

## NOTICE OF VIOLATION

### California Safe Drinking Water and Toxic Enforcement Act

#### Lead in Wallets, Handbags, Purses, Clutches, and Totes July 16, 2009

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"), 2201 Broadway, Suite 302, Oakland, CA 94612, (510) 655-3900. 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:

- Violators: The names and addresses of the violators are listed on the attached Exhibit 1.
- Time Period of Exposure: The violations have been occurring since at least July 16, 2006, and are continuing to this day.
- Provision of Proposition 65: This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- Chemical(s) Involved: 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.
- Types of Product: The specific types of product causing this violation are wallets, handbags, purses, clutches and totes. These products are made of materials and components that contain Lead. Non-exclusive examples of these specific types of products are listed on the attached Exhibit 1.
- Description of Exposure: This Notice addresses consumer exposures to Lead. Use of the products identified in this Notice results in human exposures to Lead. Lead is found in the fabric used to make some of the products both as a stabilizer and as a chemical ingredient in some of the dyes, paints and other coloring agents. Lead is also found in the metallic components such as zippers and zipper pulls used on the products. The route of exposure for the violations is direct ingestion when consumers (including children) place the products or items that have been stored in the products in their mouths; ingestion via hand to mouth contact after consumers touch or handle the products or items that have been stored in the products; and dermal absorption directly through the skin when consumers touch or handle the products or items that have been stored in the products. 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 against each of the alleged violators unless such violator agrees in a binding written instrument to: (1) recall products already sold; (2) provide clear and reasonable warnings for products sold in the future or reformulate such products to eliminate the Lead exposures; and (3) 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 (esomers at lexlawgroup.com) or Howard Hirsch (hhirsch at lexlawgroup.com) at Lexington Law Group, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

**EXHIBIT 1**  
**July 16, 2009 Notice of Violation**  
**Lead in Wallets, Handbags, Purses, Clutches, and Totes**

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
<b>Accessory Exchange LLC</b> 1 E. 33rd Street, Floor 6 New York, NY 10016  <b>Bag Bazaar, Ltd.</b> 1 E. 33rd Street, Floor 6 New York, NY 10016  <b>Wal-Mart Stores, Inc.</b> 702 S.W. 8th Street, Bentonville, AR 72716-8611	No Boundaries Pink Tote Bag	SKU No. 0-47417-17685-0 Item No. 31000376
	No Boundaries "I Love Boys" Bitsy Bag	SKU No. 0-47417-22670-8 Item No. 31000021
<b>Acme Accessories, Inc.</b> 4201 Baldwin Avenue El Monte, CA 91731	Red Hot Fluff Wallet	SKU No. 7-94955-00141-9
	Black & White Fluff Purse	Item ID: WF-G SKU No. 7-94955-00537-0
	Pink Fluff Purse	Item ID: WF-G SKU No. 7-94955-00537-0
	Black & White Fluff Accessory Bag	Item ID: FC602MOD
	Black and Brown Fluff Coin Purse	Item ID: FC610BL3
<b>Aldo US Inc.</b> 2300 Emile-Belanger Montreal, Quebec H42 3J4 Canada  <b>Aldo Group, Inc.</b> 2300 Emile-Belanger Montreal, Quebec H42 3J4 Canada	Bibbiena Wallet	SKU No. 68832612
	Offanengo Wallet	SKU No. 68264811
	Nomaglio Wallet	SKU No. 68601056
	Berbenno Bag	SKU No. 72988580

<p><b>American Eagle Outfitters, Inc.</b> 77 Hot Metal St Pittsburgh, PA 15203</p> <p><b>AE Retail West LLC</b> 77 Hot Metal St Pittsburgh, PA 15203</p>	<p>Orange &amp; White Striped Beach Tote</p>	<p>SKU No. 4-00158-56321-9 Style No. 7115 Vendor No. 03443</p>
<p><b>Ashley Stewart Ltd.</b> 100 Metro Way Secaucus, NJ 07094-1906</p> <p><b>Urban Brands, Inc.</b> 100 Metro Way Secaucus, NJ 07094-1906</p>	<p>Olive Tote Bag</p>	<p>SKU No. 4-02005-94691-6</p>
<p><b>Elakers Footwear Group, Inc.</b> 2815 Scott Avenue St. Louis, MO 63103</p>	<p>Zen Handbag</p>	<p>Item No. 2025005</p>
<p><b>Benetton USA Corporation dba United Colors of Benetton</b> 601 5th Ave 4th Floor New York, NY 10017</p>	<p>United Colors of Benetton Yellow Bag</p>	<p>SKU No. 8-032592-401011 Receipt ID: 9P6QC5D1A87 Item No. 6QC5D1A87 BEN</p>
<p><b>Bloomingdale's, Inc.</b> 1000 3rd Avenue New York, NY 10022</p> <p><b>Ray Enterprises Of Chesapeake Walk, Inc. dba Hobo International</b> 3436 Chesapeake Walk Annapolis, MD 21403</p>	<p>Hobo International Wallet</p>	<p>SKU No. 6-04599-08401-6</p>
<p><b>Cels Enterprises, Inc. dba Chinese Laundry</b> 3485 S. La Cienega Blvd. Los Angeles, CA 90016</p> <p><b>Macy's, Inc. dba Macy's Stores of California</b> 7 West 7th Street Cincinnati, OH 45202</p> <p><b>Macy's Department Stores, Inc.</b> 7 West 7th Street Cincinnati, OH 45202</p>	<p>Chinese Laundry Yellow Purse</p>	<p>SKU No. 0-62159-227265-1</p>

<p><b>Charming Shoppes, Inc.</b> 450 Winks Lane Bensalem, PA 19020</p> <p><b>Lane Bryant, Inc.</b> 3344 Morse Crossing Columbus, OH 43219</p>	<p>Yellow Handbag</p>	<p>SKU No. 94328905</p>
<p><b>Distex, Inc.</b> 529 5th Avenue New York, NY</p> <p><b>Mango NY, Inc.</b> 529 Fifth Avenue New York, NY 10017</p>	<p>Chartreuse MNG Bag</p>	<p>SKU No. 8-427907-454408 ID No. 84601046</p>
<p><b>DSW, Inc.</b> 810 DSW Drive Columbus, OH 43219</p> <p><b>DSW Shoe Warehouse, Inc.</b> 3241 Westerville Road Columbus, OH 43224</p>	<p>Urban Expressions Large Orange Tote Bag</p>	<p>SKU No. 4-04900-13828-1</p>
<p><b>Express, LLC</b> 1 Limited Parkway Columbus, OH 43230</p>	<p>Express Brown Bag</p>	<p>SKU No. 09069259 Style No. 1907</p>
<p><b>Fantasia Accessories, Ltd.</b> 31 West 34th Street New York, NY 10001</p> <p><b>Lulu NYC LLC</b> 272 5th Avenue Brooklyn, NY 11215</p> <p><b>Lulu NYC Manager LLC</b> 272 5th Avenue Brooklyn, NY 1215</p>	<p>Red Bag</p>	<p>SKU No. 0-43834-75646-0</p>
<p><b>Kohl's Corporation</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p> <p><b>Kohl's Department Stores, Inc.</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p>	<p>Mustard Bag</p>	<p>SKU No. 0-43834-78074-8</p>

<p><b>Forever 21, Inc.</b> 2001 S. Alameda St. Los Angeles, CA 90058</p> <p><b>Forever 21 Retail, Inc.</b> 2001 S. Alameda St. Los Angeles, CA 90058</p>	<p>Orange Wallet</p>	<p>SKU No. 4-9258-40204-1</p>
<p><b>Fossil, Inc.</b> 2280 N. Greenville Ave. Richardson, TX 75082</p> <p><b>Fossil Stores I, Inc.</b> 2280 N. Greenville Ave. Richardson, TX 75082</p> <p><b>Kohl's Corporation</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p> <p><b>Kohl's Department Stores, Inc.</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p>	<p>Relic SPR Breeze Checkbook Green Wallet</p>	<p>SKU No. 7-23765-09737-4 Item No. RLS8850300</p>
<p><b>French Connection Group, Inc.</b> 184-10 Jamaica Ave 3rd Floor Hollis, NY 11423</p> <p><b>French Connection Group PLC</b> Centro 1 39 Camden St. London NW1 0DX United Kingdom</p>	<p>Yellow Open Tote</p>	<p>SKU No. 8-83494-55018-9 Style No. SBAM13103</p>
<p><b>Guess?, Inc.</b> 1444 South Alameda Street Los Angeles, CA 90021</p> <p><b>Guess? Retail, Inc.</b> 1444 South Alameda Street Los Angeles, CA 90021</p>	<p>GUESS by Marciano Atomic Beach Mustard Bag</p>	<p>SKU No. 758193053623 Style No. NL079604</p>
<p><b>Haddad Accessories, LLC</b> 38 Saw Mill Pond Rd. Edison, NJ 08817</p> <p><b>The Haddad Apparel Group, Ltd.</b> 90 East 5th Street Bayonne, NJ 07002</p>	<p>Mighty Mac Sports NBA Detroit Pistons Bi-Fold Wallet</p>	<p>SKU No. 6-78634-24407-9 Item ID: PIWL-Z</p>

<p><b>H&amp;M Hennes &amp; Mauritz, L.P.</b>  215 Park Avenue S.  Floor 15  New York, NY 10003-1612</p>	<p>Red Wallet</p>	<p>SKU No.  042035-8-0000-48-4</p>
<p><b>J.C. Penney Corporation, Inc.</b>  6501 Legacy Drive  Plano, TX 75024-3698</p>	<p>St. Johns Bay  Yellow Hobo Handbag</p>	<p>SKU No.  1-03338-40501-01</p>
	<p>Worthington  Pirate Gold Double Pocket Tote</p>	<p>SKU No.  1-03381-20503-01</p>
<p><b>Jest Jewels, Inc.</b>  1869 Union Street  San Francisco, CA 94123</p> <p><b>Lovely Bag Inc.</b>  1177 Broadway  New York, NY 10001</p>	<p>Lovely N.Y.  Yellow Wide Pleated Bag</p>	<p>Item No. 4556  Receipt ID No.  06A 000888LOV</p>
<p><b>Jones Apparel Group, Inc.</b>  180 Rittenhouse Circle  Bristol, PA 19007</p> <p><b>Jones Retail Corporation</b>  180 Rittenhouse Circle  Bristol, PA 19007</p>	<p>Nine &amp; Co.  Banana Glory Handbag</p>	<p>SKU No.  6-53872-11117-8  Item No. 3803111</p>
<p><b>Kohl's Corporation</b>  N56 W17000 Ridgewood Dr.  Menomonee Falls, WI 53051</p> <p><b>Kohl's Department Stores, Inc.</b>  N56 W17000 Ridgewood Dr.  Menomonee Falls, WI 53051</p>	<p>Nine &amp; Co.  Stem Glory Handbag</p>	<p>SKU No.  6-53872-11120-8  Item No. 3803145</p>
<p><b>Jones Apparel Group, Inc.</b>  180 Rittenhouse Circle  Bristol, PA 19007</p> <p><b>Jones Retail Corporation</b>  180 Rittenhouse Circle  Bristol, PA 19007</p> <p><b>Macy's, Inc. dba  Macy's Stores of California</b>  7 West 7th Street  Cincinnati, OH 45202</p> <p><b>Macy's Department Stores, Inc.</b>  7 West 7th Street  Cincinnati, OH 45202</p>	<p>Splash Yellow  Uniquely Yours Handbag</p>	<p>SKU No.  7-86130-52899-6  Item No. 2829869</p>

<p><b>Jones Apparel Group, Inc.</b> 180 Rittenhouse Circle Bristol, PA 19007</p> <p><b>Jones Retail Corporation</b> 180 Rittenhouse Circle Bristol, PA 19007</p> <p><b>Ross Stores, Inc.</b> 1440 Rosewood Drive Bldg 4 Pleasanton, CA 94588-3050</p>	<p>Nine West Large Moss Clutch</p>	<p>SKU No. 7-86130-27667-5</p>
<p><b>Kmart Corporation</b> 3333 Beverly Road Hoffman Estates, IL 60179</p>	<p>Attention Hobo Bag</p>	<p>SKU No. 7-62670-67633-5 KSN No. 0-09334111-3</p>
	<p>Piper &amp; Blue Hobo Bag</p>	<p>SKU No. 8-84536-00203-1 KSN No. 0-13898911-6</p>
<p><b>Kohl's Corporation</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p> <p><b>Kohl's Department Stores, Inc.</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p>	<p>Apt. 9 Magnetized Bag</p>	<p>SKU No. 4-00898-36487-9</p>
	<p>Apt. 9 Coral Trapezoid Satchel</p>	<p>SKU No. 4-00899-90940-6</p>
	<p>Daisy Fuentes Foldover Bag</p>	<p>SKU No. 7-62670-64485-3 Style ID: DFH-605 Color ID: SFRN/PLUM</p>
<p><b>Lerner New York, Inc.</b> 450 West 33rd Street New York, NY 10001</p>	<p>Yellow Tote Bag</p>	<p>SKU No. 84215633 Style No. 7135</p>
<p><b>Liz Claiborne, Inc.</b> 1441 Broadway New York, NY 10018</p> <p><b>J.C. Penney Corporation, Inc.</b> 6501 Legacy Drive Plano, TX 75024-3698</p>	<p>Liz &amp; Co. Maize Astor Bag</p>	<p>SKU No. 0-98687-45420-9</p>

<p><b>Liz Claiborne, Inc.</b> 1441 Broadway New York, NY 10018</p> <p><b>Kohl's Corporation</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p> <p><b>Kohl's Department Stores, Inc.</b> N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051</p>	<p>Dana Bedford Hobo Bag</p>	<p>SKU No. 4-00899-33643-1</p>
<p><b>Macy's, Inc. dba Macy's Stores of California</b> 7 West 7th Street Cincinnati, OH 45202</p> <p><b>Macy's Department Stores, Inc.</b> 7 West 7th Street Cincinnati, OH 45202</p> <p><b>Steve Madden Ltd.</b> 52-16 Barnett Avenue Long Island City, NY 11104</p> <p><b>Steve Madden Retail, Inc.</b> 52-16 Barnett Avenue Long Island City, NY 11104</p>	<p>Yellow Bunny Hobo Bag</p>	<p>SKU No. 0-62159-22726-50</p>
<p><b>Melie Bianco Accessories, Inc.</b> 9545 Brasher Street Pico Rivera, CA 90660</p>	<p>Yellow &amp; Black Purse</p>	<p>Style No. S8-158#YW</p>
<p><b>Michael Kors (USA), Inc.</b> 333 Meadowlands Parkway 4th Floor Secaucus, NJ 07094</p> <p><b>Michael Kors Stores (California), Inc.</b> 333 Meadowlands Parkway 4th Floor Secaucus, NJ 07094</p>	<p>MICHAEL Michael Kors Yellow Clutch</p>	<p>SKU No. 8-84485-17284-7 Item No. 30S91RNC1A</p>
<p><b>Nakajima USA, Inc.</b> 6053 W. Century Blvd Los Angeles, CA 90045</p> <p><b>Sanrio, Inc.</b> 570 Eccles Ave South San Francisco, CA 94080</p>	<p>Hello Kitty Gold Wallet</p>	<p>SKU No. 4-901610-198353 Item No. 19835-8</p>

<p><b>Nordstrom, Inc.</b> 1700 Seventh Avenue Seattle, WA 98101</p>	<p>Yellow Hobo Bag</p>	<p>SKU No. 8-44267-00561-9 ID No. 1108041NS</p>
<p><b>Pacific Sunwear of California, Inc.</b> P.O. Box 68042 Anaheim, CA 92817-0842</p> <p><b>Pacific Sunwear Stores Corp.</b> P.O. Box 68042 Anaheim, CA 92817-0842</p>	<p>The California Native Yellow Purse</p>	<p>SKU No. 05281696 Style No. 9000 Vendor No. 20596</p>
<p><b>Quiksilver, Inc.</b> 15202 Graham Street Huntington Beach, CA 92649</p> <p><b>Quiksilver Americas, Inc.</b> 15208 Graham Street Huntington Beach, CA 92649</p> <p><b>QS Wholesale, Inc.</b> 15208 Graham Street Huntington Beach, CA 92649</p> <p><b>Ross Stores, Inc.</b> 4440 Rosewood Drive, Bldg 4 Pleasanton, CA 94588-3050</p>	<p>Roxy Green Hawaiian Print Tote Bag</p>	<p>SKU No. 8-83861-87035-3</p>
<p><b>Rainbow Apparel Distribution Center Corp.</b> 1000 Pennsylvania Avenue Brooklyn, NY 11207</p> <p><b>Rainbow USA, Inc.</b> 1000 Pennsylvania Avenue Brooklyn, NY 11207</p> <p><b>A.I.J.J. Enterprises, Inc.</b> 1000 Pennsylvania Avenue Brooklyn, NY 11207</p> <p><b>The New 5-7-9 And Beyond, Inc.</b> 1000 Pennsylvania Avenue Brooklyn, NY 11207</p>	<p>Orange Purse</p>	<p>SKU No. 0-00131-73158-3</p>
	<p>Yellow Purse</p>	<p>SKU No. 0-00131-74024-0</p>
<p><b>Rosetti Handbags and Accessories, Ltd.</b> 10 West 33rd Street, Rm 312 New York, NY 10001-3306</p> <p><b>J.C. Penney Corporation, Inc.</b> 6501 Legacy Drive Plano, TX 75024-3698</p>	<p>Rosetti Yellow Clutch</p>	<p>SKU No. 7-91439-67524-1 Style No. 1277005</p>

<p><b>Rosetti Handbags and Accessories, Ltd.</b> 10 West 33rd Street, Rm 312 New York, NY 10001-3306</p> <p><b>Sears, Roebuck and Co.</b> 3333 Beverly Road, B2-130B Hoffman Estates, IL 602179</p>	<p>Rosetti Womens Orange Handbag</p>	<p>SKU No. 7-91439-67552-4 KSN No. 80235552-9</p>
<p><b>San Diego Hat Company</b> 2793 Loker Avenue West Carlsbad, CA 92010</p>	<p>Red Handbag</p>	<p>SKU No. 8-07928-04600-0 Item ID: VNB80020SRED</p>
<p><b>Sears, Roebuck and Co.</b> 3333 Beverly Road, B2-130B Hoffman Estates, IL 60179</p> <p><b>Tri-Coastal Design Group Inc.</b> 905 Murray Road East Hanover, NJ 07936</p>	<p>Cul-de-Sac Yellow Front Zip Bag</p>	<p>SKU No. 767014636648</p>
<p><b>Shiraleah LLC</b> 222 N. Maplewood Ave Chicago, IL 60612</p>	<p>Shiraleah Sunflower Clutch</p>	<p>Item No. 1-27-049</p>
<p><b>Super Trader, Inc.</b> 1111 S. Hill Street Third Floor Los Angeles, CA 90015</p>	<p>Yellow Bowling Ball Bag</p>	<p>SKU No. 400004797980 ID No. 102432182</p>
<p><b>Target Corporation</b> 1000 Nicollet Mall Minneapolis, MN 55403</p>	<p>Xhilation Yellow Clutch</p>	<p>SKU No. 4-90420-90859-2 Item No. 10416</p>
	<p>Xhilation Yellow Handbag</p>	<p>SKU No. 4-90240-92726-5</p>
	<p>Xhilation Green Wallet</p>	<p>SKU No. 4-90240-93302-0</p>
	<p>Xhilation Yellow Tote</p>	<p>SKU No. 4-90240-91002-1</p>
	<p>Xhilation Yellow Wallet</p>	<p>SKU No. 4-90240-81406-0 Item No. 024-08-1406</p>

<p><b>Tokyo Bay, Inc.</b> 1809 Lyon Street San Francisco, CA 94115</p>	<p>Brown Red Tango Accessory Bag</p>	<p>Item ID No. RT286</p>
	<p>Red Tango Cosmetic Clutch</p>	<p>SKU No. 7-86380-70001-2</p>
<p><b>Tory Burch LLC</b> 11 West 19th Street Floor 7 New York, NY 10011</p>	<p>Yellow SM Patent Cosmetic Case</p>	<p>SKU No. 8-84089-82224-7 Style No. 21095034</p>
<p><b>Tumi, Inc.</b> 1001 Durham Ave South Plainfield, NJ 07080</p> <p><b>Tumi Stores, Inc.</b> 1001 Durham Avenue South Plainfield, NJ 07080</p>	<p>Cosmo Roll Cylindrical Purse</p>	<p>SKU No. 7-42315-80642-6 Item No. 7759 Retail ID: 041313TG</p>
<p><b>Victoria's Secret Stores, LLC</b> 4 Limited Parkway Reynoldsburg, OH 43068</p> <p><b>Victoria's Secret Direct Brand Management, LLC</b> 3 Limited Parkway Columbus, OH 43230</p>	<p>PINK Accessories Bag (Yellow/Green)</p>	<p>Item No. 09285858</p>
<p><b>Wal-Mart Stores, Inc.</b> 702 S.W. 8th Street, Bentonville, AR 72716-8611</p>	<p>No Boundaries Green Wristlet</p>	<p>SKU No. 8-84536-00090-7</p>
<p><b>With You, Inc.</b> 200 West 57th Street, #1101 New York, NY 10019</p>	<p>Jessica Simpson Lemon Bag</p>	<p>SKU No. 639470-209158 Style ID No. JS2131 Retailer SKU No. 4-04100-07314-6</p>
<p><b>Zumiez, Inc.</b> 6300 Merrill Creek Pkwy Suite B Everett, WA 98203</p>	<p>Roxy Orange Coast Purse</p>	<p>Retail SKU No. 15101800070018</p>

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

I, Howard Hirsch, 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.

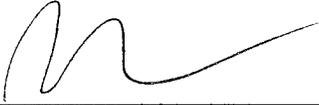
2. I am an attorney with the Lexington Law Group and I represent the noticing party, the Center for Environmental Health.

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

July 16, 2009

  
\_\_\_\_\_  
Howard Hirsch  
Attorney for CENTER FOR  
ENVIRONMENTAL HEALTH

**PROOF OF SERVICE BY MAIL**

I declare that:

I am employed in San Francisco County, California; my business address is 1627 Irving Street, San Francisco, California 94122. I am over the age of 18 years and not a party to the within cause.

On July 16, 2009, 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).

On this date, I deposited fully prepaid and sealed envelopes containing the above-mentioned documents with the United States Postal Service, addressed to the following individuals:

***Please see attached service list.***

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on July 16, 2009, at San Francisco, California.

Signed: \_\_\_\_\_  
Ellen Reed

## SERVICE LIST

District Attorney of Alameda County 1225 Fallon Street, Room 900 Oakland, CA 94612	District Attorney of Humboldt County 825 5th Street Eureka, CA 95501	District Attorney of Napa County 931 Parkway Mall Napa, CA 94559
District Attorney of Colusa County 647 Market Street Colusa, CA 95932	District Attorney of Imperial County 939 Main Street El Centro, CA 92243	District Attorney of Merced County 2222 "M" Street Merced, CA 95340
District Attorney of Contra Costa County 627 Ferry Street Martinez, CA 94553	District Attorney of Lassen County 220 S. Lassen St., Ste 8 Susanville, CA 96130	District Attorney of Nevada County 201 Church St., Suite 8 Nevada City, CA 95959
District Attorney of Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney of Inyo County P.O. Drawer D Independence, CA 93526	District Attorney of Orange County 401 Civic Ctr Drive West Santa Ana, CA 92701
District Attorney of Del Norte County 450 H Street, Ste 171 Crescent City, CA 95531	District Attorney of Los Angeles County 210 W. Temple Street, Room 345 Los Angeles, CA 90012	District Attorney of Modoc County 204 S Court Street Alturas, CA 96101-4020
District Attorney of Amador County 708 Court Street, #202 Jackson, CA 95642	District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney of Placer County 10810 Justice Center Drive Suite 240 Roseville, CA 95678
District Attorney of Butte County 25 County Center Drive Oroville, CA 95965	District Attorney of Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney of San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415
District Attorney of El Dorado County 515 Main Street Placerville, CA 95667	District Attorney of Marin County 3501 Civic Center Dr., Room 130 San Rafael, CA 94903	District Attorney of Plumas County 520 Main Street, Room 404 Quincy, CA 95971
District Attorney of Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249	District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93517	District Attorney of San Diego County 330 West Broadway, Suite 1320 San Diego, CA 92101
District Attorney of Fresno County 2220 Tulare Street, #1000 Fresno, CA 93721	District Attorney of Mariposa County P.O. Box 730 Mariposa, CA 95338	District Attorney of Riverside County 4075 Main Street Riverside, CA 92501
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