

LAW OFFICES OF
ANDREW L. PACKARD

100 PETALUMA BLVD N, STE 301, PETALUMA, CA 94952
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INFO@PACKARDLAWOFFICES.COM

June 10, 2011

VIA CERTIFIED MAIL

Mr. Ron Teegarden
President & Chief Executive Officer
RON TEEGUARDEN ENTERPRISES, INC.
315 Wilshire Boulevard
Santa Monica, CA 90401.

AG
COPY
- Evid. Code
§1040 -

Re: Notice of Violations of California Health & Safety Code § 25249.5 *et seq.*

Dear Sir,

This firm represents Stephen D. Gillett in connection with this notice of violations of California's Safe Drinking Water & Toxic Enforcement Act of 1986, codified at Health & Safety Code § 25249.5 *et seq.* (also referred to as "Proposition 65"). This letter serves to provide notification of these violations to you and to the public enforcement agencies.

Pursuant to § 25249.7(d) of the statute, Mr. Gillett intends to bring an enforcement action sixty (60) days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations. A summary of the statute and its implementing regulations, which was prepared by the lead agency designated under the statute, is enclosed with the copy of this notice served upon the violator. The specific details of the violations that are the subject of this notice are provided below.

The name of the violator covered by this notice is RON TEEGUARDEN ENTERPRISES, INC. (hereafter, the "Violator"). The Violator manufactures, markets, distributes and/or sells in California herbal dietary supplements. These ongoing violations arise out of exposures to lead and lead compounds from herbal dietary supplement products listed on **Exhibit A**, attached hereto. On February 27, 1987, the State of California officially listed lead as a substance known to cause reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as a substance known to cause cancer.

Route of exposure. The consumer exposures that are the subject of this notice result from the purchase, acquisition, handling and recommended use of these products by consumers. Accordingly, consumer exposures have occurred and continue to occur primarily through the ingestion route, but also may occur through the inhalation and/or dermal contact routes of exposure.

Notice of Violations

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Duration of violations. Each of these ongoing violations has occurred on every day since at least June 10, 2008, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

In keeping with the public interest goals of the statute and my client's objectives in issuing this notice, Mr. Gillett is interested in seeking a constructive resolution of this matter. Such resolution will avoid both further unwarned consumer exposures to lead and additional fees and costs incurred by the parties. Mr. Gillett's address is Post Office Box 170142, San Francisco, California 94117. Tel. (415) 850-5233. However, he has retained this firm in this matter; all communications regarding this Notice of Violation may be directed to my attention at the above-listed firm address and telephone number.

Very Truly Yours,



Andrew L. Packard

Attachments:

OEHHA Summary

Certificate of Merit (w/o AG attachments)

Certificate of Service

EXHIBIT A

- 016 American Ginseng
- 026 Eucommia Drops
- 100 Supreme Protector
- 104 Ron Teegarden's Super Pill
- 107 Pearl Shen
- 109 Supreme Creation
- 112 Magu's Treasure
- 115 Magu's Secret
- 116 Eternal Jing
- 117 Jing
- 118 Super Jing
- 121 Dragon Jing
- 124 Microcosmic Orbit
- 126 Jeevani
- 127 Women's Jing
- 130 Easy Qi
- 133 Shou Wu Formulation
- 134 Ant Essence
- 137 Strong Bones
- 142 Imperial Garden
- 145 Strength Builder
- 146 Ant Power
- 148 Young at Heart
- 151 Golden Air
- 157 Profound Essence
- 160 Diamond Mind
- 161 Tao in a Bottle
- 166 Buddha's Yang
- 169 Primal Yin Replenisher
- 172 Young Lungs
- 174 Love Goddess Elixir
- 180 Will Power
- 185 Adaptogen Energizer
- 186 Super Adaptogen
- 190 Endocrine Health
- 193 Protector 2000
- 195 Liver Tonic 2000
- 196 CardioPro 2000
- 197 Four Kings
- 200 Isatis Supreme
- 201 Magnolia Sinus
- 205 Perilla Clear
- 221 Lights Out
- 224 Hair and Nails
- 233 Sweet Relief
- 236 Remove Stagnation
- 251 Lighten Up Diet Formula
- 252 Golden Voice
- 254 Frame Builder
- 259 Calmers
- 260 Cardiovascular Protector
- 261 Small Volcano
- 263 Open the Lungs
- 264 Daily Regulator
- 291 Eagle Vision
- 306 OptiDigest
- 308 Four Things
- 310 Ginseng and Astragalus Combina
- 312 Ten Complete Supertonic
- 314 Ginseng and Longon Combination
- 316 Ginseng Nutritive Combination
- 318 Ginseng and Zizyphus Combinati
- 320 Return to Youth Formula
- 326 Rehmannia Six Combination
- 344 Poria Five Combination
- 372 Dang Gui and Gelatin
- 404 Bupleurum and Rehmannia
- 406 Platycodon and Fritillary
- 408 Yin Qiao
- 410 Pueraria Combination
- 412 Pueraria Nasal
- 416 Cinnamon and Poria
- 420 Gentiana Combination
- 422 Minor Blue Dragon
- 428 Coptis and Scute
- 436 Bupleurum and Cyperus
- 448 Bupleurum and Dragon Bone
- 450 Bupleurum and Peony
- 452 Bupleurum and Dang Gui
- 454 Minor Bupleurum
- 501 Agaricus
- 502 Astragalus
- 506 Cordyceps
- 514 Duanwood Reishi
- 516 Deer Placenta
- 525 Active Ginseng
- 526 Shilajit
- 527 Goji LBP-40
- 529 Caralluma
- 530 Muscadinia
- 534 Gynostemma
- 539 Pearl Powder
- 542 He Shou Wu
- 546 Salvia
- 548 Schizandra
- 549 Standardized Scute
- 557 Tribulus
- 560 TomKat
- 562 Salacia
- 588 Reishi Spore Oil - 30 softgels
- 589 Reishi Spore Oil - 90 softgels
- 590 Kinetic Ginseng 30 cap
- 591 Kinetic Ginseng 100 cap
- 605 Hermit's Mix

609 Trilovin
610 Trilovin PMS/Menopause
611 Monastery Cream
612 Curing Pills
613 Yun Nau Pai Yao Capsules
614 Yun Nau Pai Yao Powder
615 999 Capsules
616 999 Granules
683 Beauty Bonbon 1pc
684 Beauty Bonbon - 4pcs
685 Beauty Bonbon - 12pcs
686 Tonic Alchemy
686P30 Tonic Alchemy Packettes
698 Longan Fruit Snack
699 Lycium Berries (Goji)
2001 Bilberry Extract Plus
2002 Black Cohosh Plus (Vitex and Tang Kuei)
2005 Bromelain
2006 Cats Claw
2008 Colostrum
2009 Complete EFA (Flax, Borage, Fish Oil)
2010 Cranberry Extract
2011 Echinacea Extract
2014 Ester-C Complex
2015 Evening Primrose
2016 Fem Support
2017 Feverfew Extract
2018 Fiber Clean Psyllium Husk Powder
2020 Garlic
2021 Gingko Extract
2022 Glucosamine/Chondroitin Plus
2023 Golden Seal Root
2024 Grape Seed Extract
2025 Green Tea Extract
2026 Hawthorn Extract
2027 Horsechestnut Extract
2028 Maca Extract
2029 Mature Woman's Balance Liquid
2030 Milk Thistle Extract Plus
2031 Milk Thistle Extract Plus
2033 Olive Leaf
2034 Papaya Enzyme
2035 Pau D'Arco
2036 Pycnogenol
2037 Red Rice Yeast Extract
2038 Saw Palmetto / Pygeum Plus - SoftGel 120
2039 Saw Palmetto / Pygeum Plus - SoftGel 60
2040 Shark Cartilage
2041 Siberian Ginseng - 250 mg, 120 capsules
2042 Siberian Ginseng - 250 mg, 60 capsules
2043 Spirulina
2044 St. John's Wort
2045 Super Kelp
2046 Superzymes
2047 Suprema-Dophilus - viable microflora, 120 capsules

2048 Suprema-Dophilus - viable microflora, 60 capsules
2049 Valerian Root
2052 Vinpocetine Plus

CERTIFICATE OF MERIT

**(Re: Stephen D. Gillett's June 10, 2011 Notice of Proposition 65 Violations Issued to
RON TEEGUARDEN ENTERPRISES, INC.)**

I, Andrew L. Packard, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party in the notice has violated Health & Safety Code §25249.6 by failing to provide clear and reasonable warnings.

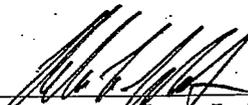
2. I am an attorney for the noticing party.

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

4. 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 plaintiff's case can be established and that 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 the 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: June 10, 2011



Andrew L. Packard

Attachments (for Attorney General Copy only)

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States, over the age of 18 years of age, and am not a party to the within entitled action. My business address is 319 Pleasant Street, Petaluma, California 94952.

On June 10, 2011, I served the following documents: **NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; "SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986: A SUMMARY"**

on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it in a US Postal Service Office for delivery by Certified Mail:

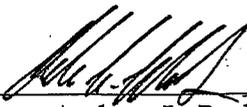
Mr. Ron Teegarden
President & Chief Executive Officer
RON TEEGUARDEN ENTERPRISES, INC.
315 Wilshire Boulevard
Santa Monica, CA 90401

On June 10, 2011, I served the following documents: **NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT (including supporting documentation required by Title 11 CCR §3102)** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it in a US Postal Service Office for delivery by Certified Mail:

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, CA 94612-0550

On June 10, 2011, I served the following documents: **NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelop, addressed to each of the parties **on the Service List attached hereto**, and depositing it in a US Postal Service Office for delivery by First Class Mail.

Executed on June 10, 2011, in Petaluma, California.



Andrew L. Packard

Service List (Page 1 of 4)

The Honorable Tom Orloff
District Attorney, Alameda County
1225 Fallon Street, Room 900
Oakland, CA 94612

The Honorable William Richmond
District Attorney, Alpine County
P.O. Box 248
Markleeville, CA 96120

The Honorable Todd Riebe
District Attorney, Amador County
708 Court Street, #202
Jackson, CA 95642

The Honorable Michael Ramsey
District Attorney, Butte County
25 County Center Drive
Oroville, CA 95965

The Honorable Jeffrey Tuttle
District Attorney, Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

The Honorable John Poyner
District Attorney, Colusa County
547 Market Street
Colusa, CA 95932

The Honorable Robert Kochly
District Attorney, Contra Costa County
725 Court Street
Martinez, CA 94553

The Honorable Michael Riese
District Attorney, Del Norte County
450 H Street, Ste. 171
Crescent City, CA 95531

The Honorable Gary Lacy
District Attorney, El Dorado County
515 Main Street
Placerville, CA 95667

The Honorable Elizabeth Egan
District Attorney, Fresno County
2220 Tulare Street, #1000
Fresno, CA 93721

The Honorable Robert Holzapfel
District Attorney, Glenn County
Post Office Box 430
Willows, CA 95988

The Honorable Paul Gallegos
District Attorney, Humboldt County
825 5th Street
Eureka, CA 95501

The Honorable Gilbert G. Otero
District Attorney, Imperial County
939 West Main Street
El Centro, CA 92243

The Honorable Arthur Maillet
District Attorney, Inyo County
Post Office Drawer D
Independence, CA 93526

The Honorable Edward R. Jagels
District Attorney, Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

The Honorable Ronald Calhoun
District Attorney, Kings County
1400 West Lacey Boulevard
Hanford, CA 93230

The Honorable Gerhard Luck
District Attorney, Lake County
255 N. Forbes Street
Lakeport, CA 95453

The Honorable Robert Burns
District Attorney, Lassen County
220 South Lassen Street, Ste. 8
Susanville, CA 96130

The Honorable Steve Cooley
District Attorney, Los Angeles County
210 West Temple Street, Rm 345
Los Angeles, CA 90012

The Honorable Ernest LiCalsi
District Attorney, Madera County
209 West Yosemite Avenue
Madera, CA 93637

Service List (Page 2 of 4)

The Honorable Edward Berbarian
District Attorney, Marin County
3501 Civic Center, Room 183
San Rafael, CA 94903

The Honorable Robert Brown
District Attorney, Mariposa County
Post Office Box 730
Mariposa, CA 95338

The Honorable Norman Vroman
District Attorney, Mendocino County
Post Office Box 1000
Ukiah, CA 95482

The Honorable Gordon Spencer
District Attorney, Merced County
2222 "M" Street
Merced, CA 95340

The Honorable Jordan Funk
District Attorney, Modoc County
204 S Court Street
Alturas, CA 96101-4020

The Honorable George Booth
District Attorney, Mono County
Post Office Box 617
Bridgeport, CA 93517

The Honorable Dean Flippo
District Attorney, Monterey County
PO Box 1131
Salinas, CA 93901

The Honorable Gary Lieberstein
District Attorney, Napa County
931 Parkway Mall
Napa, CA 94559

The Honorable Michael Ferguson
District Attorney, Nevada County
201 Church Street, Suite 8
Nevada City, CA 95959

The Honorable Tory Rackauckas
District Attorney, Orange County
401 Civic Center Drive West
Santa Ana, CA 92701

The Honorable Brad Fenocchio
District Attorney, Placer County
11562 "B" Avenue, Dewitt Center
Auburn, CA 95603

The Honorable Jeff Cunan
District Attorney, Plumas County
520 Main Street, Room 404
Quincy, CA 95971

The Honorable Grover C. Trask, II
District Attorney, Riverside County
4075 Main Street, 1st Floor
Riverside, CA 92501

The Honorable Jan Scully
District Attorney, Sacramento County
901 "G" Street
Sacramento, CA 95814

The Honorable John Sarsfield
District Attorney, San Benito County
419 Fourth Street, 2nd Floor
Hollister, CA 95023

The Honorable Michael Ramos
District Attorney, San Bernardino County
316 N. Mountain View Avenue
San Bernardino, CA 92415-0004

The Honorable Bonnie Dumanis
District Attorney, San Diego County
330 West Broadway, Room 1320
San Diego, CA 92112

The Honorable Kamala Harris
District Attorney, San Francisco County
850 Bryant Street, Room 325
San Francisco, CA 94103

The Honorable James Willett
District Attorney, San Joaquin County
Post Office Box 990
Stockton, CA 95201

The Honorable Gerald Shea
District Attorney, San Luis Obispo County
1050 Monterey Street, Room 450
San Luis Obispo, CA 93408

Service List (Page 3 of 4)

The Honorable James P. Fox
District Attorney, San Mateo County
400 County Ctr., 3rd Floor
Redwood City, CA 94063

The Honorable Thomas W. Sneddon, Jr.
District Attorney, Santa Barbara County
1105 Santa Barbara Street
Santa Barbara, CA 93101

The Honorable George Kennedy
District Attorney, Santa Clara County
70 West Hedding Street
San Jose, CA 95110

The Honorable Bob Lee
District Attorney, Santa Cruz County
701 Ocean Street, Room 200
Santa Cruz, CA 95060

The Honorable Gerald Benito
District Attorney, Shasta County
1525 Court Street, Third Floor
Redding, CA 96001-1632

The Honorable Lawrence Allen
District Attorney, Sierra County
Courthouse, Post Office Box 457
Downieville, CA 95936

The Honorable James Andrus
District Attorney, Siskiyou County
Post Office Box 986
Yreka, CA 96097

The Honorable David Paulson
District Attorney, Solano County
600 Union Avenue
Fairfield, CA 94533

The Honorable Stephan Passalacqua
District Attorney, Sonoma County
600 Administration Drive, Room 212J
Santa Rosa, CA 95403

The Honorable Jim Brazelton
District Attorney, Stanislaus County
800 11th Street, Room 200
Modesto, CA 95353

The Honorable Carl V. Adams
District Attorney, Sutter County
446 Second Street
Yuba City, CA 95991

The Honorable Gregg Cohen
District Attorney, Tehama County
Post Office Box 519
Red Bluff, CA 96080

The Honorable David L. Cross
District Attorney, Trinity County
Post Office Box 310
Weaverville, CA 96093

The Honorable Phillip Cline
District Attorney, Tulare County
221 S. Mooney Avenue, Room 224
Visalia, CA 93291

The Honorable Donald Segerstrom, Jr.
District Attorney, Tuolumne County
2 South Green
Sonora, CA 95370

The Honorable Gregory Totten
District Attorney, Ventura County
800 South Victoria Avenue
Ventura, CA 93009

The Honorable David C. Henderson
District Attorney, Yolo County
301 2nd Street
Woodland, CA 95695

The Honorable Patrick McGrath
District Attorney, Yuba County
215 Fifth Street
Marysville, CA 95901

Service List (Page 4 of 4)

The Honorable Carmen A. Trutanich
Los Angeles City Attorney's Office
Room 1800, City Hall East
200 North Main Street
Los Angeles, CA 90012

The Honorable Jan Goldsmith
San Diego City Attorney's Office
1200 3rd Avenue, 12th Floor
San Diego, CA 92101

The Honorable Dennis J. Herrera
San Francisco City Attorney's Office
City Hall, Room 234
San Francisco, CA 94102

The Honorable Richard Doyle
San Jose City Attorney's Office
200 East Santa Clara Street
San Jose, CA 95113