville, CA 96130

District Attorney of Inyo County  
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Independence, CA 93526

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Madera, CA 93637

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Bakersfield, CA 93301

District Attorney of Marin County  
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District Attorney of Mono County  
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Mariposa, CA 95338

District Attorney of Monterey  
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Salinas, CA 93901

District Attorney of Mendocino  
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Ukiah, CA 95482

District Attorney of Napa County  
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Napa, CA 94559

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Merced, CA 95340

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Nevada City, CA 95959

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Santa Ana, CA 92701

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Alturas, CA 96101-4020

District Attorney of Placer  
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Auburn, CA 95603

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Bernardino County  
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San Bernardino, CA 92415

District Attorney of Plumas  
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Quincy, CA 95971

District Attorney of San Diego  
County  
330 West Broadway, Suite 1320  
San Diego, CA 92101

District Attorney of Riverside  
County  
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Riverside, CA 92501

District Attorney of San  
Francisco County  
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San Francisco, CA 94103

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Sacramento, CA 95814

District Attorney of San Joaquin  
County  
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Stockton, CA 95201

District Attorney of San Luis  
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San Luis Obispo, CA 93408

District Attorney of San Benito  
County  
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Hollister, CA 95023

District Attorney of San Mateo County  
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Redwood City, CA 94063

District Attorney of Sierra County  
Courthouse, P.O. Box 457  
Downieville, CA 95936

District Attorney of Santa Barbara County  
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Santa Barbara, CA 93101

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Santa Rosa, CA 95403

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Redding, CA 96001-1632

District Attorney of Stanislaus County  
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Modesto, CA 95353

District Attorney of Sutter County  
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Yuba City, CA 95991

District Attorney of Ventura County  
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Ventura, CA 93009

District Attorney of Tehama County  
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Woodland, CA 95695

District Attorney of Trinity County  
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Weaverville, CA 96093

District Attorney of Yuba County  
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Marysville, CA 95901

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Visalia, CA 93291

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Sonora, CA 95370

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200 East Santa Clara Street  
San Jose, CA 95113

Los Angeles City Attorney's Office  
800 City Hall East  
200 N. Main Street  
Los Angeles, CA 90012

San Diego City Attorney's Office  
1200 3rd Avenue #1620  
San Diego, CA 92101

San Francisco City Attorney's Office  
City Hall, Room 234  
San Francisco, CA 94102

California Attorney General's Office  
Attention: Proposition 65  
Coordinator  
1515 Clay Street, Suite 2000  
P.O. Box 70550  
Oakland, CA 94612

Carolyn Shields  
Liu & Shields LLP  
136-65 37th Ave., Suite 212  
Flushing, New York 11354  
(on behalf of Eastern America  
Trio Products, Inc.)