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**TEXTRON** Fastening Systems

The Global Leader in Fastening Solutions

Reid 03-11-03

**TEXTRON** Logistics Company  
Textron Logistics Company / Subsidiary of Textron Inc.

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Barney Keener  
Director  
Sales and Marketing-Retail

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April 19, 2000

Re: Court-Ordered Proposition 65 Warning's for Sale of Galvanized Nails, Bolts, Screws, Washers and Other Galvanized Fasteners in California

Dear Valued Customer,

Important information concerning the need to provide court-ordered warnings for the sale of galvanized nails, bolts, screws, staples, washers, and other galvanized fasteners in California is described in this letter.

This letter is provided by galvanized nail manufacturers and distributors as part of a court-approved settlement of a legal action brought under a California statute commonly referred to as "Proposition 65". In this legal action, the plaintiff claimed that galvanized nails and other galvanized fasteners (such as galvanized bolts, screws, staples and washers) require a "clear and reasonable" warning under Proposition 65 and that all businesses in the chain of distribution, from manufacturer to retailer, have an obligation to provide such warnings to consumers prior to purchase because the zinc coating used to galvanize nails and other fasteners contains chemicals listed under Proposition 65 as known to the State of California to cause cancer and birth defects or other reproductive harm. The companies sued dispute the plaintiffs' claims, but have agreed to take various actions to settle the case.

Under the settlement, which has now been entered as an order by the Superior Court, galvanized nails and other galvanized fasteners may continue to be sold legally in California. The court order provides that no Proposition 65 warnings will be required for galvanized nails and other galvanized fasteners meeting certain zinc coating specifications. All collated galvanized fasteners and certain electrogalvanized fasteners are also exempt from a Proposition 65 warning requirement.

However, Proposition 65 warning labels and package inserts containing Proposition 65 warnings will be required for some galvanized nails and galvanized fasteners you may sell your customers. The manufacturers of these products will be updating their package labels to include a Proposition 65 warning as required by the Court. In addition, manufacturers that sell such products in bulk will include several package inserts containing the required Proposition 65 warning in all boxes weighing in excess of five pounds. Please instruct your sales personnel not to remove these Proposition 65 warning inserts when they transfer these galvanized products from their packaging into bulk bins in your California retail stores.

Remember, not all galvanized nails will require the use of Proposition 65 warning labels or package inserts; manufacturers and distributors of galvanized nails and other galvanized fasteners will provide the appropriate warning labels and packaging inserts when they are required. No further action is required on your part provided that your California sales personnel do not remove package inserts containing the Proposition 65 warning when these have been provided in a box of galvanized fastener products weighing in excess of five pounds.

Thank you very much for your attention and cooperation.

*Barney Keener*  
Barney Keener

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Eico® • Anchor Wire • TLC Services Group

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Dear Sir:

TLC is not making any claims about the hazards of lead or zinc. There is no more immediate hazard in handling product containing lead or zinc supplied by TLC than is normally expected in picking up a piece of lead or something coated with zinc.

TLC is only complying with California State law, which states the package for these items must display the following information:

"This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. Wash Hands After Handling."

The state of California requires warning labels on any product composed of or containing any harmful chemicals and/or minerals in the event that item might be ingested. Of course, you would agree with us that no one would knowingly eat lead, zinc, or something containing lead and/or zinc. The warning is there to remind people to wash their hands to remove traces of these metals that rub off whenever they handle any item containing them.

Because some of our products are trans-shipped into California by our customers in other states, Textron Logistics chose to put the labels on all of its products. This complies with California State law and precludes any litigation for lack of proper labeling.

Regards,  
Dean Draper  
Product Manager, TLC