

February 20, 2013

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 ("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 Park 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/fixtures within Disneyland that are listed on the accompanying attachments. The exact address and location of Disneyland is also provided in those same attachments.

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 the anvil at the Sword in the Stone exhibit, the radio button at Mickey Mouse's house in Toon Town, and Aladdin's Other Lamp (collectively hereinafter "lead containing items").

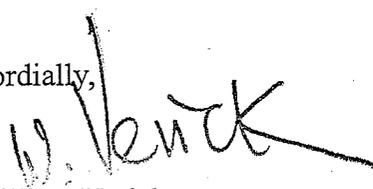
Upton Sinclair once said that, "It is difficult to get a man to understand something when his salary depends on his not understanding it." In the event Mr. Sinclair's reasoning applies to potential confusion about what this Notice means when it uses the word, "lead", Mateel will endeavor to make it more difficult for anyone not to understand what this Notice means when it says, "lead." The chemical involved in the violations alleged in this Notice is lead. "Lead" means all of the following: Lead as meant by the listing of that chemical in 27 Cal. Code Regs. § 27001(c); and lead and lead compounds as meant by the listing of those chemicals in 27 Cal. Code Regs § 27001(b). This means that "lead" as used in this Notice includes lead as it may

exist on its own or in any of the compounds in which it finds itself. "Lead" as used in this notice includes all compounds of any sort to the extent the compound contains lead. "Lead" as used in this Notice also includes "lead" as defined at 29 Code Fed. Regs. § 1910.1025(b), to wit: "metallic lead, all inorganic lead compounds and organic lead soaps." "Lead" as used in this Notice includes lead in every state it can exist: as a solid, a liquid, a gas and as plasma.

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/spectacles/fixtures/locations described in the attached sheet, or while otherwise using or visiting those attractions. Those features at Disneyland that cause the exposures are the rides/exhibits/spectacles/fixtures that are listed on 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 direct 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 contact, dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes.

Disney did not and does not provide people with clear and reasonable warning that they will be exposed to lead before Disney, in fact, exposes them to lead. These violations have occurred every day since at least January 24, 2010 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 consumer product exposures (including consumer service exposures), for occupational exposures, as well as for environmental exposures. The exposures relevant to this Notice occur only in and around the rides/exhibits/spectacles/fixtures/locations described in the attached sheet, all of which are squarely on the property of Walt Disney Parks and Resorts. Just to avoid any incomprehension – be that incomprehension willful or otherwise – the exposures which this Notice alleges require warnings do not occur beyond the property of Walt Disney Parks and Resorts, specifically the areas encompassed by the Disneyland and California Adventure amusement parks.

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: February 20, 2013



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 February 20, 2013, 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 February 20, 2013, at Eureka, California.



Nicole Frank

## Disneyland Leaded Attractions

Aladdin's Other Lamp - Brass Lamp  
Blue Ribbon Cafe, Disneyland - Brass Hand Rails  
Gibson Girl Ice Cream Parlor Restaurant, Disneyland - Brass Hand Rails  
Haunted Mansion, Disneyland - Brass Stanchions  
Mickey Mouse's House, Disneyland - Brass Radio Dial  
Mr. Toad's Wild Ride, Disneyland - Brass Stanchions  
Peter Pan's Flight Disneyland - Brass Stanchions  
Pirates of the Carribean, Disneyland - Brass Stanchions  
Plaza Inn Restaurant, Disneyland - Brass Hand Rails  
Riverbelle Terrace Restaurant, Disneyland - Brass Hand Rails  
Sword in the Stone, Disneyland - Brass Sword and Anvil Exhibit



disneyland near-Anaheim, Orange,  
California

BRASS STANCHIONS, BRASS RAILINGS, BRASS CHAINS LOCATED AT THE FOLLOWING DISNEYLAND  
LOCATIONS AND DISNEY'S CALIFORNIA ADVENTURE LOCATIONS:

DISNEYLAND:

Aladdin's Other Lamp, Snow White's Scary Adventures, Peter Pan's Flight, Story Book Land Canal Boats, Mr Toad's Wild Ride, Haunted Mansion, Pirates of the Caribbean, Sword in the Stone, Gibson Girl Ice Cream Parlor, Blue Ribbon Bakery, City Hall

DISNEY'S CALIFORNIA ADVENTURE:

Paradise Bay/Golden State Park Viewing Area for World of Color, Toy Story Midway Mania, Don Tomas "The Midway's Best Bites" Food Stand (Paradise Pier)

Churros Food Stand (Paradise Pier)

**A. Disneyland Park**

1313 Disneyland Railroad, Anaheim, CA  
(714) 781-4565  
339 reviews

**B. Disneyland Resort**

1313 Disneyland Railroad, Anaheim, CA  
(714) 781-4565  
1193 reviews

**C. Downtown Disney® District**

1313 S Harbor Blvd, Anaheim, CA  
(714) 781-4565  
111 reviews

