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**BRODSKY & SMITH, LLC**

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November 27, 2017

President/CEO CVS Pharmacy, Inc. c/o CT Corporation System 450 Veterans Memorial Parkway, Suite 7A East Providence, RI 02914	President/CEO CVS Pharmacy, Inc. One CVS Drive Woonsocket, RI 02895
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AND THE PUBLIC PROSECUTORS LISTED ON THE DISTRIBUTION LIST ACCOMPANYING  
THE ATTACHED CERTIFICATE OF SERVICE

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

To Whom It May Concern:

Brodsky & Smith, LLC (“Brodsky Smith”) represents Anthony Ferreiro (“Ferreiro”), a citizen of the State of California acting in the interest of the general public to promote awareness of exposures to toxic chemicals in products sold in California and to improve human health by reducing hazardous substances contained in such items.

With respect to the product identified below, Ferreiro has identified a violation of California’s Safe Drinking Water and Toxic Enforcement Act of 1986 (“Proposition 65”), which is codified at Cal. Health & Safety Code §25249.5, *et seq.* This violation has occurred and continues to occur because the alleged Violator(s) identified below failed to provide required clear and reasonable warnings with this product. Section 25249.6 of the statute provides that “[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the State to cause cancer or reproductive toxicity without first providing a clear and reasonable warning to such individual ...” Without proper warnings regarding the toxic effects of exposures to this listed chemical that results from contact with this product, California citizens lack the information necessary to make an informed decision on whether and/or how to eliminate (or reduce) their risk of exposure to the listed chemical from the reasonably foreseeable use of the product.

Please allow this letter to serve as notice of this violation to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Section 25249.7(d) of the statute, Brodsky Smith intends to file a private enforcement action on behalf of Anthony Ferreiro sixty (60) days after effective service of this notice unless the public enforcement agencies<sup>1</sup> have commenced and are earnestly prosecuting an action to redress these violations.

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<sup>1</sup> The public enforcement agencies that have been served with copies of this notice of violations are identified in the attached distribution list accompanying the Certificate of Service.

**Alleged Violator(s):** The name of the companies covered by this notice that Violated Proposition 65 (hereinafter “the Violators”) is:

CVS Pharmacy, Inc.

**Product Category/Type:** The type of product causing this violation is:

<b><i>Product<sup>2</sup></i></b>	<b><i>Retailer(s)</i></b>	<b><i>Manufacturer(s)/Distributor(s)</i></b>
12 Piece Travel Kit – green strap UPC#0 5042874736 0 #741386 V-11323	CVS Pharmacy, Inc.	CVS Pharmacy, Inc.

**Listed Chemicals:** This violation involves exposure to the chemical Di(2-ethylhexyl) phthalate (DEHP). On January 1, 1988, the State of California listed DEHP as a chemical known to the State to cause cancer. On October 24, 2003, the State of California listed DEHP as a chemical known to cause developmental male reproductive toxicity. Both additions took place more than twenty (20) months before Ferreiro served this Notice.

**Violations:** The alleged Violators knowingly and intentionally have exposed and continue to knowingly and intentionally expose consumers within the State of California to DEHP at levels that, upon reasonable use of the product, exceed the No Significant Risk Level and the Maximum Allowable Dose Level without providing clear and reasonable warning of this exposure. In particular, the product does not warn that it contains chemicals known to the State of California to cause both cancer and reproductive toxicity, developmental, male.

**Route of Exposure:** The exposures that are the subject of this notice result from the purchase, acquisition, handling and recommended use of the product. Consequently, the primary route of exposure to these chemicals is through dermal absorption. The product can be expected to emit gas phase DEHP into the air over and accumulate DEHP at the surface over the lifetime of the product. Users may potentially be exposed to DEHP by dermal absorption through direct skin contact with the handle strap during routine use when the strap is held with bare hands. If the travel kit is stored or transported in a carrier, DEHP that leaches from the item may contaminate other articles contained within these closed spaces that are subsequently handled, worn, mouthed, or ingested by the user. Finally, while mouthing of the product does not seem likely, some amount of exposure through ingestion can occur by touching the product with subsequent touching of the user’s hand to mouth.

**Duration of the Violations:** Each of these ongoing violations has occurred on every day since at least October 23, 2017; as well as every day since the product was introduced to the California marketplace and following the one-year anniversary date of the listing at issue; and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is removed from the product.

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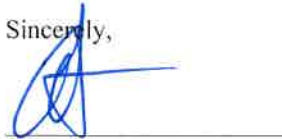
<sup>2</sup> The specifically identified example of the type of product that is subject to this Notice is for the recipient’s benefit to assist in its investigation of, among other things, the magnitude of potential exposures to the listed chemical from other items within the product category. It is important to note that this example is not meant to be an exhaustive or comprehensive identification of each specific offending product of the type listed under “Product.” Further, it is this citizen’s position that the alleged Violator is obligated to continue to conduct in good faith an investigation into other specific products within the type or category described above that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the notice recipient’s custody or control) during the relevant period so as to ensure that the requisite toxic warnings were and are provided to California citizens prior to purchase.

Pursuant to Title 11, C.C.R. §3100, a certificate of merit is attached hereto. Pursuant to Title 27, C.C.R. §25903(b), a copy of "The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary" is also enclosed.

Consistent with the public interest goals of Proposition 65 and desire to have these ongoing violations of California law quickly rectified, Anthony Ferreiro is interested in seeking a constructive resolution of this matter without engaging in costly and protracted litigation.

Mr. Ferreiro has retained me as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violations to my attention at the law office address and telephone number indicated on the letterhead.**

Sincerely,



Evan J. Smith

Attachments

Certificate of Merit

Certificate of Service

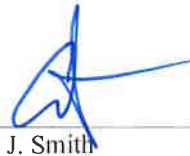
The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary

**CERTIFICATE OF MERIT**  
Health & Safety Code Section 25249.7(d)

I, Evan J. Smith, hereby declare:

- (1) This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice have violated Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
- (2) I am the attorney for the noticing party, Anthony Ferreiro.
- (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 alleged exposure to the listed chemicals that are the subject of the action.
- (4) Based on the information obtained through these 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 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(s) 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 information identified in Health & Safety Code Section 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: November 27, 2016



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Evan J. Smith  
Attorney for Anthony Ferreiro

**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 action. My business address is 2 Bala Plaza, Suite 510, Bala Cynwyd, Pennsylvania. I am employed in Montgomery County where the mailing occurred.

On November 27, 2017, I served the following documents: **Notice of Violation of California Health & Safety Code §25249.5, et seq.; Certificate of Merit; The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary** on the following entities and individuals listed below by placing a true and correct copy thereof in a sealed envelope, addressed to the person or entity listed below and depositing it in a US Postal Service Office with postage fully prepaid for delivery by Certified Mail:

President/CEO CVS Pharmacy, Inc. c/o CT Corporation System 450 Veterans Memorial Parkway, Suite 7A East Providence, RI 02914	President/CEO CVS Pharmacy, Inc. One CVS Drive Woonsocket, RI 02895
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On November 27, 2017, I served the following documents: **Notice of Violation of California Health & Safety Code §25249.5, et seq.; Certificate of Merit; The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary** on each of the individuals on the service list attached hereto as Appendix B by placing a true and correct copy thereof in a sealed envelope, addressed to the person or entity listed below and depositing it in a US Postal Service Office with postage fully prepaid for delivery by Priority Mail.

Executed on November 27, 2017, in Bala Cynwyd, Pennsylvania.

  
\_\_\_\_\_  
Evan J. Smith

# SERVICE LIST

The Honorable Nancy O'Malley  
Alameda County District Attorney  
1225 Fallon Street, Room 900  
Oakland, CA 94612

The Honorable Michael Atwell  
Alpine County District Attorney  
17300 Hwy 89, PO Box 248  
Markleeville, CA 96120

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

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

The Honorable Barbara Yook  
Calaveras County District Attorney  
891 Mountain Ranch Road  
San Andreas, CA 95249

The Honorable John Matthew Beauchamp  
Colusa County District Attorney  
346 Fifth Street, #101  
Colusa, CA 95932

The Honorable Mark Peterson  
Contra Costa County District Attorney  
900 Ward Street  
Martinez, CA 94553

The Honorable Dale Trigg  
Del Norte County District Attorney  
450 H Street, Room 171  
Crescent City, CA 95531

The Honorable Vern Pierson  
El Dorado County District Attorney  
515 Main Street  
Placerville, CA 95667

The Honorable Lisa Smittcamp  
Fresno County District Attorney  
2220 Tulare Street, #1000  
Fresno, CA 93721

The Honorable Dwayne Stewart  
Glenn County District Attorney  
125 S. Murdock Street  
Willows, CA 95988

The Honorable Maggie Fleming  
Humboldt County District Attorney  
825 5<sup>th</sup> Street, Fourth Floor  
Eureka, CA 95501

The Honorable Gilbert Otero  
Imperial County District Attorney  
940 West Main Street, Suite 102  
El Centro, CA 92243

The Honorable Thomas Hardy  
Inyo County District Attorney  
PO Box, Drawer D  
Independence, CA 93526

The Honorable Lisa Green  
Kern County District Attorney  
1215 Truxtun Avenue  
Bakersfield, CA 93301

The Honorable Keith Fagundes  
Kings County District Attorney  
1400 West Lacey Boulevard  
Hanford, CA 93230

The Honorable Donald Anderson  
Lake County District Attorney  
255 North Forbes Street  
Lakeport, CA 95453

The Honorable Stacey Montgomery  
Lassen County District Attorney  
2950 Riverside Drive, Suite 102  
Susanville, CA 96130

The Honorable Jackie Lacey  
Los Angeles County District Attorney  
210 West Temple Street, Suite 18000  
Los Angeles, CA 90012

The Honorable David Linn  
Madera County District Attorney  
209 West Yosemite Avenue  
Madera, CA 93637

The Honorable Edward Berberian  
Marin County District Attorney  
3501 Civic Center Drive, Room 130  
San Rafael, CA 94903

The Honorable Thomas Cooke  
Mariposa County District Attorney  
5101 Jones Street, P.O. Box 730  
Mariposa, CA 95338

The Honorable C. David Eyster  
Mendocino County District Attorney  
100 North State Street, P.O. Box 1000  
Ukiah, CA 95482

The Honorable Larry Morse II  
Merced County District Attorney  
550 W Main Street  
Merced, CA 95340

The Honorable Jordan Funk  
Modoc County District Attorney  
204 S. Court Street, Suite 202  
Alturas, CA 96101

The Honorable Tim Kendall  
Mono County District Attorney  
P.O. Box 617  
Birdgeport, CA 93517

The Honorable Dean Flippo  
Monterey County District Attorney  
P.O. Box 1131  
Salinas, CA 93902

The Honorable Allison Haley  
Napa County District Attorney  
Carithers Building  
931 Parkway Mall  
P.O. Box 720  
Napa, CA 94559

The Honorable Clifford Newell  
Nevada County District Attorney  
201 Commercial Street  
Nevada City, CA 95959

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

The Honorable R. Scott Owens  
Placer County District Attorney  
10810 Justice Center Drive, Suite 240  
Roseville, CA 95678

The Honorable David Hollister  
Plumas County District Attorney  
520 Main Street, Room 404  
Quincy, CA 95971

The Honorable Michael Hestrin  
Riverside County District Attorney  
3960 Orange Street  
Riverside, CA 92501

The Honorable Anne Marie Schubert  
Sacramento County District Attorney  
901 G Street  
Sacramento, CA 95814

The Honorable Candice Hooper  
San Benito County District Attorney  
419 4<sup>th</sup> Street, Second Floor  
Hollister, CA 95203

The Honorable Michael Ramos  
San Bernardino County District Attorney  
303 West 3<sup>rd</sup> Street, 6<sup>th</sup> Floor  
San Bernardino, CA 92415-0502

The Honorable Bonnie Dumanis  
San Diego County District Attorney  
330 W. Broadway Street  
San Diego, CA 92101

The Honorable George Gascon  
San Francisco County District Attorney  
850 Bryant Street, Room 322  
San Francisco, CA 94103

The Honorable Tori Verber Salazar  
San Joaquin County District Attorney  
222 East Weber Avenue, Room 202  
Stockton, CA 95201

The Honorable Dan Dow  
San Luis Obispo County District Attorney  
1035 Palm Street, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408

The Honorable Stephen Wagstaffe  
San Mateo County District Attorney  
400 County Center, #4  
Redwood City, CA 94063

The Honorable Joyce Dudley  
Santa Barbara County District Attorney  
1112 Santa Barbara Street  
Santa Barbara, CA 93101

The Honorable Jeffrey Rosen  
Santa Clara County District Attorney  
70 West Hedding Street, West Wing  
San Jose, CA 95110

The Honorable Jeff Rosell  
Santa Cruz County District Attorney  
701 Ocean Street, Room 200  
Santa Cruz, CA 95060

The Honorable Stephanie Bridgett  
Shasta County District Attorney  
1355 West Street  
Redding, CA 96001

The Honorable Lawrence Allen  
Sierra County District Attorney  
100 Courthouse Square  
Downieville, CA 95936

The Honorable James Kirk Andrus  
Siskiyou County District Attorney  
P.O. Box 986  
Yreka, CA 96097

The Honorable Krishna Abrams  
Solano County District Attorney  
675 Texas Street, Suite 4500  
Fairfield, CA 94533

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

The Honorable Birgit Fladager  
Stanislaus County District Attorney  
832 12<sup>th</sup> Street, Suite 300  
Modesto, CA 95334

The Honorable Amanda Hopper  
Sutter County District Attorney  
463 Second Street, Suite 102  
Yuba City, CA 95991

The Honorable Gregg Cohen  
Tehama County District Attorney  
444 Oak Street, Room L  
Red Bluff, CA 96080

The Honorable Eric Heryford  
Trinity County District Attorney  
P.O. Box 310  
Weaverville, CA 96093

The Honorable Tim Ward  
Tulare County District Attorney  
221 South Mooney Boulevard  
Rm 224  
Visalia, CA 93291-4593

The Honorable Laura Krieg  
Tuolumne County District Attorney  
423 North Washington Street  
Sonora, CA 95370

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

The Honorable Jeff Reisig  
Yolo County District Attorney  
301 Second Street  
Woodland, CA 95695

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

The Honorable Mike Feuer  
Office of the City Attorney, Los Angeles  
800 City Hall East  
200 North Main Street  
Los Angeles, CA 90012

The Honorable James Sanchez  
Office of the City Attorney, Sacramento  
915 I Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

The Honorable Mara W. Elliott  
Office of the City Attorney, San Diego  
1200 Third Avenue, Suite 1620  
San Diego, CA 92101

The Honorable Dennis Herrera  
Office of the City Attorney, San Francisco  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

The Honorable Richard Doyle  
Office of the City Attorney, San Jose  
200 East Santa Clara Street, 16<sup>th</sup> Floor  
San Jose, CA 95113

Office of the California Attorney General  
Proposition 65 Enforcement Reporting  
ATTN: Prop 65 Coordinator  
1515 Clay Street, Suite 2000  
Oakland, CA 94612-0550

## APPENDIX A

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

#### THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. Please refer to the statute and OEHHA's implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: <http://oehha.ca.gov/prop65/law/P65law72003.html>. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001.<sup>1</sup> These implementing regulations are available online at: <http://oehha.ca.gov/prop65/law/P65Regs.html>.

#### *WHAT DOES PROPOSITION 65 REQUIRE?*

**The "Proposition 65 List."** Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to

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<sup>1</sup> All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: <http://www.oehha.ca.gov/prop65/law/index.html>.

female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: [http://www.oehha.ca.gov/prop65/prop65\\_list/Newlist.html](http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html).

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

***Clear and reasonable warnings.*** A business is required to warn a person before “knowingly and intentionally” exposing that person to a listed chemical unless an exemption applies. The warning given must be “clear and reasonable.” This means that the warning must: (1) clearly say that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

***Prohibition from discharges into drinking water.*** A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

#### *DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?*

Yes. You should consult the current version of the statute and regulations (<http://www.oehha.ca.gov/prop65/law/index.html>) to determine all applicable exemptions, the most common of which are the following:

***Grace Periods.*** Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

***Governmental agencies and public water utilities.*** All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

***Businesses with nine or fewer employees.*** Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all full and part-time employees, not just those present in California.



**Exposures that pose no significant risk of cancer.** For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses “no significant risk.” This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific “No Significant Risk Levels” (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA’s website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of NSRLs, and Section 25701 *et seq.* of the regulations for information concerning how these levels are calculated.

**Exposures that will produce no observable reproductive effect at 1,000 times the level in question.** For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the “no observable effect level” divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL). See OEHHA’s website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of MADLs, and Section 25801 *et seq.* of the regulations for information concerning how these levels are calculated.

**Exposures to Naturally Occurring Chemicals in a Food.** Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant<sup>2</sup> it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

**Discharges that do not result in a “significant amount” of the listed chemical entering any source of drinking water.** The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a “significant amount” of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A “significant amount” means any detectable amount, except an amount that would meet the “no significant risk” level for chemicals that cause cancer or that is 1,000 times below the “no observable effect” level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

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<sup>2</sup> See Section 25501(a)(4)

## *HOW IS PROPOSITION 65 ENFORCED?*

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27, sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form:

A private party may not file an action against the alleged violator for these exposures, or recover in a settlement any payment in lieu of penalties or any reimbursement for costs and attorney's fees, if the notice of violation was served on or after October 5, 2013, and the alleged violator has done *all* of the following within 14 days of being served notice:

- Corrected the alleged violation;
- Agreed to pay a civil penalty of \$500 (subject to change as noted below) to the private party within 30 days; and
- Notified the private party serving the notice in writing that the violation has been corrected.

The written notification to the private-party must include a notice of special compliance procedure and proof of compliance form completed by the alleged violator as directed in the notice. On April 1, 2019, and every five years thereafter, the dollar amount of the civil penalty will be adjusted by the Judicial Council based on the change in the annual California Consumer Price Index. The Judicial Council will publish the dollar amount of the adjusted civil penalty at each five-year interval, together with the date of the next scheduled adjustment.

An alleged violator may satisfy these conditions only one time for a violation arising from the same exposure in the same facility or on the same premises. The satisfaction of these conditions does not prevent the Attorney General, a district attorney, a city attorney of a city greater than 750,000 in population, or any full-time city prosecutor with the consent of the district attorney, from filing an enforcement action against an alleged violator. The amount of any civil penalty for a violation shall be reduced to reflect any payment made by the alleged violator for the same alleged violation to a private-party.

A copy of the notice of special compliance procedure and proof of compliance form is included with this notice and can be downloaded from OEHHA's website at:

<http://oehha.ca.gov/prop65/law/p65law72003.html>. The notice is reproduced here:

Date:  
Name of Noticing Party or attorney for Noticing Party:  
Address:  
Phone number:

**SPECIAL COMPLIANCE PROCEDURE  
PROOF OF COMPLIANCE**

You are receiving this form because the Noticing Party listed above has alleged that you are violating California Health and Safety Code §25249.6 (Prop. 65).

**The Noticing Party may not bring any legal proceedings against you for the alleged violation checked below if:**

1. You have actually taken the corrective steps that you have certified in this form.
2. The Noticing Party has received this form at the address shown above, accurately completed by you, postmarked within 14 days of your receiving this notice.
3. The Noticing Party receives the required \$500 penalty payment from you at the address shown above postmarked within 30 days of your receiving this notice.
4. This is the first time you have submitted a Proof of Compliance for a violation arising from the same exposure in the same facility on the same premises.

**PART 1: TO BE COMPLETED BY THE NOTICING PARTY OR ATTORNEY FOR THE NOTICING PARTY**

The alleged violation is for an exposure to: (check one)

Alcoholic beverages that are consumed on the alleged violator's premises to the extent on-site consumption is permitted by law.

A chemical known to the state to cause cancer or reproductive toxicity in a food or beverage prepared and sold on the alleged violator's premises for immediate consumption on or off premises to the extent: (1) the chemical was not intentionally added; and (2) the chemical was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination.

Environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises.

Chemicals known to the State to cause cancer or reproductive toxicity in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking noncommercial vehicles

**IMPORTANT NOTES:**

1. You have no potential liability under California Health and Safety Code §25249.6 if your business has nine (9) or fewer employees
2. Using this form will NOT prevent the Attorney General, a district attorney, a city attorney, or a prosecutor in whose jurisdiction the violation is alleged to have occurred from filing an action

over the same alleged violations, and that in any such action, the amount of civil penalty shall be reduced to reflect any payment made at this time.

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Date :

Name of Noticing Party or attorney for Noticing Party:

Address:

Phone number:

**PART 2: TO BE COMPLETED BY THE ALLEGED VIOLATOR OR AUTHORIZED REPRESENTATIVE**

**Certification of Compliance**

Accurate completion of this form will demonstrate that you are now in compliance with California Health and Safety Code §25249.6 for the alleged violation listed above. You must complete and submit the form below to the Noticing Party at the address shown above, postmarked within 14 days of you receiving this notice.

I hereby agree to pay, within 30 days of completion of this notice, a civil penalty of \$500 to the Noticing Party only and certify that I have complied with Health and Safety Code §25249.6 by (check only one of the following):

- Posting a warning or warnings about the alleged exposure that complies with the law, and attaching a copy of that warning and a photograph accurately showing its placement on my premises;
- Posting the warning or warnings demanded in writing by the Noticing Party, and attaching a copy of that warning and a photograph accurately showing its placement on my premises; OR
- Eliminating the alleged exposure, and attaching a statement accurately describing how the alleged exposure has been eliminated.

**Certification**

My statements on this form, and on any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I have carefully read the instructions to complete this form. I understand that if I make a false statement on this form, I may be subject to additional penalties under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

\_\_\_\_\_  
Signature of alleged violator or authorized representative      Date

\_\_\_\_\_  
Name and title of signatory

*FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS...*

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov).

Revised: May 2014

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NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.



DR. ANTHONY F. LAGALANTE  
PROFESSOR OF CHEMISTRY

#### EDUCATION

**B.S. Chemistry**, May 1990.

Virginia Polytechnic Institute and State University (Virginia Tech), Blacksburg, VA.

**Ph.D. Analytical Chemistry**, August 1995.

University of Colorado, Boulder, CO.

Thesis Title: *The Measurement, Modeling and Applications of Metal  $\beta$ -Diketonate Complexes Dissolved in Supercritical Carbon Dioxide*, Advisor: Dr. Robert E. Sievers

**Post-Doctoral Researcher**, August 1995 – October 1998

National Institute of Standards and Technology (NIST), Boulder, CO

#### ACADEMIC SCHOLARSHIPS

University of Colorado/NIST Postdoctoral Fellowship, 1995-1998.

University of Colorado/NIST Graduate Fellowship, 1993-1995.

Cooperative Institute for Research in Environmental Studies Fellowship, 1991-1992.

Virginia Tech Department of Chemistry Undergraduate Research Scholarship, 1987-1990.

#### TEACHING AND RESEARCH APPOINTMENTS

Villanova University, Villanova, PA

*Professor of Chemistry*, September 2014 – present

*Associate Professor of Chemistry*, September 2010 – August 2014

*Assistant Professor of Chemistry*, June 2004 – August 2010

*Courses Taught:* Instrumental Analysis, Instrumental Analysis Laboratory, Quantitative Analysis Laboratory, Graduate Special Topics: Chromatography and Mass Spectrometry, General Chemistry, General Chemistry Laboratory, The Science of Art, The Science of Art Laboratory

*Service:* Departmental Instrumentation Committee (2005-present), Departmental Curriculum

Committee (Chair, 2005-present), Departmental Search Committees (5 Chaired, 8 total), College

Committee on Academic Programs (2012-2015), Natural Science Seat on the College Rank and Tenure Committee (2014-present).

University of Delaware, Newark, DE

*Adjunct Professor*, Department of Art Conservation, August 2010 – present

National Institute of Standards and Technology, Boulder, CO

*Staff Chemist*, October 1998 – August 2001; *Faculty Researcher Status*, August 2001-August 2011

*Research:* Initiated and led a diverse experimental and theoretical research program in solvent-solute intermolecular interactions of chlorofluorocarbon replacement solvent systems.

National Science Foundation, Chemistry Collaborations, Workshops, and Community of Scholars

(cCWCS). *Instructor for Advanced Chemistry and Art Workshop*. Workshop dates: June 21-26, 2009,

June 2-7, 2010, June 6-11, 2012, June 8-13, 2014.

Penn State University, Worthington Scranton Campus, Dunmore, PA

*Assistant Professor of Chemistry*, August 2001 – August 2004

Front Range Community College, Boulder, CO

*Instructor of Chemistry*, June 2000 – August 2000

#### RESEARCH MENTORING

*Undergraduate Students:* Villanova University (14), Marywood University (1), Penn State University (6), University of Colorado (4), Louis Pasteur Institute (2), Cornell University (1).

*M.S. Graduate Students:* Villanova University (14), Dagestan Scientific Institute (1).

*Doctoral:* Virginia Tech (1), University of Colorado (1), University of Western Australia (1), University of Colorado Health Sciences Center (1).

*Post-Doctoral:* Villanova University (1).

#### SOCIETIES AND AFFILIATIONS

Alpha Chi Sigma Chemistry Honor Society

Phi Eta Sigma National Honor Society

Golden Key National Honor Society

American Chemical Society, Analytical Chemistry Division

American Chemical Society, Chromatography Division

American Chemical Society, Philadelphia Local Section (Awards Committee)  
 The Society of Environmental Toxicology and Chemistry (SETAC)  
 American Institute of Conservation (AIC)  
 Delaware Valley Mass Spectrometry Discussion Group, Coordinator

## FUNDING

- *North American Maple Syrup Council* (through the USDA) "Measuring Imidacloprid Contamination of Maple Sap and Syrup following Prescribed Asian Longhorned Beetle Quarantine Treatment" (1/2013-1/2015) \$12,136.
- *Villanova Summer Research Fellowship* "Scientific Analysis of Pietro da Cortona's *The Triumph of David*", (6/2014-9/2014) \$10,000.
- *The Kress Foundation* "Using Technical, Collaborative, and Digital Means to Promote the Conservation of Pietro da Cortona's *David and Goliath*", (9/2014-12/2015) \$24,000.
- *National Science Foundation* Award No. 1241473/1241469 "Collaborative Research: Materials Characterization toward Understanding the Cleaning and Preservation of Painted Modern Art Surfaces", (9/2012-9/2015) \$300,000 (\$210,000 Villanova, \$90,000 University of Delaware).
- *National Park Service* (through the University of Tennessee) "Hemlock Woolly Adelgid Insecticide Treatment Assessment in Great Smoky Mountains National Park" (10/2010-10/2013) \$189,000.
- *National Science Foundation* Award No. 0718530 "RUI: Development of alternative solvent extraction methods and tandem mass spectrometric analysis of polybrominated diphenyl ethers in automobile interior dust", (9/2007-9/2010) \$191,000.
- *U.S. Department of Agriculture, U.S. Forest Service* "Evaluation of imidacloprid and metabolites in hemlock treated with imidacloprid" (7/2004-6/2010) \$110,144.
- *U.S. Department of Agriculture, U.S. Forest Service* "Measurement of phytochemicals in *Tsuga* cultivars and an evaluation of their role in host resistance to the hemlock woolly adelgid (*Adelges tsugae*)" (7/2005-9/2007) \$75,000.
- *National Science Foundation* Award No. IOS-0720013 (role: co-investigator) "RIG: Chemical signaling, paternity, and the heritability of promiscuity: sexual selection in a polygamous moth", (9/2007-9/2009) \$146,007.
- *National Science Foundation* Award No. 0619394 "MRI: Acquisition of a Liquid Chromatograph/Mass Spectrometer", (8/2006-8/2009) \$329,236.
- *Villanova Center for Undergraduate Research*, CURF funding for summer research students (2005, 2006, 2008, 2011).
- *Villanova Institute for Teaching and Learning* "Addition of a Painting Authentication/Conservation Laboratory to the CHM3501 Instrumental Analysis Laboratory", (2006) \$6,000.
- *U.S. Environmental Protection Agency* "Pollution Prevention of Pharmaceutically Active Chemicals from University Dormitories and Municipal Wastewater Treatment Plants" (11/2005 – 10/2007) \$133,750.
- *Penn State Undergraduate Research Equipment Grant* "Purchase of a Milli-Q water purification system" (2003) \$8,000.
- *U.S. Department of Agriculture, U.S. Forest Service* "Measurement and function of terpenoids in *Adelges tsugae* infested *Tsuga*" (2002-2004) \$70,000.
- *Penn State, Dr. Richard J. & Sally Matthews Award for Scholarly Activity*, (2003) \$1,000.
- *Greater Scranton Penn State Chapter Faculty Research Endowment* (2003-2004) \$1,600.
- *Penn State Research and Development Grant* (2001-2004) \$7,500.

## PUBLICATIONS

1. M. Rotella, A. Briegel, K.R. Johnson, J. Hull, A. Lagalante, N. Dollahan, J. Friede and R. Giuliano "Synthesis and antibacterial activity of antibiotic-functionalized graphite nanofibers" *Journal of Nanomaterials* submitted (2014).
2. I. Ziraldo, K. Watts, A. Luk, A.F. Lagalante and R.C. Wolbers "The influence of temperature and humidity on swelling and surfactant migration in acrylic emulsion paint films" *Studies in Conservation* submitted (2014).
3. D. McGarity, J. Tierney and A. Lagalante "An Anomalous Hammett Correlation for a Series of Substituted 3-Benzyl-2-phenyl-1,3-thiazolidin-4-ones" *International Journal of Chemistry* 6(4), 1-7 (2014).
4. R.S. Cowles, A. Lagalante and K. Lombard "Imidacloprid contamination of maple sap following Asian longhorned beetle quarantine treatment" *Maple Syrup Digest* 26A(3), 22-27 (2014).
5. T.P. Umile, P.J. McLaughlin, K.R. Johnson, S. Honarvar, A.L. Blackman, E.A. Burnynski, R.W. Davis, T.L. Teotonio, G.W. Hearn, C.A. Hughey, A.F. Lagalante, and K.P.C. Minbiole "Nonlethal Amphibian Skin Swabbing of Cutaneous Natural Products for HPLC Fingerprinting" *Analytical Methods* 6, 3277-3284 (2014).



6. B.M. Eisenback, S.M. Salom, L.T. Kok and A.F. Lagalante "Impacts of Trunk and Soil Injections of Low Rates of Imidacloprid on Hemlock Woolly Adelgid (Hemiptera: Adelgidae) and Eastern Hemlock (Pinales: Pinaceae) Health" *Journal of Economic Entomology* **107**(1), 250-258 (2014).
7. C.E. Dillon, A.F. Lagalante and R.C. Wolbers "Aqueous cleaning of acrylic emulsion paint films. The effect of solution pH, conductivity and ionic strength on film swelling and surfactant removal" *Studies in Conservation* **57**(1), 52-62 (2014).
8. L.J. Silverberg, E.R. Bear, K.N. Foose, K.A. Kirkland, R.R. McElvaney, K. Cannon, J. Tierney, S. Lascio, K. Mesfin, D. Mitchell, S. Sharkey, L. So, J. Treichel, M. Waxman, A.F. Lagalante "Predicting the <sup>13</sup>C chemical shifts for a series of substituted-2-(4-chlorophenyl)-3-phenyl-1,3-thiazolidin-4-ones" *International Journal of Chemistry* **5**(4), accepted (2013).
9. K. Cannon, L. Mascavage, J. Tierney, K. Kistler, H. Yannawar, A. Lagalante and P. Sonnett "An Experimental and Theoretical Conformational Study of a Series of Substituted 3-cyclohexyl-2-phenyl-1,3-thiazolidin-4-ones" *International Journal of Chemistry* **5**(3), 1-11 (2013).
10. R. Wolbers, A. Norbutus and A. Lagalante "Cleaning of Acrylic Emulsion Paints: Preliminary Extractive Studies with Two Commercial Paint Systems", New Insights into the Cleaning of Paintings: Proceedings from the Cleaning 2010 International Conference, Universidad Politécnic de Valencia and Museum Conservation Institute, Eds. Marion F. Mecklenburg, A. Elena Charola, and Robert J. Koestler, Smithsonian Contributions to Museum Conservation, no. 3 (2013).
11. C.A. Kelly, A.J. Norbutus, A.F. Lagalante and V.K. Iyengar "Male courtship pheromones are indicators of genetic quality in an arctiid moth (*Utetheisa ornatrix*)" *Behavioral Ecology* **23**(5), 1009-1014 (2012).
12. A.F. Lagalante, C.S. Shedden, and P.W. Greenbacker "Levels of Polybrominated Diphenyl Ethers (PBDEs) in Dust from Personal Automobiles in Conjunction with Studies on the Photochemical Degradation of Decabromodiphenyl Ether (BDE-209)" *Environment International* **37**(5), 899-906 (2011).
13. B.M. Eisenback, S.M. Salom, L.T. Kok and A.F. Lagalante "Lethal and sublethal effects of imidacloprid on hemlock woolly adelgid (*Adelges tsugae*, Hemiptera: Adelgidae) and two introduced predator species in the laboratory" *Journal of Economic Entomology* **103**(4), 1222-1234 (2010).
14. A.M. Grannas and A.F. Lagalante "So These Numbers Really Mean Something?: A Role-Playing, Scenario-Based Approach to the Instrumental Analysis Laboratory" *Journal of Chemical Education* **87**(4), 416-418 (2010).
15. F.C. Calvosa and A.F. Lagalante "Supercritical Fluid Extraction of Polybrominated Diphenyl Ether (PBDE) Levels from House Dust with 1,1,1,2-Tetrafluoroethane (R134a)" *Talanta* **80**(3), 1116-1120 (2010).
16. A.F. Lagalante T.D. Oswald, and F.C. Calvosa "Polybrominated Diphenyl Ether (PBDE) Levels in Dust from Previously Owned Automobiles at United States Dealerships" *Environment International* **35**, 539-544 (2009).
17. J. Tierney, V. Koyfman, K. Cannon, L.M. Mascavage, and A.F. Lagalante "A Second Study - Predicting the <sup>13</sup>C Chemical Shifts for a Series of Substituted-3-(4-methoxyphenyl)-2-phenyl-1,3-thiazolidin-4-ones" *Heterocyclic Communications* **14**(6), 452-460 (2008)
18. A.F. Lagalante and T.D. Oswald "Analysis of Polybrominated Diphenyl Ethers (PBDEs) by Liquid Chromatography with Negative-Ion Atmospheric Pressure Photoionization Tandem Mass Spectrometry (LC/NI-APPI/MS/MS). Application to Household Dust" *Analytical and Bioanalytical Chemistry* **391**(6), 2249-2256 (2008)
19. J. Tierney, N. Colasante, J. Eagles, S. Kelly, G. Lehmiche, O. Lucas, C. Mannikarottu, O. Mehmood, M. D. Nguyen, V. Rai, J. Tsai, V. Koyfman, L. M. Mascavage, and A.F. Lagalante "A Comparison Of Substituent Effects Using <sup>13</sup>C Chemical Shifts For A Series Of Substituted 2-Phenyl-3-pyridyl-1,3-thiazolidin-4-ones Compared To Similarly Substituted 1,3-thiazolidin-4-ones" *Heterocyclic Communications* **13**, 335-342 (2007).
20. A.F. Lagalante, M.E. Montgomery, F.C. Calvosa, and M.N. Mirzabeigi, "Characterization of Terpenoid Volatiles from Cultivars of Eastern Hemlock (*Tsuga canadensis*)" *Journal of Agricultural and Food Chemistry* **55**(26), 10850-10856 (2007).
21. A.F. Lagalante and P. Greenbacker "Flow injection analysis of imidacloprid in natural waters and agricultural matrixes by photochemical dissociation, chemical reduction, and nitric oxide chemiluminescence detection", *Analytica Chimica Acta* **590**, 151-158 (2007).
22. T. Rowhani and A.F. Lagalante "A Colorimetric Assay for the Determination of Polyhexamethylene Biguanide in Pool and Spa Water using Nickel-Nioxime" *Talanta* **71**(2), 964-970 (2007).
23. A.F. Lagalante, N. Lewis, M.E. Montgomery and K.S. Shields "Temporal and Spatial Variation of Terpenoids in Eastern Hemlock (*Tsuga canadensis*) in Relation to Feeding by *Adelges tsugae*" *Journal of Chemical Ecology* **32**(11), 2389-2403 (2006).

24. A.F. Lagalante and M.A. Felter "Silylation of Acrylamide for Analysis by Solid-Phase Microextraction/Gas Chromatography/Ion-Trap Mass Spectrometry" *Journal of Agricultural and Food Chemistry* **52**(12), 3744-3748 (2004).
25. A.F. Lagalante and M.E. Montgomery "Analysis of Terpenoids from Hemlock (*Tsuga*) Species by Solid-Phase Microextraction/Gas Chromatography/Ion-Trap Mass Spectrometry" *Journal of Agricultural and Food Chemistry* **51**(8), 2115-2120 (2003).
26. B.F. Graham, J.M. Harrowfield, R.D. Trengrove, A.F. Lagalante and T.J. Bruno "Host:Guest Complex Formation Between Carbon Dioxide and the *p*-*t*-Butylcalixarenes" *Journal of Inclusion Phenomena* **43**(3-4), 179-182 (2002).
27. A.F. Lagalante, A. Abdulgatov, and T.J. Bruno "Kamlet-Taft Thermosolvatochromic Parameters of Hydrofluoroethers and Hydrofluoroether Azeotropic Mixtures" *Journal of Chemical and Engineering Data* **47**(1), 47-51 (2002).
28. W.C. Andersen, R.E. Sievers, A.F. Lagalante, and T.J. Bruno "Solubility of Cerium(IV), Terbium(III), and Iron(III)  $\beta$ -Diketonates in Supercritical Carbon Dioxide" *Journal of Chemical and Engineering Data* **46**(5), 1045-1049 (2001).
29. A.F. Lagalante, M. Spadi and T.J. Bruno "Kamlet-Taft Solvatochromic Parameters of Eight Alkanolamines" *Journal of Chemical and Engineering Data* **45**(2), 382-385 (2000).
30. A.F. Lagalante, A.M. Clarke and T.J. Bruno "Modeling the Water-R143a Partition Coefficients of Organic Solutes using a Linear Solvation Energy Relationship" *Journal of Physical Chemistry B* **103**(34), 7319-7323 (1999).
31. A.F. Lagalante "Atomic Absorption Spectroscopy: A Tutorial Review" *Applied Spectroscopy Reviews* **34**(3), 173-190 (1999).
32. A.F. Lagalante "Atomic Emission Spectroscopy: A Tutorial Review" *Applied Spectroscopy Reviews* **34**(3), 191-207 (1999).
33. A.F. Lagalante and T.J. Bruno "Modeling the Water-Supercritical CO<sub>2</sub> Partition Coefficients of Organic Solutes using a Linear Solvation Energy Relationship" *Journal of Physical Chemistry B* **102**(6), 907-909 (1998).
34. A.F. Lagalante, R.L. Hall and T.J. Bruno "Kamlet-Taft Solvatochromic Parameters of the Sub- and Supercritical Fluorinated Ethane Solvents" *Journal of Physical Chemistry B* **102**(34), 6601-6604 (1998).
35. B.F. Graham, J.M. Harrowfield, R.D. Trengrove, A.F. Lagalante and T.J. Bruno "Solubility of *p*-*t*-Butylcalix[n]arenes {n=4,6,8} in Supercritical Carbon Dioxide: A Comparison of Static and Dynamic Measurement Techniques" *Fluid Phase Equilibria* **151**(2), 829-838 (1998).
36. A.F. Lagalante, A.M. Clarke and T.J. Bruno "Modeling the Water-R134a Partition Coefficients of Organic Solutes using a Linear Solvation Energy Relationship" *Journal of Physical Chemistry B* **102**(44), 8889-8892 (1998).
37. A.F. Lagalante, C. Wood, A.M. Clarke and T.J. Bruno "The Kamlet-Taft Solvatochromic Parameters for 25 Glycol Ether Solvents and Glycol Ether Aqueous Solutions" *Journal of Solution Chemistry* **27**(10), 887-900 (1998).
38. A.F. Lagalante, R.J. Jacobson and T.J. Bruno "UV/Vis Spectroscopic Evaluation of 4-Nitropyridine N-Oxide as a Solvatochromic Indicator for the Hydrogen-Bond Donor Ability of Solvents" *Journal of Organic Chemistry* **61**(18), 6404-6406 (1996).
39. A.F. Lagalante, B.N. Hansen, T.J. Bruno and R.E. Sievers "Solubility of Copper(II) and Chromium(III)  $\beta$ -Diketonates in Supercritical Carbon Dioxide" *Inorganic Chemistry* **34**(23), 5781-5785 (1995).
40. B.N. Hansen, A.F. Lagalante, T.J. Bruno and R.E. Sievers "High-Pressure Cell for Solubility Measurements in Supercritical Fluids" *Reviews of Scientific Instrumentation* **65**(6), 2112-2114 (1994).
41. R.E. Sievers, S.B. Turnipseed, L. Huang and A.F. Lagalante "Volatile Barium  $\beta$ -Diketonates for Use as MOCVD Precursors" *Coordination Chemistry Reviews* **128**(1-2), 285-291 (1993).
42. B.M. Hybertson, K.S. Rutledge, C.J. Beehler, J.E. Repine, A.F. Lagalante and R.E. Sievers "Pulmonary Drug Delivery of Fine Aerosol Particles from Supercritical Fluids" *Journal of Aerosol Medicine* **6**(4), 275-283 (1993).

## PATENTS

U.S. Patent 6,334,949 "Process for the Removal of Carbonyl Sulfide from Liquefied Petroleum Gas" T.J. Bruno, A.F. Lagalante (January 1, 2002).