

# SIXTY-DAY NOTICE OF VIOLATION

---

SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)

**DATE:** August 21, 2023

**TO:** Aurelian Moise, President – Rover Store, Inc.  
California Attorney General's Office  
District Attorneys and Certain City Attorneys Throughout California

**FROM:** Paul Wozniak

My name is Paul Wozniak. I am a citizen of the State of California acting in furtherance of the public interest. I seek to promote awareness of exposures to certain toxic chemicals in consumer products sold in California and, if possible, to improve human health by reducing hazardous substances contained in such items. This notice is provided to the public agencies listed above pursuant to California Health & Safety Code §25249.6 *et seq.* (Proposition 65). As noted above, this letter is also being provided to the alleged violator, Rover Store, Inc., which has acknowledged in writing that it is a person in the course of doing business for purpose of Proposition 65 (Violator). The violations covered by this notice consist of the product exposure, routes of exposure and types of harm potentially resulting from exposure to the hazardous substance identified below (listed chemical), as follows:

Products:	Soldering Wire
Listed Chemical:	Lead
Routes of Exposure:	Inhalation, Ingestion and Dermal
Types of Harm:	Cancer, Birth Defects and Other Reproductive Harm

## **I. NATURE OF ALLEGED VIOLATION (CONSUMER PRODUCT EXPOSURE)**

Lead-based soldering wire that have caused consumer exposures in violation of Proposition 65 and that are covered by this letter shall be referred to hereinafter as the “Products.” Exposures to the listed chemical from the use of the Products have been occurring without the “clear and reasonable warning” required by Proposition 65. Without proper warnings regarding the toxic effects of exposures to the listed chemical resulting from the use of the Products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the identified toxicant.

California citizens, through the act of buying, acquiring, receiving or utilizing the Products, are exposed to the listed chemical. By way of example, consumers, including women of childbearing age, ingest the listed chemical when they, among other activities, touch the Products and transfer the listed chemical from the Products to their mouths through hand-to-mouth activities that may continue to occur for a significant period after one or more contacts with the Products ceases. Additionally, consumers are exposed to the listed chemical through direct dermal contact when they, among other activities, handle, touch or otherwise use the Products. Further, there are reasonably foreseeable uses of the Products that

result in direct ingestion and/or inhalation. In a separate communication, the Violator has admitted that the Products cause the alleged exposures.

The California State Plan for Occupational Safety and Health incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions with regard to occupational exposures on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California so long as they are based in the United States. The approval also provides that a United States employer may use the means of compliance in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement be subject to the supervision of the California Occupational Safety and Health Administration.

Any settlement, civil complaint or substantive court orders in this matter shall be submitted/uploaded onto the state Attorney General’s portal as may be required by law.

## **II. CONTACT INFORMATION**

Please direct all questions concerning this notice to me through my counsel’s office at the following address, email and/or telephone number:

*Primary Contact:*

Steven Y. Chen  
Steven Y. Chen, APLC  
2650 River Avenue, Unit A  
Rosemead, California 91770  
Telephone: (626) 782-5017  
schen@schenlaw.com

*Secondary Contact:*

Clifford A. Chanler  
Chanler, LLC  
72 Huckleberry Hill Road  
New Canaan, CT 06840-3801  
Telephone: (203) 594-9246  
clifford@chanlerllc.com

## **III. PROPOSITION 65 INFORMATION**

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment’s (OEHHA) Proposition 65 Implementation Office at (916) 445-6900. For the Violator’s reference, I have attached a copy of “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary” which has been prepared by OEHHA.

# PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am over the age of 18 years and not a party to the within action. I am a resident or employed in the county where the mailing occurred.

On **August 21, 2023**, I caused to be served the following documents:

**SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d);**

**CERTIFICATE OF MERIT; and**

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

XXXX **By Electronic Mail** by sending a true and correct copy of the foregoing documents at the electronic mail address shown below:

Aurelian Moise, President  
Rover Store, Inc.  
4124 Walney Rd., Ste K  
Chantilly, VA 20151  
**rick@rover-store.com**

On **August 21, 2023**, I caused to be served the following documents:

**SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d); and**

**CERTIFICATE OF MERIT**

XXXX **By Electronic Mail** by sending true and correct copies of the above documents to the electronic notification addresses on the attached "Email Service List."

On **August 21, 2023**, I caused to be served the following documents:

**SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d);**

**CERTIFICATE OF MERIT; and**

**CERTIFICATE OF MERIT ATTACHMENTS**

XXXX **By Electronic Upload** by causing true and correct copies of the above documents to be uploaded to the California Attorney General's website at the web address on the attached "Electronic Upload Service List."

Executed on **August 21, 2023**, in Rosemead, California.



---

Steven Chen

# CERTIFICATE OF MERIT

California Health & Safety Code Section 25249.7(d)

I, Clifford A. Chanler, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party identified in the notice has violated Health and Safety Code §25249.6 by failing to provide clear and reasonable warnings;
2. I am one of the attorneys 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 alleged exposure to the listed chemical that is the subject of this notice and/or the listed chemical in substantially similar products sold through one or more downstream sellers of the Products including amazon.com;
4. Based on the information obtained through those consultations and 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 citizen’s claims can be established. Further, the Violator has expressly waived any exemptions under California Health & Safety Code §25249.6 *et seq.* and agreed to accept electronic service of this 60-Day Notice of Violation at the email address noted in the Proof of Service above. The Violator further waived any argument that the Products do not expose individuals to lead and that any affirmative defense exists under California Health & Safety Code §25249.10(c);
5. A copy of this Certificate of Merit served on the Attorney General references the factual and legal information sufficient to establish the basis for this certificate under Health and Safety Code §25249.7(h)(2) including (i) the identity of the persons consulted with and relied on by the certifier and (ii) certain facts, studies, or other data reviewed by those persons.

Dated: August 21, 2023



---

Clifford A. Chanler

# EMAIL SERVICE LIST

The Honorable Michael Atwell  
Alpine County District Attorney  
P.O. Box 248  
Markleeville, CA 96120  
daoffice@alpinecountyca.gov

The Honorable Todd Riebe  
Amador County District Attorney  
708 Court Street  
Jackson, CA 95642  
amadorda@amadorgov.org

The Honorable Michael Ramsey  
Butte County District Attorney  
25 County Center Drive, Suite 245  
Oroville, CA 95965  
DA@ButteCounty.net

Michelle Latimer  
Lassen County Program Coordinator  
220 S. Lassen Street  
Susanville, CA 96130  
mlatimer@co.lassen.ca.us

The Honorable David Hollister  
Plumas County District Attorney  
520 Main Street, Room 404  
Quincy, CA 95971  
davidhollister@countyofplumas.com

The Honorable Lisa Smittcamp  
Fresno County District Attorney  
2220 Tulare Street, Suite 1000  
Fresno, CA 93721  
damail@fresnocountyca.gov

The Honorable Maggie Fleming  
Humboldt County District Attorney  
825 5th Street, Fourth Floor  
Eureka, CA 95501  
districtattorney@co.humboldt.ca.us

Nancy O'Malley, District Attorney  
Alameda County  
7776 Oakport Street, Suite 650  
Oakland, CA 94621  
CEPDProp65@acgov.org

Allison Haley, District Attorney  
Napa County  
1127 First Street, Suite C  
Napa, CA 94559  
CEPD@countyofnapa.org

The Honorable Phillip J. Cline  
Tulare County District Attorney  
221 South Mooney Boulevard  
Visalia, CA 93291-4593  
Prop65@co.tulare.ca.us

The Honorable Tori Verber Salazar  
San Joaquin County District Attorney  
P.O. Box 990  
222 E. Weber Avenue, Room 202  
Stockton, CA 95201  
DAConsumer.Environmental@sjcda.org

The Honorable Clifford Newell  
Nevada County District Attorney  
201 Commercial Street  
Nevada City, CA 95959  
DA.Prop65@co.nevada.ca.us

The Honorable Donna Daly  
Trinity County District Attorney  
P.O. Box 310  
11 Court Street  
Weaverville, CA 96093  
trinityjournal@dcacable.net

The Honorable Sally O. Moreno  
Madera County District Attorney  
209 West Yosemite Avenue  
Madera, CA 93637  
Sally.Moreno@co.madera.ca.gov

The Honorable Thomas Hardy  
Inyo County District Attorney  
P.O. Box Drawer D  
Independence, CA 93526  
inyoda@inyocounty.us

Valerie Lopez, Deputy City Attorney  
Office of the City Attorney, San Francisco  
1390 Market Street, 7th Floor  
San Francisco, CA 94102  
Valerie.Lopez@sfcityatt.org

The Honorable C. David Eyster  
Mendocino County District Attorney  
100 North State Street, Room G-10  
P.O. Box 1000  
Ukiah, CA 95482  
enviroh@mendocinocounty.org

The Honorable Kimberly Lewis  
Merced County District Attorney  
550 West Main Street  
Merced, CA 95340  
Prop65@countyofmerced.com

The Honorable Samuel D. Kylo  
Modoc County District Attorney  
204 South Court Street, Suite 202  
Alturas, CA 96101  
da@co.modoc.ca.us

The Honorable Tim Kendall  
Mono County District Attorney  
278 Main Street  
P.O. Box 617  
Bridgeport, CA 93517  
districtattorney@mono.ca.gov

The Honorable Jeannine M. Pacioni  
Monterey County District Attorney  
1200 Aguajito Road  
Monterey, CA 93940  
Prop65DA@co.monterey.ca.us

The Honorable Jill R. Ravitch  
Sonoma County District Attorney  
600 Administration Drive  
Sonoma, CA 95403  
jbarnes@sonoma-county.org

Mark Ankcorn, Deputy City Attorney  
Office of the City Attorney, San Diego  
1200 Third Avenue, Suite 1620  
San Diego, CA 92101  
CityAttyProp65@sandiego.gov

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

The Honorable Jason Anderson  
San Bernardino County District Attorney  
303 West 3rd Street, 6th Floor  
San Bernardino, CA 92415-0502  
da@sbcda.org

Alexandra Grayner, Assistant DA  
San Francisco District Attorney's Office  
350 Rhode Island Street N. Bldg., 400N  
San Francisco, CA 94103  
alexandra.grayner@sfgov.org

The Honorable Laura L. Krieg  
Tuolumne County District Attorney  
423 North Washington Street  
Sonora, CA 95370  
da@tuolumnecounty.ca.gov

Stacey Grassini, Deputy District  
Attorney  
Contra Costa County  
900 Ward Street  
Martinez, CA 94553  
sgrassini@contracostada.org

The Honorable Susan J. Krones  
Lake County District Attorney  
255 North Forbes Street  
Lakeport, CA 95453  
Susan.Krones@lakecountyca.gov

The Honorable Jeffrey S. Rosell  
Santa Cruz County District Attorney  
701 Ocean Street, Room 200  
Santa Cruz, CA 95060  
Prop65DA@santacruzcounty.us

The Honorable Summer Stephan  
San Diego County District Attorney  
330 West Broadway Street  
San Diego, CA 92101  
SanDiegoDAProp65@sdccda.org

The Honorable Sandra Groven  
Sierra County District Attorney  
100 Courthouse Square, Room B1  
P.O. Box 457  
Downieville, CA 95936  
sgroven@sierracounty.ca.gov

The Honorable Walter Wall  
Mariposa County District Attorney  
5085 Bullion Street  
P.O. Box 730  
Mariposa, CA 95338  
mcda@mariposacounty.org

Christopher Dalbey, Deputy District  
Attorney  
Santa Barbara County  
1112 Santa Barbara St.  
Santa Barbara, CA 93101  
DAProp65@co.santa-barbara.ca.us

The Honorable Barbara Yook  
Calaveras County District Attorney  
891 Mountain Ranch Rd.  
San Andreas, CA 95249  
Prop65Env@co.calaveras.ca.us

Paul E. Zellerbach, District Attorney  
Riverside County  
3072 Orange Street  
Riverside, CA 92501  
Prop65@rivcoda.org

The Honorable Cynthia Zimmer  
Kern County District Attorney  
1215 Truxtun Avenue, 4th Floor  
Bakersfield, CA 93301  
CZimmer@kernda.org

The Honorable Gregory D. Totten  
Ventura County District Attorney  
800 South Victoria Avenue, Suite 314  
Ventura, CA 93009  
daspecialops@ventura.org

The Honorable Anne Marie Schubert  
Sacramento County District Attorney  
901 G Street  
Sacramento, CA 95814  
Prop65@sacda.org

The Honorable Morgan Briggs Gire  
Placer County District Attorney  
10810 Justice Center Drive, Suite 240  
Roseville, CA 95678  
Prop65@placer.ca.gov

The Honorable Richard Doyle  
Office of the City Attorney, San Jose  
200 East Santa Clara Street, 16th Floor  
San Jose, CA 95113  
cao.main@sanjoseca.gov

The Honorable James Kirk Andrus  
Siskiyou County District Attorney  
311 4th Street  
Yreka, CA 96097  
da@siskiyouda.org

The Honorable Krishna A. Abrams  
Solano County District Attorney  
675 Texas Street, Suite 4500  
Fairfield, CA 94533  
SolanoDA@solanocounty.com

Bud Porter, Supervising Deputy District  
Attorney  
Santa Clara County  
70 West Hedding Street  
San Jose, CA 95110  
EPU@da.sccgov.org

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Govt Center Annex, 4th Floor  
San Luis Obispo, CA 93408  
edobroth@co.slo.ca.us

The Honorable Susan Alcalá Wood  
Office of the City Attorney, Sacramento  
915 I Street, 4th Floor  
Sacramento, CA 95814  
clerk@cityofsacramento.org

# **ELECTRONIC UPLOAD SERVICE LIST**

Office of the California Attorney General  
Proposition 65 Enforcement Reporting  
ATTN: Prop 65 Coordinator  
P.O. Box 70550  
Oakland, CA 94612-0550  
<https://oag.ca.gov/prop65/add-60-day-notice>