



# Klamath

ENVIRONMENTAL  
LAW CENTER

October 18, 2011

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 Walt Disney Parks & Resorts U.S., Inc. ("Disney") has been, is, will be and threatens 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 at Disney's California Adventure also in Anaheim (collectively hereinafter "Disneyland") and are caused by leaded brass or other lead-containing metal alloys and leaded stained glass, at those rides/exhibits/spectacles within Disneyland that are listed on the accompanying attachments. The exact address and location of Disneyland is also provided in those same attachments. Specifically, people are exposed to lead when they use, touch, or otherwise come into contact with the following objects: brass stanchion heads, brass hand rails, the sword and anvil at the Sword in the Stone exhibit, brass toy guns, brass drinking fountains, brass statues, brass handles on rotoscope machines, brass tray rails at restaurants, brass doorknobs, radio buttons, handles, and post office box knobs in Toon Town, and stained glass with leaded coming (hereinafter collectively "lead containing items"). Patrons of Disneyland are exposed to lead when they touch the above-referenced lead-containing materials while gathered near or while waiting in line, at the rides/exhibits/locations described in the attached sheet, or while otherwise using or visiting those attractions. The consumer service that causes the exposure is providing the rides/exhibits/spectacles that are listed in the attached sheet. There is lead in the brass or other metal alloy used to make the above-described lead-containing items. When people touch these lead-containing items, lead from the metal 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, mucous 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 October 18, 2008, and will continue every day until the lead is removed from the alloys used to make the lead-containing materials 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 lead containing items 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

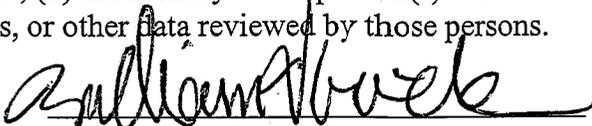
OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF ORANGE  
401 CIVIC CENTER DR WEST  
SANTA ANA, CA 92701-4515

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

**CERTIFICATE OF MERIT**

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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: October 18, 2011

  
William Verick

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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.

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**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 October 18, 2011, I caused the attached NOTICE OF VIOLATION 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 October 18, 2011, at Eureka, California.

  
Nicole Frank

A. Disneyland Resort

1313 South Harbor Boulevard, Anaheim, CA  
(714) 781-4565  
7 reviews

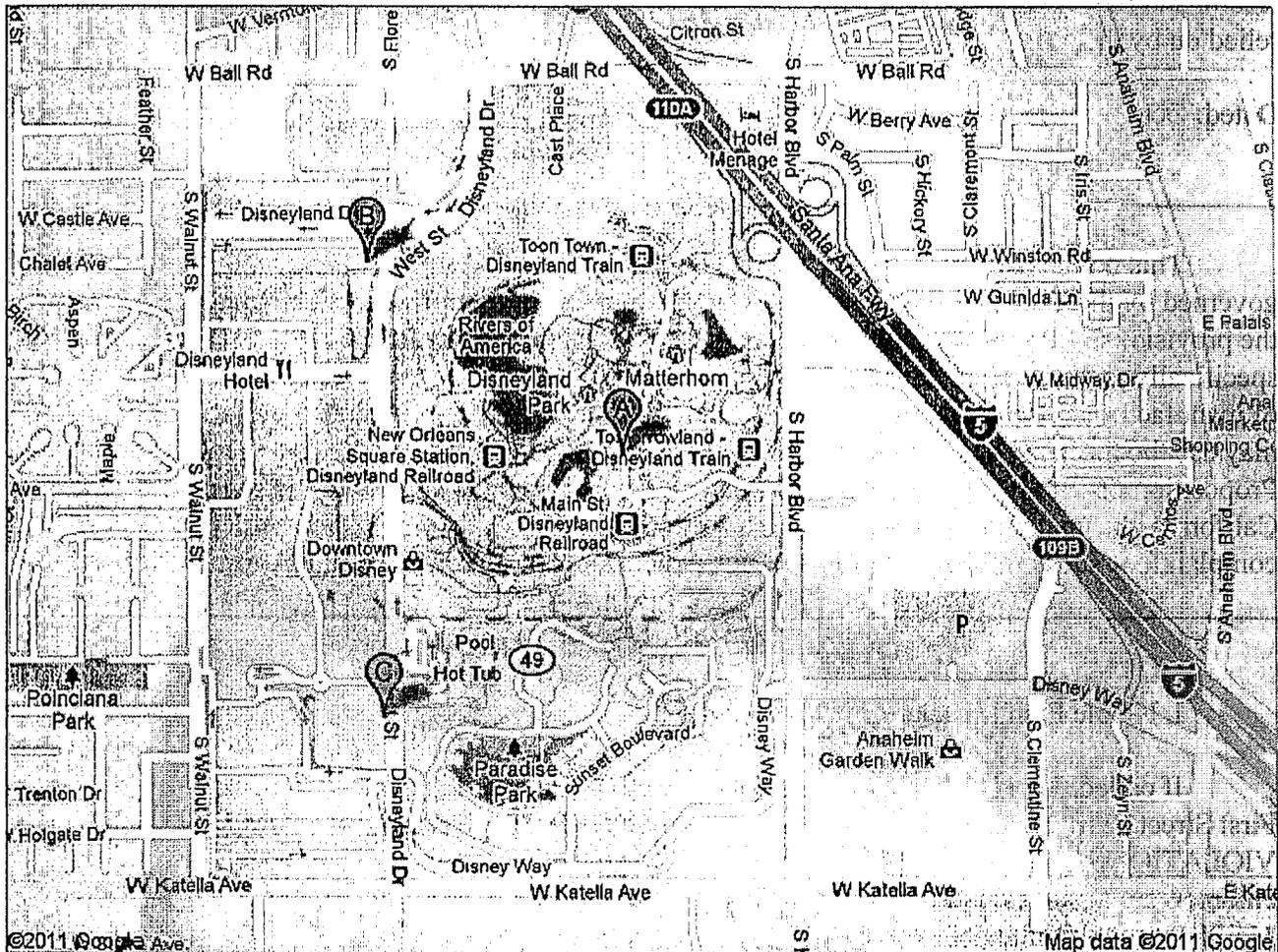
B. Disney California Adventure Park

1313 S Disneyland Dr, Anaheim, CA  
(714) 781-7290

C. Disneyland Resort-Anaheim  
California: Disneyland Resort Hotels-  
Reservations

1717 S Disneyland Dr, Anaheim, CA  
(714) 999-0990

9 reviews



PARK	ATTRACTION	AREA
California Adventure	Brass Drinking Fountain at The Little Mermaid: Ariel's Undersea Adventure	A Bug's Land
California Adventure	Brass Stanchion Balls at Golden Vine Restaurant	Golden State
California Adventure	Brass Stanchions at Tower of Terror	Hollywood Pictures Backlot
California Adventure	Brass Hand Rails at The Little Mermaid: Ariel's Undersea Adventure	Paradise Pier
California Adventure	Brass Hand Rails at Silly Symphony Swings	Paradise Pier
California Adventure	Brass Hand Rails at Toy Story Midway Mania, Paradise Pier	Paradise Pier
California Adventure	Brass Hand Rails at Toy Story Midway Mania, Paradise Pier	Paradise Pier
California Adventure	Brass Stanchion Balls at Paradise Bay/Golden State Park World of Color Viewing Area	Paradise Park at Paradise Pier
California Adventure	Brass Stanchion Balls at Silly Symphony Swings	Paradise Pier
California Adventure	Brass Stanchion Balls at Churros food stand, Paradise Pier	Paradise Pier
California Adventure	Brass Stanchion Balls at Don Tomas "The Midway's Best Bites" food stand, Paradise Pier	Paradise Pier
California Adventure	Brass tray rails at Boardwalk Pizza and Pasta	Paradise Pier
Disneyland	Brass Drinking Fountain at Village Haus Restaurant	Fantasyland
Disneyland	Brass Hand Rails at "It's a Small World" Gift Shop	Fantasyland
Disneyland	Brass Stanchion Balls at Tangled Ride	Fantasyland
Disneyland	Brass Stanchion Balls at King Arthur's Carousel	Fantasyland
Disneyland	Brass Stanchion Balls at Storybook Land Canal Boats	Fantasyland
Disneyland	Brass Stanchion Balls at "It's a Small World"	Fantasyland
Disneyland	Brass Stanchion Balls at Dumbo the Flying Elephant	Fantasyland
Disneyland	Brass Stanchion Balls at Peter Pan's Flight,	Fantasyland
Disneyland	Brass Stanchion Balls at Snow White's Scary Adventures	Fantasyland
Disneyland	Brass Stanchion Balls at Pinocchio's Daring Journey	Fantasyland
Disneyland	Brass Stanchion Balls at Mr Toad's Wild Ride	Fantasyland
Disneyland	Brass Sword and Anvil at Sword in th Stone	Fantasyland
Disneyland	Stained glass at Heraldry Shoppe	Fantasyland
Disneyland	Stained Glass at entrance to Sleeping Beauty Walkthrough	Fantasyland
Disneyland	Stained Glass at entrance to Pinocchio's Journey	Fantasyland
Disneyland	Stained Glass at Village Haus Restaurant	Fantasyland
Disneyland	Stained Glass at doorway and windows, and inside of Bibbidi Bobbidi Boutique	Fantasyland
Disneyland	Stained Glass at entrance and in line to Mr. Toad's Wild Ride	Fantasyland
Disneyland	Brass Guns at Frontierland Shootin' Exposition	Frontierland
Disneyland	Stained Glass at entryway to Golden Horseshoe Restaurant	Frontierland
Disneyland	Brass Bell on fire truck Main Street Vehicles	Main Street U.S.A.

Disneyland	Brass Drinking Fountain at City Hall	Main Street U.S.A.
Disneyland	Brass Drinking Fountain across from Disney Showcase	Main Street U.S.A.
Disneyland	Brass Drinking Fountain at Disney Gallery	Main Street U.S.A.
Disneyland	Brass Hand Rails at Plaza Inn	Main Street U.S.A.
Disneyland	Brass Hand Rails at Blue Ribbon Bakery	Main Street U.S.A.
Disneyland	Brass Hand Rails at Gibson Girl Ice Cream Parlor	Main Street U.S.A.
Disneyland	Brass Hand Rails at City Hall	Main Street U.S.A.
Disneyland	Brass Handles on movie flip card "Rotoscope" machines at Penny Arcade	Main Street U.S.A.
Disneyland	Brass rails on Main Street Vehicles	Main Street U.S.A.
Disneyland	Brass Stanchion Balls at Walt and Mickey Plaza	Main Street U.S.A.
Disneyland	Brass Statues at Walt and Mickey Plaza	Main Street USA
Disneyland	Brass Tray Rails at Plaza Inn	Main Street U.S.A.
Disneyland	Stained Glass at Plaza Inn	Main Street U.S.A.
Disneyland	Brass Door Knobs at Mickey Mouse's House,	Mickey's Toon Town
Disneyland	Brass Perfume Bottle Top at Minnie Mouse's House	Mickey's Toon Town
Disneyland	Brass Post Office Box Knobs at Toon Town Post Office	Mickey's Toon Town
Disneyland	Brass Radio Button at Mickey Mouse's House	Mickey's Toon Town
Disneyland	Brass Drinking Fountain at River Bell Terrace	New Orleans Square
Disneyland	Brass Hand Rails at French Market	New Orleans Square
Disneyland	Brass Hand Rails at River Belle Terrace	New Orleans Square
Disneyland	Brass Stanchion Balls at Cafe Orleans	New Orleans Square
Disneyland	Brass Stanchion Balls at Haunted Mansion	New Orleans Square
Disneyland	Brass Stanchion Balls at Pirates of the Caribbean	New Orleans Square
Disneyland	Brass Stanchion Balls at French Market	New Orleans Square
Disneyland	Brass Tray Rails at River Belle Terrace	New Orleans Square
Disneyland	Brass Drinking Fountain at front of park, guest services	Ticket/Entrance Plaza
Disneyland	Stained Glass Lamps at Innoventions	Tomorrowland