



Klamath

ENVIRONMENTAL
LAW CENTER

December 30, 2010

PROPOSITION 65 ENFORCEMENT REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
P.O. BOX 70550
OAKLAND CA 94612-0550

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the Disney companies identified on the attached service list (collectively hereinafter "Disney") have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 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 occur at Disneyland in Anaheim, California and are caused by the brass stanchions and attached chains used in crowd/line control at those rides/exhibits/spectacles within Disneyland that are listed on the attached sheet. The exact address and location of Disneyland is also provided on that same attached sheet. Patrons of Disneyland are exposed to lead when they touch the above-referenced brass stanchions and chains while gathered near or while waiting in line at the rides/exhibits/locations described in the attached sheet. The consumer service that causes the exposure is providing the rides/exhibits/spectacles that are listed in the attached sheet. The brass alloy used to make these stanchions and chains contains lead. When people touch these brass stanchions and chains, lead from the brass 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. These lead exposures thus occur via the dermal absorption, subcutaneous, mucus membrane, ingestion and inhalation routes. Disney did not and does not provide people with clear and reasonable warnings before it exposes them to lead. These violations have occurred every day since December 30, 2007, and will continue every day until the lead is removed from the alloys used to make stanchions and chains or until Disney provides its patrons with Proposition 65-compliant warnings. The above-referenced violations are alleged for occupational exposures as well as for consumer service exposures. The actions that Disney employees take that expose them to lead are the same as the actions taken by Disney patrons—they touch the brass alloy from which the brass stanchions and chains are made. This Notice of Violation pertains only to Proposition 65 violations that occur in the County of Orange.

Cordially,

William Verick

SERVICE LIST

PROPOSITION 65 ENFORCEMENT REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
POST OFFICE BOX 70550
OAKLAND, CA 94612-0550

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF ORANGE
401 CIVIC CENTER DR WEST
SANTA ANA, CA 92701-4515

DAVID K THOMPSON, CEO
DISNEY INCORPORATED
500 SOUTH BUENA VISTA STREET
BURBANK, CA 91521-0001

DAVID K THOMPSON, CEO
DISNEY WORLDWIDE SERVICES, INC.
500 S BUENA VISTA ST
BURBANK, CA 91521-0001

NICK FRANKLIN, CEO
DISNEYLAND INTERNATIONAL
500 S BUENA VISTA ST
BURBANK, CA 91521-0001

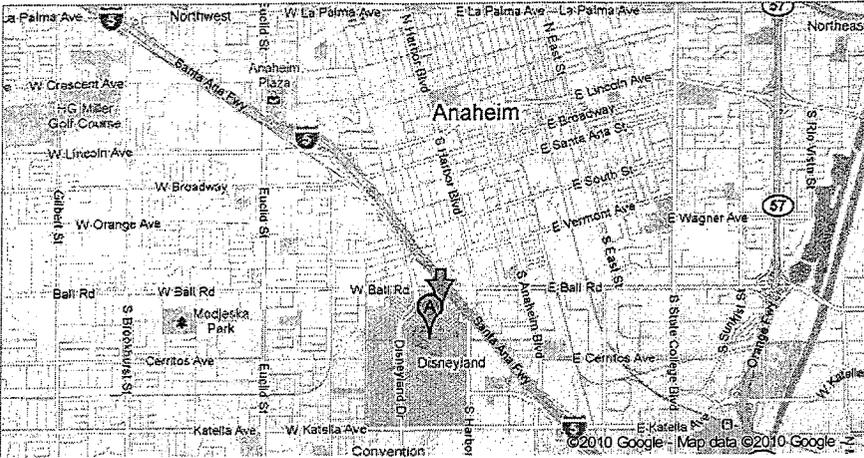
ROBERT A IGER, CEO
THE WALT DISNEY COMPANY
500 S BUENA VISTA ST
BURBANK, CA 91521-0001

ANDY BIRD, CEO
WALT DISNEY INTERNATIONAL
500 SOUTH BUENA VISTA ST
BURBANK, CA 91521-0001

MEG CROFTON, CEO
WALT DISNEY PARKS & RESORTS U.S., INC.
1375 BUENA VISTA DR 4TH FL NORTH
LAKE BUENA VISTA, FL 32830-8402

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.



A. **Disneyland**
1313 South Harbor Boulevard, Anaheim, CA -
(714) 520-6076 - 0.2 mi SW
490 reviews

[Report a problem](#)

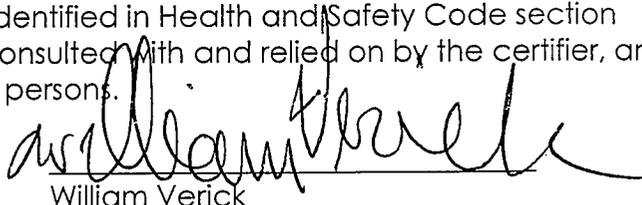
BRASS STANCHIONS, BRASS RAILINGS AND BRASS CHAINS LOCATED AT THE FOLLOWING DISNEYLAND LOCATIONS:

PETER PAN'S FLIGHT
HAUNTED MANSION
MR. TOAD'S WILD RIDE
BLUE RIBBON BAKERY

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: December 30, 2010



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 December 30, 2010, 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 NOTICE OF VIOLATION 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 December 30, 2010, at Eureka, California.



Nicole Frank