

Summary of Settlements and Grants:

Below is a summary of settlements managed and grants made by the Public Health Trust.

Dietary Supplement Information and Education Fund:

(\$30,000)

The settlement of claims alleging illegal sale of Weight Loss Patch products to California consumers (*People of the State of California v. CVS Pharmacy, Inc. et al.*) included a \$30,000 payment to the Public Health Trust, which shall establish a fund to educate and inform the public on benefits and dangers of dietary supplements.

Lead in Artificial Turf:

(\$230,000)

A settlement resulting from a claim against Beaulieu Group, LLC et al., alleging that specified companies exposed California consumers to lead from synthetic turf without first providing consumers "clear and reasonable warnings" that the products contain lead (*People of the State of California v. Beaulieu Group, LLC., et al., judgments related to Fieldturf USA, Inc. and AstroTurf*).

One grant was awarded to the [Center for Environment Health](#) to carry out a synthetic turf lead testing and outreach program in California. CEH will contact at least 1000 private schools and 500 public school districts, plus at least 2000 daycare centers to implement a two-tiered program of testing synthetic turf field fibers for levels of transferable lead. CEH will also use different forms of traditional and social media to reach at least 10,000 people with the message that lead testing is available at no charge, that fields with unsafe lead levels will be replaced through funding and in-kind commitments by participating manufacturers, that turf manufactured within the past few years is unlikely to have unsafe lead levels, and that there are simple practices that can reduce or eliminate the risk of children ingesting lead while playing on any synthetic turf field (\$207,000).

Distribution of Unapproved or Misbranded Drugs or Devices:

(\$3,212)

A settlement resulting from a claim that Maritzmayer Laboratories distributed unapproved or misbranded drugs or medical devices to California consumers (*People of the State of California v. Maritzmayer Laboratories, Inc., et al.*).

Health Hazards from Aircraft Exhaust:

(\$374,000)

A settlement resulting from a Proposition 65 lawsuit alleging that airline and airfreight companies failed to warn the public about the health hazards of exhaust fumes from jet engines and equipment used to service airplanes (*Environmental World Watch, Inc. v. Aeroflot, et al.*). Six grants have been awarded to the following organizations to help California move ahead with its Green Chemistry Initiative.

- Berkeley Center for Green Chemistry (bcgc.berkeley.edu), working with the [UC Berkeley Labor Occupational Health Program](#) and [School of Information](#), will develop an online Public Library of Materials, a screening tool that will help workers, the public, and small businesses identify known chemical hazards in products and manufacturing processes and find safer alternatives (\$65,000).
- Black Women for Wellness (www.bwwla.org) will initiate a comprehensive education and outreach campaign engaging African American women and girls on the Green Chemistry Initiative as it impacts community health and well-being (\$34,000).
- Breast Cancer Fund (www.breastcancerfund.org) will conduct an education and

engagement campaign in support of a comprehensive green chemistry program, while working with legislators and regulatory departments to strengthen the Green Chemistry Initiative (\$64,000).

- CHANGE Coalition (www.changecalifornia.org) will continue its role as the convening body for community, labor and health organizations in ongoing efforts to promote public participation and community engagement in California's efforts to reduce the impact of toxic chemicals on public health and incentivize a green chemistry economy (\$65,000).
- Physicians for Social Responsibility - Los Angeles (www.psrla.org) will work with other members of the Communication Committee Workgroup within the CHANGE Coalition to update and adapt education materials related to community participation within the Green Chemistry Initiative, specifically for under-represented populations in South Los Angeles and the Central and Inland Valleys. PSR-LA will also organize a green chemistry and economic development roundtable to promote a greater understanding of how green chemistry innovations can bring safer products to market and provide economic development opportunities for low-income communities (\$45,000).
- Sustainable Technology and Policy Program, UCLA (<http://www.law.ucla.edu/home/index.asp?page=841>) will bring together experts in toxicology, alternatives assessment, decision analysis and policy to develop regulatory alternatives analysis methodologies. The program will also create practical software tools for identifying safer substitutes for consumer products that contain chemical hazards. (\$65,000).

Lead in Children's Products:

(\$627,054)

A settlement resulting from a claim against Mattel, Inc. and Fisher-Price, Inc., et al. alleging that California consumers were exposed to lead through the manufacture, distribution and sale of toys made of materials that contain lead or lead compounds, without first providing "clear and reasonable" warnings (*People of the State of California v. The Mattel Company, et al.*)

The Fund will support projects to monitor compliance with limitations on lead in children's products in California, and to identify and implement outreach measures with respect to recalls of children's products, including reasonable efforts to communicate information about such recalls to consumers who do not have internet access and/or who do not speak English. Six grants have been awarded under this program:

- Center for Environmental Health (www.cehca.org), for a project to test toys for lead and raise public awareness about the problem of lead in certain toys during the 2008-09 holiday season. In addition to testing toys currently being sold by major retailers, CEH's project included opportunities for consumers to bring toys to designated locations for testing.
- Folsom Cordova Community Partnership (www.fccpartnership.org), to develop and produce print-ready, web-accessible and other media tools to be used in outreach and education efforts to inform the public about the issue of lead in children's products. This grant is a partnership with the Ecology Center, a Michigan-based nonprofit environmental organization, which maintains the website www.healthytoys.org that offers consumers a guide to toxic chemicals in toys and other children's products.
- Center for Environmental Health (www.cehca.org), for a project to test children's products for lead. CEH will purchase products from major and discount retailers in California through 2010, conduct screening tests with an XRF fluorescence analyzer

and facilitate additional laboratory testing of some products. In addition, CEH will offer testing of children's products on a drop-in basis at its offices in Oakland. CEH will work in partnership with The Ecology Center, (www.ecocenter.org) which manages the healthytoys.org and healthystuff.org websites.

- Folsom Cordova Community Partnership (www.fccpartnership.org), for a project to educate the public about the dangers of lead exposure in children and help parents navigate the complex maze of information on product safety, recalls and prevention strategies. The project will combine a media campaign with direct-to-consumer outreach through community networks of peer-to-peer educators and public health professionals.
- Center for Environmental Health (www.cehca.org), for a project to raise awareness regarding lead in children's products in nine Bay Area counties. The project will use a multi-pronged outreach strategy to raise awareness utilizing popular education workshops in conjunction with toy testing, county lead poisoning prevention program outreach and media events. This project will be conducted in partnership with the Get The Lead Out Coalition (www.stoppinglead.org) led by Alameda County Lead Poisoning Prevention Program.
- Fresno Interdenominational Refugee Ministries, Inc. (www.firminc.org), for the Fresno County Safe Children's Products program, which will provide outreach and education to refugee and immigrant families as well as retail and re-sale markets on the effects of lead exposure on children. The project will disseminate information about free testing/screening events and about recalled products, and give parents and others the information they need to choose safe consumer products for their children. This program will be carried out in partnership with Centro La Familia, Inc. (www.centrolafamilia.org).

Unlawful Distribution of Smokeless Tobacco Products on Public Grounds:

(\$150,000)

A settlement resulting from a claim against U.S. Smokeless Tobacco Company involving the distribution of smokeless tobacco products at Pomona Raceway in Los Angeles County (*People of the State of California v. U.S. Smokeless Tobacco Company*).

One grant was made to The University of California, San Francisco - Office of Sponsored Research (www.research.ucsf.edu) to monitor and study smokeless tobacco marketing activities and develop and test counter messages to discourage use of smokeless tobacco among non-tobacco users and smokers who might otherwise quit.

Leaking Underground Oil Storage Tanks:

(\$250,000)

A Proposition 65 lawsuit was brought by Communities for a Better Environment against Tosco, Inc., et al., concerning leaking underground storage tanks (*Communities for a Better Environment v. Tosco, Inc., et al.*).

The Public Health Trust distributed funds to support projects addressing water quality issues in rural Californian communities.

- Klamath Riverkeeper (www.klamathriverkeeper.org) for the *Klamath Salmon Fishermen and Tribal Empowerment Project* to assist the Karuk and Yurok Native American tribes, as well as the Pacific Coast Fisheries Association, in advocacy activities to protect the health of the Klamath River.
- Community Clean Water Institute (www.cawi.org) for the *Citizen Water Quality Monitoring Program and Expansion of Mark West Creek Water Quality and Instream Flows Monitoring Project*, which will continue and enhance its Citizen Water Quality

Program of testing and monitoring water quality in the Mark Creek area of Sonoma County, educating the community on water quality issues and water conservation and promoting citizen involvement in watershed protection activities.

- Center on Race Poverty and The Environment (www.crpe.org) for the *Don't Waste the Valley Project* that encompasses community organizing and advocacy centered on cleaning up contaminated groundwater and securing safe drinking water for residents of Arvin and Shafter in rural Kern County.
- Clean Water Fund (www.cleanwaterfund.org) for the *Central Valley Water for All Project* to work with multi-ethnic communities in northern San Joaquin Valley in improving the quality of their drinking water.
- Community Water Center (www.communitywatercenter.org) for the *Protecting Groundwater from the Ground Up Project* to improve groundwater used as drinking water through the development and coordination of AGUA, a grassroots coalition of impacted communities and non profit organizations in the southern San Joaquin Valley.

Dietary Supplements:

(\$1000)

An agreement resulting from a case against a distributor of dietary supplements and the Napa County District Attorney's Office, as a result of illegal activity of that distributor selling ephedra-based dietary supplements in California.

The Public Health Trust awarded \$900 to Community Health Clinic Ole (www.clinicole.org) in Napa County to support diabetes nutrition programs for low-income clients.

Mexican Soda Bottles with Decoration Containing Lead:

(\$370,000)

Proposition 65 settlements against PepsiCo, Inc. and Dr. Pepper/Seven Up, Inc. alleging the presence of toxic levels of lead and cadmium in materials used to decorate glass soda bottles (*People of the State of California v. PepsiCo, Inc.*; *People of the State of California v. Dr. Pepper/Seven Up, Inc.* and *People of the State of California v. The Coca-Cola Company, et al.*).

The cy pres settlement funds will be used to monitor retailers for continued use of certain glass bottles, to assist small companies in retaining auditors to inspect their food production and processing activities, and to support projects dedicated to the reduction of lead in Mexican food products. Five grants have been awarded under this program to date:

- The Environmental Health Coalition (www.environmentalhealth.org) in National City to conduct outreach to Mexican Candy producers and suppliers of tamarind and chili regarding the hazards of lead in their products and ways to avoid lead contamination.
- St. Mary's Medical Center Foundation/Families in Good Health (www.stmarymedicalcenter.org/Foundation) in Long Beach for a project to survey and monitor retail establishments in Long Beach and Carson for the availability and sale of specific candy and soda bottles.
- The Center for Community Action and Environmental Justice (www.ccae.org) in Riverside to expand the *SALTA Advanced Promotora Program* activities to include surveying and monitoring retail stores in Riverside and San Bernardino Counties for the sale of candy and soda that have tested high for lead.
- Fresno Interdenominational Refugee Ministries (www.firminc.org) *Healthy Markets Project* to survey and monitor small markets and supermarkets in Fresno and Fresno County for the sale of candy and soda which have tested high for lead. This project

will be implemented in partnership with Centro La Familia Advocacy, Inc.

- Center for Environmental Health (www.cehca.org) to monitor the sale of Mexican-style candy and soda bottles through three community partnerships in Oakland and San Francisco and to develop and implement a replicable system of monitoring products that may pose a health risk.

Lead in Mexican-Style Candy:

(\$399,000)

A Proposition 65 lawsuit alleging the presence of toxic levels of lead in candy, specifically Mexican candies containing dried chilies (*People of the State of California v. Alpro Alimento Proteinico, S.A. de C.V., et al.*).

The funds will be used for (1) community education about lead poisoning and about candy products that should be avoided, (2) technical assistance to small candy producers working to comply with the requirements of the Consent Judgment, (3) laboratory equipment to test Mexican candy and (4) the recruitment of Opt-In Defendants. Five grants have been awarded under this program to date:

- Get the Lead Out Coalition, (www.aclppp.org/) a coalition of Bay Area Lead Poisoning Prevention Leaders representing Alameda, San Francisco, Contra Costa, Marin, Monterey, Santa Clara, Santa Cruz, San Joaquin, San Mateo, Solano and the City of Berkeley. The project will conduct outreach and education in the greater Bay Area to increase awareness of consumers, community-based organizations, elementary school teachers and administrators, and retailers about the seriousness of lead poisoning, ways to prevent lead exposures and particularly about lead in Mexican-style candies.
- Fresno Interdenominational Refugee Ministries (www.firminc.org) to provide outreach to consumers and retailers from refugee and immigrant communities living within Fresno County. This project will be implemented in partnership with Centro La Familia Advocacy, Inc.
- The City of Pasadena Public Health Department (http://www.cityofpasadena.net/publichealth/disease_prevention/lead_prev/lead_prev_home.asp) to educate local retailers, mobile vendors, Hispanic/Latino families, and the general public about the health hazards of lead poisoning and to reduce consumption of certain Mexican-style candies with known lead contamination.
- Literacyworks (www.literacyworks.org) to promote lead education to high risk community members through a community-based participation education and dissemination model in Monterey County.
- The California Poison Control System (CPCS) at the Department of Pharmacy, University of California – San Francisco (www.calpoison.org), to develop and produce an integrated line of education materials for consumers, retailers and others, to engender action and lead to increased awareness and improved choices regarding Mexican-style candies. CPCS will use a collaborative approach in developing these materials, partnering with a large group of community-based organizations and an interdisciplinary team made up of CPCS pharmacists, physician-toxicologists and cultural anthropologists, along with the CPCS social marketing, content and education product development experts.
- The California Department of Health Services Food and Drug Branch Laboratory (www.dhs.ca.gov/fdb) for laboratory equipment to test for lead in food products such as Mexican produced candy. Specifically, the funds went towards the purchase of an Inductively Coupled Plasma Mass Spectrometer (ICP-MS) machine, now considered to be the standard for conducting tests on lead in candy at the 0.1 parts per million

level. The laboratory will use the equipment to insure that food products imported from Mexico do not pose a health hazard to consumers.

Unlawful Distribution of Cigarettes and Cigarette Coupons on Public Grounds:

(\$1,000,000)

A case alleging that R.J. Reynolds Tobacco Company violated a California law enacted in 1991 that prohibits tobacco companies from distributing free cigarettes in public buildings or on public grounds (*People of the State of California v. R.J. Reynolds Tobacco Co.*). The settlement required R.J. Reynolds to pay cy pres funds to support tobacco control advocacy and education programs in California.

The Public Health Trust distributed funds for projects to counter or prevent tobacco industry marketing techniques aimed at young adults in adult-only venues such as bars and fraternities in California, as well as tobacco company-sponsored brand websites. Four grants were awarded, one to develop, pilot test and disseminate a toolkit and three for innovative research and evaluation projects.

- BREATHE California of Sacramento – Emigrant Trails (www.sacbreathe.org) to develop a toolkit focusing on methods to counter tobacco industry marketing techniques to 18-25 year olds.
- American Lung Association of California - Chico Office (www.lungusa2.org/superiorbranch) to eliminate tobacco marketing advertising and sampling from Chico State fraternity and other campus organization activities and events.
- Bay Area Community Resources - Project RIDE (www.projectride.net) to monitor and counter tobacco marketing in the import car scene.
- University of California, San Francisco - Office of Sponsored Research (www.research.ucsf.edu) to design, execute, and evaluate an anti-tobacco intervention utilizing direct marketing, bar and nightclub events, and internet channels.

Lead in Tableware:

(\$62,000)

A Proposition 65 settlement resulting from three lawsuits alleging that defendants manufactured, distributed, and/or sold tableware products containing cadmium, lead, and/or lead compounds in California (*Leeman v. Dan-Dee, Leeman v. Precidio, and Brimer v. Ganz, Inc.*).

A grant was awarded to Environment California Research and Policy Center (www.environmentcalifornia.org/center) to test children's products for, and educate parents and caregivers about, the presence of formaldehyde.

Mercury in Fish:

(\$140,000)

A Proposition 65 lawsuit against several major restaurant chains for failure to properly warn consumers about exposure to mercury in fish and seafood (*People of the State of California v. Andronico's Markets, Inc., People v. Benihana, Inc., et al., People v. Bennigans, et al.*). In addition to civil penalties, the settlement required the restaurants to pay into a fund to 1) educate consumers about mercury in fish and seafood and 2) to monitor compliance with the injunctive relief portions of the settlement concerning the posting of warning signs about mercury levels in seafood.

Grants were made to 3 organizations:

- Turtle Island Restoration Network (www.gotmercury.org) to monitor compliance with the

injunctive relief portions of a legal settlement concerning the posting of warning signs regarding mercury in fish and seafood. TIRN will use the grassroots activist network developed for its Mercury Education and Response Campaign to monitor the proper display of signs alerting the public to the health threats of eating fish and seafood contaminated with mercury.

- Ma'at Youth Academy for Environmental Leadership of Richmond, California (www.maatya.org) and Lao Khmu Association, Inc of Stockton, California (www.laokhmu.org) to conduct consumer education campaigns regarding mercury in fish and seafood.

Metals in Herbal Supplements:

(\$37,500)

A Proposition 65 lawsuit alleging the presence of toxic levels of heavy metals in traditional Chinese medicines and herbal supplements (*As You Sow v. Brion Herbs*).

One grant was awarded to Public Media Center (www.publicmediacenter.org) to develop and conduct a consumer education campaign to inform purveyors, consumers and distributors of traditional Chinese medicinal and herbal supplements about potential health issues associated with exposure to heavy metals associated with these products.

A second grant was awarded to San Francisco State University Department of Chemistry and Biochemistry for a project to develop, test, and validate several different quantitative XRF methods for determining toxic elements in supplements as well as present and publish the results.

Off-label Marketing of the Drug Neurontin:

(\$800,000)

A case regarding the off-label marketing of the anti-epilepsy drug Neurontin (*USA v. Warner-Lambert [Pfizer]*).

Grantees included:

- American Medical Association (www.ama-assn.org): to develop and implement a "sound prescribing" curriculum for medical students, residents and physicians, educating them on ways to make evidence-based, cost-effective prescribing decisions.
- Harvard Pilgrim Health Care (www.harvardpilgrim.org): to test the effectiveness of computerized prescribing alerts and state-of-the-art educational outreach ("academic detailing") to reduce the unnecessary use of heavily marketed medications and to improve clinicians' knowledge of industry marketing practices.

Probiotics as Nutritional or Dietary Supplements:

(\$50,000)

A settlement against a dietary supplement manufacturer for unfair competition and misleading advertising regarding the use of Probiotics (*Jarrow Formulas, Inc. and Natren, Inc. v. Boyd O'Donnell, et al.*).

The settlement funds were designated for the research, preparation and promulgation of articles for medical, professional and consumer publications discussing the role of probiotics in health maintenance. Funds were distributed to:

- Tanno, Gerald W.; Department of Microbiology, University of Otago, Dunedin, New Zealand: To conduct a thorough literature review of the role of probiotics and human health and prepare an academic article suitable for publication in a peer review journal.
- School of Public Health, University of California, Berkeley (www.sph.berkeley.edu/degrees/areas/phn.html): To establish a scholarship in memory of Sheldon Margen, M.D., Professor Emeritus of the School of Public Health for students in the Public Health Nutrition Program to research, prepare and/or promulgate articles for medical, professional and/or consumer publications discussing the role of probiotics in health maintenance.

Exercise and Nutrition:

(\$2500)

A settlement resulting from a case against the distributors and advertisers of an illegal medical device case, specifically the "Ab Belt" electronic Muscle Stimulation (EMS) devices (*FTC v. Electronic Products Distribution, L.L.C., et al.*).

Funds were granted to the Community Health Clinic Ole (www.clinicole.org) in Napa County for the diabetes and nutrition programs. Clinic Ole provides primary and preventive health care to the medically underserved in Napa County.

Pharmaceutical Antitrust Litigation:

(\$171 million in product distribution; \$1.5 million administration)

A settlement against 19 pharmaceutical manufacturers for alleged price-fixing of medicines (*Preciado v. Abbott Laboratories, et al.*)

The settlement resulted in the Drug Distribution Project (DDP), a special prescription drug request fulfillment program helping uninsured patients of California community clinics and county health care systems over a three-year period. Settlement funding plus other sources of financial and in-kind support made the DDP a foundation for development of a larger Medicine for People in Need program (www.medpin.org), combining direct shipments of medications with extensive ancillary programs to increase community "safety net" health providers' knowledge resources for managing pharmaceutical costs for their patients. Medpin became the leading California advocacy and training program on access to pharmaceuticals from 1999-2007, and continues to offer information resources on its website.

Tobacco Control Litigation:

(\$1.525 million)

A Proposition 65 settlement against the tobacco industry and their promotion and sale of smokeless tobacco products on public lands and failure to display mandatory health warnings [*People of the State of California v. Swedish Match North America Inc.; The City and County of San Francisco and Environmental Law Foundation v. United States Tobacco Company, Inc (USSTC); and People of the State of California v. U.S. Smokeless Tobacco Company (USSTC)*].

These settlements funded the Buck Tobacco project, also known as the Tobacco-Free Events Project (www.bucktobacco.org), which works to remove tobacco industry sponsorship from rodeos and related events. All funds have been used to support local grassroots advocacy activities and the central coordinating office in Oakland, California.

Due to the success of the initial funding, Buck Tobacco has expanded nationally, having secured additional funding from the American Legacy Foundation and the California

Department of Health Services to continue its work with grassroots anti-tobacco and pro-
rodeo advocates.

Lead in Brass Keys:

(\$30,000)

A Proposition 65 settlement suit brought by the California Attorney General and Mateel Environmental Justice against key manufacturers for failure to warn consumers about lead in brass keys (*People of the State of California v. Ilco Unican Corporation, et al.*).

The funds were granted to The California Childcare Health Program at the University of California - San Francisco School of Nursing (<http://ucsfchildcarehealth.org>) and used for an education and outreach program to inform parents, childcare providers and healthcare providers about the lead exposure risks to small children who play with keys. Twenty-five thousand fact sheets were distributed to hundreds of health departments and childcare Resource and Referral agencies throughout California in both English and Spanish.

Lead in Calcium Supplements:

(\$850,000)

A Proposition 65 settlement against manufacturers of calcium supplements for failing to warn consumers about possible lead levels (*People of the State of California v. Novartis Consumer Health, Inc. et al.*).

These funds were used for research, investigation and public education projects relating to exposure to lead in pregnancy and/or nutritional factors related to lead exposure among children. Funds were granted to the following organizations:

- California Child Care Health Project (www.childcarehealth.org) for its lead poisoning and anemia prevention activities in childcare facilities
- The Western Center for Law and Poverty (www.wclp.org) for development of a lead poisoning and anemia prevention resource guide to be used by community organizations and local governments.

Lead in Water Faucets:

(\$675,000)

A Proposition 65 case concerning a failure to warn consumers about exposure to lead in water faucets (*People of the State of California v. American Standard and NRDC and ELF v. Price Pfister*).

Settlement funds supported the following research:

- Akland, Gerry; Characterizing the Sources of Human Exposure to Proposition 65 Substances; Research Triangle Institute: Controlled laboratory studies to measure emissions from consumer products and materials commonly used in California.
- Froines, John R.; Occupational and Consumer Exposure to Hexavalent Chromium in Spray Paints/Primers; Center for Occupational and Environmental Health at UCLA: Characterized occupational and consumer exposure to chromate paints/primers in industrial settings, small business and through private use.
- Hooper, Kim; Baseline Dioxin Levels in Breast Milk of Californians: Asian/Pacific Islanders in Stockton; Hazardous Materials Laboratory, California Department of Health Services: Determined the magnitude and extent of 2,3,7,8-tetrachlorodibenso-p-dioxin (TCDD) body burden in a multi-racial, multi-cultural sample of California residents using breast milk samples.

- Leong, Larry; Chloroform and Bromoform Formation Potential from Synthetic Softening Resins; Kennedy/Jenks Consultants: Determined the increase of chloroform, bromoform and other trihalomethanes (THMs) when synthetic softening resins are exposed to free and combined chlorine residuals.
- Richard P. Maas, PhD, Characterization of the Public Health Significance of Five Remaining Potential Drinking Water Lead Contamination Sources in California, University of North Carolina at Asheville, Environmental Quality Institute: Quantified the exposure levels and public health hazard of the five major remaining sources of drinking water lead exposure to the California public.

Lead in Antacids:

(\$440,000)

A Proposition 65 settlement regarding a failure to warn consumers about exposure to lead in antacids (*People of the State of California v. Johnson & Johnson, et al.*).

Funds were granted to the Western Center for Law and Poverty for its Healthy Homes Initiative (www.wclp.org). This Initiative provides education to families about the importance of screening low-income children for lead poisoning and preventing poisoning from lead-based paint in the home. Funds were specifically used to develop local policies related to nutrition education/anemia prevention and lead exposure in low-income housing.

Lead in Water Pumps:

(\$150,000)

A Proposition 65 case regarding failure to warn consumers about exposures to lead in submersible pumps (*People v. Aermoter, et al.*).

Funds were granted to several community organizations working on lead poisoning prevention including:

- Chinatown Resource Center: Conducted home visits and educational outreach in housing projects and at community fairs.
- Sonoma County Department of Health Services: Provided well water screening in a low-income community.
- McKinley Avenue Elementary School: Provided community organizing about lead contamination at an elementary school in south central Los Angeles.
- US Public Health Service/Indian Health Services: Conducted two rounds of water testing on 15 Indian reservations in Northern California.
- California Public Health Foundation/Childhood Lead Poisoning Prevention Project: Compared the presence of lead in water to lead in soils and paint in 200 elementary schools in California.

Exposure to Asbestos:

(\$140,000)

A settlement against trucking companies, and others in a small community near San Jose, CA, for exposing the community to asbestos (*Organization de la Comunidad de Alviso v. Maciel*).

The funds were granted to the Santa Clara Unified School District for George Mayne Elementary School. Funds were used for a bilingual health education program to improve the respiratory health of the students and the community.

Medical Laboratory Billing Fraud II:

(\$22,000)

A settlement regarding medical laboratory billing fraud to be used for health services benefiting needy California residents (*People of the State of California v. Ludmila Elgourt*).

Funds were granted to the Sherman Heights Community Center for the Colaborativo SABER Partnership *Health Education for Youth* program.

Medical Laboratory Billing Fraud:

(\$139,000)

A settlement regarding medical laboratory billing fraud (*People of the State of California v. Susan D, MD, et al*). Funds were spent on children's health programs in Southern California and granted to the following organizations:

- Asian Pacific Health Care Venture, Inc. (www.aphcv.org): Targeted health education programs to Cambodian, Lao, Pilipino, Thai and Vietnamese early adolescents and their parents.
- Educational Resource and Services Center: Screened more than 250 children for chronic medical, emotional, learning and other developmental disabilities in the Jordon Downs housing development in Watts.
- Environmental Health Coalition (www.ehc.org): Trained community environmental health advocates, reviewed and assessed existing health data, and promoted policies to relocate several local industries that expose the community to hazardous materials.
- Maternal and Child Health Access Project: Ensured access to medical care for newborns under Medi-Cal managed care.
- National Health Law Program (www.healthlaw.org): Tracked the availability of services in Los Angeles County for children in Medi-Cal managed care programs.
- San Diego Water Fluoridation Project: Advocated for fluoridation of the city's water system.

Lead in School Drinking Fountains:

(\$132,000)

A Proposition 65 case regarding failure to warn consumers about exposures to lead in drinking fountains (*People of the State of California v. Haws*). Three hundred thirty seven lead-free drinking fountains were distributed free of charge to elementary schools throughout the state.

Toluene in Paints:

(\$125,800)

A Proposition 65 case concerning failure to warn consumers about toluene exposures in paint (*People of the State of California v. Cotter & Co.*).

Funds were granted to the Children's Environmental Health Network (www.cehn.org) to develop and organize a national conference, "Pediatric Environmental Health: Putting It Into Practice."

Arsenic-Treated Wood:

(\$109,500)

A Proposition 65 case regarding failure to warn consumers about exposure to chromated copper arsenic (CCA) on pressure treated wood used in children's playground equipment (*Center for Environment Health v. Hedstrom Corp.*).

The funds were to be used to implement a statewide public education and community action campaign geared toward establishing, enforcing and sustaining state and local policies to reduce potential health risks based on a research review also funded by the settlement.

Two grants were made to the Center for Environmental Health (www.cehca.org). The first grant funded a Community Education and Action Campaign regarding Arsenic in Playground Equipment. CEH informed California consumers, appropriate agencies and organizations throughout the state about the health risks associated with CCA treated wood products and provided advocacy tools, information on alternatives, and technical assistance to ensure that the state law requiring sealing of such products was observed. The second grant to CEH followed up on this campaign to target outreach to parents of young children through the use of parent oriented groups and networks in California.

A grant was also made to the UNC-Asheville Environmental Quality Institute (orgs.unca.edu/eqi) to conduct a review of the scientific literature and develop several reports and a series of recommendations for government agencies and the public to decrease exposure to arsenic via CCA-treated wood products.

Proposition 65 Education:

(\$44,500)

Residual funds from a Proposition 65 case regarding carbon monoxide exposure to truckers from diesel engine exhaust (*Mateel Environmental Justice Center v. Caterpillar, et al.*).

Funds were used for an educational campaign about "take home" lead exposures targeted to workers.

Carbon Monoxide in Parking Garages:

(\$42,000 in settlement funds; approximately \$475,000 in matching funds from non-litigation private sources)

A Proposition 65 settlement regarding failure to warn consumers about carbon monoxide exposure in parking garages (*Mateel Environmental Justice Center v. Heitman Properties, et al.*).

Funds were used to fund the East Bay Asthma Study for protocol development to reduce hospitalization from asthma. The Regional Asthma Management Program (RAMP) was initiated by this project (www.rampasthma.org), which later obtained more than \$1.35million from other sources. Ramp provides data, educational materials, grant writing, technical support, policy advocacy and regional networking services to community-based organizations and local health departments.

Lead in Water:

(\$40,000)

A Proposition 65 case regarding failure to warn consumers about exposures to lead in plumbing materials (*Natural Resources Defense Council and Environmental Defense Fund v. Flomatic*). Funds were granted to expand research on sources of lead in common household plumbing fixtures.

Heart Disease Prevention:

(\$30,000)

A settlement against a restaurant chain for alleged misleading advertising (*People of the State of California v. High Tech Burrito Corporation*). Grants were made to county health departments in Alameda, Contra Costa, Marin and San Mateo counties:

- Alameda County: to collaborate with the Oakland Parks and Recreation Department to promote physical exercise and sound sports nutrition among low income youths.
- Contra Costa County: to 1) provide stipends to trained community members to conduct up to 100 food and nutrition demonstration and activities at community events; 2) contract with community agencies to provide culturally appropriate healthy behavior and lifestyle activities designed to help women reduce risk of breast cancer.
- Marin: to develop, in collaboration with several community based organizations, a plan to provide nutrition education to low income population to make healthy choices in restaurants.
- San Mateo: to 1) assist up to 20 restaurants in low income areas to analyze and revise menus to include healthy menu selections and promote these restaurants in the community and 2) develop a fast food guide of health food choices that are low in fat.

Central Valley Asthma Prevention:

(\$10,000)

An unfair competition case regarding the storage of recycled tires in Merced County (*People v. Wenbury Environmental Co.*).

Funds were granted to the San Joaquin Valley Health Consortium (www.sjvhc.org) for asthma education programs in Merced County.

Lead in Candles:

(\$150,000)

A Proposition 65 case regarding failure to warn consumers about exposures to "soots" in candles including benzene, lead, carbon monoxide carbon tetrachloride, chloroform, and carbon black (*Edward H. Cross v. Arizona Natural Resources, Inc., etc., et al.*).

Funds will be use to fund enforcement, research, investigation and public education projects concerning Proposition 65 issues.