

GIDEON KRACOV

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April 11, 2013

Robert Steed
198 S. Main Street
Springville, Utah 84663

Re: NOTICE OF VIOLATION AGAINST ROBERT STEED. (AYS File # 14.232.02) OF CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6

Dear Robert Steed and Appropriate Public Enforcement Agencies:

As You Sow ("AYS") is a California 501(c)(3) non-profit corporation dedicated to, among other causes, the protection of the environment, toxics reduction, the promotion and improvement of human health, the improvement of workers and consumer rights, environmental education and corporate accountability. AYS is located at 311 California Street, Suite 510, San Francisco, CA 94104, and tel. (415) 391-3212 c/o President Danielle Fugere, who shall serve as the responsible individual within the noticing entity. AYS has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Act"), which is codified at Cal. Health & Safety Code §25249.5 *et seq.*

AYS has documented violations of Proposition 65 by Robert Steed as alter ego, member/manager and doing business as Trivani International, LLC. This letter serves to provide AYS' notification of these violations to Mr. Steed, located at 198 S. Main Street, Springville, Utah 84663. Pursuant to §25249.7(d) of the statute, AYS intends to bring an enforcement action sixty (60) days after effective service of this notice unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

Information available to AYS as of the date of this letter indicates that ongoing violations have occurred since at least February 13, 2010, as well as every day since the products were introduced into the California marketplace, and can continue every day until clear and reasonable warnings are provided to product purchasers and users.

A copy of the Proposition 65 summary prepared by the Office of Environmental Health Hazard Assessment is attached, as Appendix A, to the copy of this letter served to Steed.

In the course of business, Steed knowingly and intentionally manufactures and distributes products that have exposed and continue to expose numerous individuals within California to progesterone without first giving clear and reasonable warning to such individuals. Progesterone has been a listed carcinogen under Proposition 65 since 1988 (Title 27, CCR § 27001). Known risks include increased incidence of cancer, including breast carcinoma and tumor development. Further risks include dangerous drug interactions.

Exposure to progesterone results from the following product: *Provani Cream*.

Consumer exposure that is the subject of this notice results from the purchase, acquisition and recommended use of the listed product. Specific routes of exposure include dermal absorption directly through the scalp, skin or eyes when consumers touch, use, handle or apply the product.

AYS intends to file a private enforcement action as provided for in the Act for the alleged violations by Steed, unless Steed agrees in an enforceable written instrument to: (1) recall the listed products so as to eliminate further exposures to the identified chemicals; or (2) affix clear and reasonable Proposition 65 warning labels; and (3) pay an appropriate civil penalty. Consistent with the public interest goals of Proposition 65, AYS is interested in seeking a constructive resolution to this matter, and invites violator to contact it. Such resolution will avoid further unwarned consumer exposures, as well as resource intensive litigation.

Please direct all questions concerning this notice to AYS attorney, Gideon Kracov, 801 S. Grand Ave., 11th Fl., Los Angeles, CA 90017, 213-629-2071, gk@gideonlaw.net.

Sincerely,



Danielle Fugere
President, As You Sow

cc:

Attachments
Certificate of Merit
Certificate of Service
List of Service

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.7(d)

Re: As You Sow's Notice of Proposition 65 Violations by Robert Steed

I, Gideon Kracov, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party identified in the notice violated California Health & Safety Code Section 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 have reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the notice.
4. Based on the information obtained through those consultants, 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 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 California 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.

Dated: April 11, 2013



Gideon Kracov, Attorney At Law

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 801 S. Grand Av., 11th Fl., Los Angeles, CA 90017.

On 4/12, 2013, I served the following documents: NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; "THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY"; PROOF OF SERVICE on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party and depositing it at my business address for US Postal Service delivery by Certified Mail with the postage thereon fully prepaid:

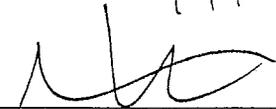
Robert Steed
198 S. Main Street
Springville, Utah 84663

On 4/12, 2013, I served the following documents: NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT; PROOF OF SERVICE on the following party by placing a true and correct copy thereof in a sealed envelope, addressed to the party and depositing it at my business address for US Postal Service delivery by Certified Mail with the postage thereon fully prepaid:

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

On 4/12, 2013, I served the following documents: NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT, PROOF OF SERVICE on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the Service List attached hereto, and depositing it at my business address with the U.S. Postal Service for delivery with the postage thereon fully prepaid.

Executed on 4/12, 2013, in Los Angeles, CA



Gideon Kracov

Service List

District Attorney, Alameda County
1225 Fallon Street, Suite 900
Oakland, CA 94612

District Attorney, Butte County
25 County Center Drive, Suite 245
Orville, CA 95965

District Attorney, Contra Costa County
900 Ward Street
Martinez, CA 94553

District Attorney, Fresno County
2220 Tulare Street, Suite 1000
Fresno, CA 93721

District Attorney, Imperial County
940 West Main Street, Ste 102
El Centro, CA 92243

District Attorney, Kings County
1400 West Lacey Boulevard
Hanford, CA 93230

District Attorney, Los Angeles County
210 West Temple Street, Suite 18000
Los Angeles, CA 90012

District Attorney, Mariposa County
Post Office Box 730
Mariposa, CA 95338

District Attorney, Modoc County
204 S Court Street, Room 202
Alturas, CA 96101-4020

District Attorney, Napa County
931 Parkway Mall
Napa, CA 94559

District Attorney, Placer County
10810 Justice Center Drive, Ste 240
Roseville, CA 95678

District Attorney, Sacramento County
901 "G" Street
Sacramento, CA 95814

District Attorney, San Diego County
330 West Broadway, Suite 1300
San Diego, CA 92101

District Attorney, San Luis Obispo County
1035 Palm St, Room 450
San Luis Obispo, CA 93408

District Attorney, Santa Clara County
70 West Hedding Street
San Jose, CA 95110

District Attorney, Sierra County
P.O. Box 457
Downieville, CA 95936

District Attorney, Alpine County
P.O. Box 248
Markleeville, CA 96120

District Attorney, Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney, Del Norte County
450 H Street, Room 171
Crescent City, CA 95531

District Attorney, Glenn County
P.O. Box 430
Willows, CA 95988

District Attorney, Inyo County
230 W. Line Street
Bishop, CA 93514

District Attorney, Lake County
255 N. Forbes Street
Lakeport, CA 95453

District Attorney, Madera County
209 West Yosemite Avenue
Madera, CA 93637

District Attorney, Mendocino County
P.O. Box 1000
Ukiah, CA 95482

District Attorney, Mono County
P.O. Box 617
Bridgeport, CA 93517

District Attorney, Nevada County
110 Union Street
Nevada City, CA 95959

District Attorney, Plumas County
520 Main Street, Room 404
Quincy, CA 95971

District Attorney, San Benito County
419 Fourth Street, 2nd Floor
Hollister, CA 95023

District Attorney, San Francisco County
850 Bryant Street, Suite 322
San Francisco, CA 94103

District Attorney, San Mateo County
400 County Ctr., 3rd Floor
Redwood City, CA 94063

District Attorney, Santa Cruz County
701 Ocean Street, Room 200
Santa Cruz, CA 95060

District Attorney, Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney, Amador County
708 Court Street, Suite 202
Jackson, CA 95642

District Attorney, Colusa County
346 Fifth Street Suite 101
Colusa, CA 95932

District Attorney, El Dorado County
515 Main Street
Placerville, CA 95667

District Attorney, Humboldt County
825 5th Street 4th Floor
Eureka, CA 95501

District Attorney, Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

District Attorney, Lassen County
220 South Lassen Street, Ste. 8
Susanville, CA 96130

District Attorney, Marin County
3501 Civic Center Drive, Room 130
San Rafael, CA 94903

District Attorney, Merced County
550 W. Main Street
Merced, CA 95340

District Attorney, Monterey County
P.O. Box 1131
Salinas, CA 93902

District Attorney, Orange County
401 Civic Center Drive
Santa Ana, CA 92701

District Attorney, Riverside County
3960 Orange Street
Riverside, CA 92501

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

District Attorney, San Joaquin County
P.O. Box 990
Stockton, CA 95201-0990

District Attorney, Santa Barbara County
1112 Santa Barbara Street
Santa Barbara, CA 93101

District Attorney, Shasta County
1355 West Street
Redding, CA 96001

District Attorney, Solano County
675 Texas Street, Ste 4500
Fairfield, CA 94533

District Attorney, Sonoma County
600 Administration Drive,
Room 212J
Santa Rosa, CA 95403

District Attorney, Stanislaus County
832 12th Street, Ste 300
Modesto, CA 95354

District Attorney, Sutter County
446 Second Street, Suite 102
Yuba City, CA 95991

District Attorney, Tehama County
444 Oak Street, Room L
Red Bluff, CA 96080

District Attorney, Trinity County
P.O. Box 310
Weaverville, CA 96093

District Attorney, Tulare County
221 S. Mooney Blvd., Room 224
Visalia, CA 93291

District Attorney, Tuolumne County
423 N. Washington Street
Sonora, CA 95370

District Attorney, Ventura County
800 South Victoria Ave
Ventura, CA 93009

District Attorney, Yolo County
301 2nd Street
Woodland, CA 95695

District Attorney, Yuba County
215 Fifth Street, Suite 152
Marysville, CA 95901

Los Angeles City Attorney's Office
City Hall East
200 N. Main Street, Suite 800
Los Angeles, CA 90012

San Diego City Attorney's Office
1200 3rd Avenue, Ste 1620
San Diego, CA 92101

San Francisco, City Attorney
City Hall, Room 234
1 Dr Carlton B Goodlett PL
San Francisco, CA 94102

San Jose City Attorney's Office
200 East Santa Clara Street,
16th Floor
San Jose, CA 95113