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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF ALAMEDA
11

12 **PEOPLE OF THE STATE OF**
13 **CALIFORNIA,**
14 Plaintiff,
15 v.
16 **G.E.T. AGRICULTURE LTD DBA**
17 **TWEEDLE FARMS; THE HEMPACCO**
18 **COMPANY, INC; IHF ONLINE LLC DBA**
19 **INDUSTRIAL HEMP FARMS; CHEEF**
20 **HOLDINGS DBA CHEEF BOTANICALS;**
21 **EAGLE MOON HEMP, LLC; EAGLE**
22 **MOON FARM, LLC; EMH WHOLESALE,**
23 **LLC; BERKSHIRE CBD DBA**
24 **CANNAFLOWER; BERKSHIRE FARM**
25 **COLLECTIVE; AND DOES 1 THROUGH 50,**
26 **INCLUSIVE,**
27 Defendants.

Case No. 23CV042554
**COMPLAINT FOR INJUNCTIVE
RELIEF AND CIVIL PENALTIES**
[VERIFIED ANSWER REQUIRED
PURSUANT TO CALIFORNIA CODE OF
CIVIL PROCEDURE SECTION 446]

26 Plaintiff, the People of the State of California by and through Rob Bonta, Attorney General
27 of the State of California, hereby alleges:

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I. INTRODUCTION

1. This complaint seeks to remedy the defendants' illegal sale of inhalable hemp products and their failure to protect consumers from highly toxic chemicals that are present in all commercial hemp products¹ and their failure to warn consumers about the risks these products pose. The products include, but are not limited to, hemp flower (used for smoking/vaporizing), hemp flower pre-rolled cigarettes (used for smoking and inhaling), hemp waxes (used for vaporizing), hemp lotions (used for applying to the skin), hemp vape cartridges (used for smoking/vaporizing), and hemp distillate (used for ingesting or for applying to the skin) ("Products"). The Products contain Delta-9-Tetrahydrocannabinol (Delta-9-THC) and/or beta-Myrcene. Hemp flower, hemp flower pre-rolled cigarettes, hemp vape cartridges, and hemp waxes are hereinafter referred to as "inhalable hemp products."

2. Use of these products exposes Californians to increased risk of birth defects, reproductive harm, developmental delays and cancer.

3. The sale of these Products without warnings to consumers in California violates important state laws intended to protect consumers from exposure to dangerous chemicals and to inform them of the risks that exposure to these chemicals cause.

4. The sale of inhalable hemp products violates California law. (Health & Saf. Code, § 111921.6, subd. (a).)

II. PARTIES

5. Plaintiff is the People of the State of California. Plaintiff brings this action by and through the Attorney General of California, Rob Bonta ("Attorney General").

¹ The Health and Safety Code and Title 3, section 4890 of the California Code of Regulations distinguishes "hemp" from "cannabis" as follows: "'Industrial hemp' or 'hemp' means an agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa* L. and any part of that plant, including the seeds of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a total delta-9 tetrahydrocannabinol [(THC)] concentration of no more than 0.3 percent on a dry weight basis." (Health & Saf. Code, § 11018.5; Cal. Code Regs., tit. 3, § 4890, subd. (a)(16).) Thus, the industrial hemp plant, and the products derived from the industrial hemp plant, do contain some levels of Delta-9-THC.

1 6. The Attorney General is the chief law officer of the State and has the authority to file
2 civil actions in order to protect the public interest. (Cal. Cont., art. V, § 13; Bus. & Prof. Code,
3 § 321.) Further, the Attorney General may bring actions in the name of the People of the State of
4 California to prohibit unfair and unlawful business practices (Bus. & Prof. Code, § 17204) and
5 enforce Proposition 65 (Health & Saf. Code, § 25249.7, subds. (b) & (c)).

6 7. The State of California has an interest in promoting the health of its residents.
7 To that end, California seeks to eliminate the sale of inhalable hemp products, which are illegal
8 under California law, and to reduce or eliminate the sale of all commercial hemp products
9 containing dangerous chemicals to consumers in California without warnings.

10 8. Defendant G.E.T. Agriculture LTD dba Tweedle Farms (“G.E.T.”), is a limited
11 liability company organized and existing under the General Business Entity and Corporation Law
12 of the State of Oregon. G.E.T. is a person within the meaning of Health and Safety Code section
13 25249.11 (Proposition 65) and Business and Professions Code section 17201 (unlawful and unfair
14 business practices). G.E.T. has over 10 employees and sells, or has sold, a variety of commercial
15 hemp products, including inhalable/smokable hemp products, online via its website to consumers
16 throughout the United States, including consumers in California.

17 9. Defendant The Hempacco Company, Inc. (“Hempacco”), is a corporation organized
18 and existing under the General Corporation Law of the State of Nevada. Hempacco is a person
19 within the meaning of Health and Safety Code section 25249.11 and Business and Professions
20 Code section 17201. Hempacco has over 10 employees and sells, or has sold, a variety of
21 commercial hemp products, including inhalable/smokable hemp products, online via its website
22 to consumers throughout the United States, including consumers in California.

23 10. Defendant Cheef Holdings dba Cheef Botanicals (“Cheef”) is a corporation organized
24 and existing under the General Corporation Law of the State of California. Cheef is a person
25 within the meaning of Health and Safety Code section 25249.11 and Business and Professions
26 Code section 17201. Cheef has over 10 employees and sells, or has sold, a variety of commercial
27 hemp products, including inhalable/smokable hemp products, online via its website to consumers
28 throughout the United States, including consumers in California.

1 11. Defendant IHF Online LLC dba Industrial Hemp Farms (“IHF”) is a limited liability
2 company organized and existing under the General Business Entity and Corporation Law of the
3 State of Wyoming. IHF is a person within the meaning of Health and Safety Code section
4 25249.11 and Business and Professions Code section 17201. IHF has over 10 employees and
5 sells, or has sold, a variety of commercial hemp products, including inhalable/smokable hemp
6 products, online via its website to consumers throughout the United States, including consumers
7 in California.

8 12. Defendant Eagle Moon Hemp, LLC (“Eagle Moon Hemp”) is a limited liability
9 company organized and existing under the General Business Entity and Corporation Law of the
10 State of New Mexico. Eagle Moon Hemp is a person within the meaning of Health and Safety
11 Code section 25249.11 and Business and Professions Code section 17201. Eagle Moon Hemp has
12 over 10 employees and sells, or has sold, a variety of commercial hemp products, including
13 inhalable/smokable hemp products, online via its website to consumers throughout the United
14 States, including consumers in California.

15 13. Defendant Eagle Moon Farm, LLC (“Eagle Moon Farm”) is a limited liability
16 company organized and existing under the General Business Entity and Corporation Law of the
17 State of New Mexico. Eagle Moon Farm is a person within the meaning of Health and Safety
18 Code section 25249.11 and Business and Professions Code section 17201. Eagle Moon Farm has
19 over 10 employees and sells, or has sold, a variety of commercial hemp products, including
20 inhalable/smokable hemp products, online via its website to consumers throughout the United
21 States, including consumers in California.

22 14. Defendant EMH Wholesale, LLC (“EMH”) is a limited liability company organized
23 and existing under the General Business Entity and Corporation Law of the State of New Mexico.
24 EMH is a person within the meaning of Health and Safety Code section 25249.11 and Business
25 and Professions Code section 17201. EMH has over 10 employees and sells, or has sold, a variety
26 of commercial hemp products, including inhalable/smokable hemp products, online via its
27 website to consumers throughout the United States, including consumers in California.
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1 15. Defendant Berkshire CBD dba Cannaflower (“Cannaflower”) is a limited liability
2 company organized and existing under the General Business Entity Corporation Law of the State
3 of Massachusetts. Cannaflower is a person within the meaning of Health and Safety Code section
4 25249.11 and Business and Professions Code section 17201. Cannaflower has over 10 employees
5 and sells, or has sold, a variety of commercial hemp products, including inhalable/smokable hemp
6 products, online via its website to consumers throughout the United States, including consumers
7 in California.

8 16. Defendant Berkshire Farm Collective (“Berkshire”) is a limited liability company
9 organized and existing under the General Business Entity and Corporation Law of the State of
10 Vermont. Berkshire is a person within the meaning of Health and Safety Code section 25249.11
11 and Business and Professions Code section 17201. Berkshire has over 10 employees and sells, or
12 has sold, a variety of commercial hemp products, including inhalable/smokable hemp products,
13 online via its website to consumers throughout the United States, including consumers in
14 California

15 17. Defendants DOES 1 through 50 are business entities engaged in the offering for sale,
16 holding, delivery, and distribution of the Products, including inhalable/smokable hemp products,
17 in California. As part of their business activities, each of the Does 1 through 50, causes persons in
18 California to be exposed to Delta-9-THC and/or beta-Myrcene contained in the Products. Does 1
19 through 50 also cause those exposures to occur without providing a clear and reasonable warning
20 prior to such exposures. The true names and capacities of the defendants sued herein as Does 1
21 through 50 are unknown to plaintiff, who therefore sues them by such fictitious names. Plaintiff
22 will amend this complaint to allege the true names and capacities of these defendants when they
23 have been determined. Each of the fictitiously named defendants is responsible in some manner
24 for the conduct alleged herein.

25 18. Whenever reference is made in this complaint to “Defendants,” such reference, unless
26 otherwise specified, includes the defendants named in paragraphs 7 through 17. References made
27 to one or more specifically identified defendants do not include defendants not identified within
28 the same reference.

1 **III. JURISDICTION**

2 19. This Court has jurisdiction pursuant to California Constitution Article VI, section 10
3 because this case is a cause not given by statute to other trial courts.

4 20. This Court has jurisdiction over Defendants because Defendants named above are
5 business entities that do sufficient business in California, or otherwise have sufficient minimum
6 contacts in California, to render the exercise of jurisdiction over them by California courts
7 consistent with traditional notions of fair play and substantial justice.

8 21. Venue is proper in this Court because this cause, or part thereof, arises in the County
9 of Alameda wherein one or more Defendants' products are sold, consumed, inhaled, applied or
10 available for purchase.

11 **IV. STATUTORY BACKGROUND**

12 **A. Assembly Bill 45 (AB 45)**

13 22. On October 6, 2021, California Governor Gavin Newsom signed AB 45 into law,
14 which allows for the inclusion of hemp and cannabinoids (e.g., CBD), extracts, or derivatives of
15 hemp in food and beverages, dietary supplements, cosmetics, and processed pet food provided
16 that they, among other things, contain less than 0.3% THC. (Bus. & Prof. Code, § 26013.2;
17 Health & Saf. Code, §§ 11018.5, 100425, 110065110036, 110407, 110469, 110611, 111691,
18 111920 *et seq.*, 111921.6, and 113091 (enacted and/or amended by AB 45 (Oct. 21, 2021).)

19 23. Among other things, AB 45 prohibits the sale of inhalable hemp products in
20 California. (Health & Saf. Code, § 111921.6, subd. (a).)

21 24. A person who violates any provision of Article 1, Chapter 9 (commencing with section
22 111920) of the Health and Safety Code, including section 111921.6, is subject to fines and
23 penalties established in Article 1 (commencing with section 111825), Chapter 8. Any person who
24 violates any provision or any regulation shall be subject to a fine of not more than one thousand
25 dollars (\$1,000), imprisonment, and/or both the fine and imprisonment. (*Ibid.*)

26 **B. The Proposition 65 Warning Requirement**

27 25. The Safe Drinking Water and Toxic Enforcement Act of 1986 is an initiative statute
28 passed as "Proposition 65" by a vote of the People in November of 1986.

1 26. The warning requirement of Proposition 65 is contained in Health and Safety Code
2 section 25249.6, which provides:

3 No person in the course of doing business shall knowingly and intentionally
4 expose any individual to a chemical known to the state to cause cancer or
5 reproductive toxicity without first giving clear and reasonable warning to such
6 individual, except as provided in Section 25249.10.

7 27. Proposition 65 establishes a procedure by which California, through its Governor or a
8 designee, develops and maintains a list of chemicals “known to the State to cause cancer or
9 reproductive toxicity.” (Health & Saf. Code, § 25249.8.) A warning concerning a listed chemical
10 must be given beginning one year after the chemical first appears on the list. (*Id.*, at § 25249.10,
11 subd. (b).)

12 28. Proposition 65 regulations provide that a warning is deemed to be “clear and
13 reasonable” if it complies with the requirements of California Code of Regulations, title 27,
14 section 25601 et seq., including if the name of the chemical is included in the warning, and the
15 warning is prominently displayed on a label, labeling, or sign [. . .] with such conspicuousness as
16 compared with other words, statements, designs or devices on the label, labeling or sign, as to
17 render the warning likely to be seen, read, and understood by an ordinary individual under
18 customary conditions of purchase or use.” (Cal. Code Regs., tit. 27, § 25601.)

19 29. Actions to enforce Proposition 65 may be brought by the Attorney General in the
20 name of the People of the State of California. (Health & Saf. Code, § 25249.7, subd. (c).)
21 Proposition 65 provides that any person “violating or threatening to violate” the statute may be
22 enjoined in any court of competent jurisdiction. (*Id.*, at § 25249.7, subd. (a).) Violators are liable
23 for civil penalties of up to \$2,500 per day for each violation. (*Id.*, at § 25249.7, subd. (b).)

24 **C. The Unfair Competition Law**

25 30. California Business and Professions Code section 17200 provides that “unfair
26 competition shall mean and include any unlawful, unfair or fraudulent business act or practice....”
27 Section 17203 of the Business and Professions Code provides that “[a]ny person who engages,
28 has engaged or proposes to engage in unfair competition may be enjoined in any court of

1 competent jurisdiction.” Actions for relief under the Unfair Competition Law may be prosecuted
2 by the Attorney General in “a court of competent jurisdiction....” (Bus. & Prof. Code, § 17204.)

3 31. Section 17206, subdivision (a) of the Business and Professions Code provides that
4 “[a]ny person who engages, has engaged, or proposes to engage in unfair competition shall be
5 liable for a civil penalty not to exceed two thousand five hundred dollars (\$2,500) for each
6 violation, which shall be assessed and recovered in a civil action brought in the name of the
7 people of the State of California by the Attorney General, [or] by any district attorney.” These
8 penalties are “cumulative to each other and to the remedies or penalties available under all other
9 laws of this state.” (*Id.*, at § 17205.)

10 V. FACTS

11 **Defendants’ Sale of Inhalable Hemp Products and Unfair Business Practices**

12 32. Among other things, AB 45 prohibits the sale of inhalable hemp products in California.
13 (Health & Saf. Code, §111921.6, subd. (a) (enacted by AB 45 (Oct. 21, 2021).)

14 33. As is set forth below, based upon information and belief, Defendants were selling
15 inhalable hemp products in the State of California. Each sale represents a violation of section
16 111921.6. The exact dates, amounts, and identities of the inhalable hemp products illegally sold
17 in the State of California by the Defendants will be determined at trial.

18 **Defendants’ Failure to Provide Proposition 65 Warnings for Their Products and** 19 **Unfair Business Practices**

20 34. The Office of Environmental Health Hazard Assessment (“OEHHA”) is the State of
21 California’s lead agency for implementing Proposition 65, and is the agency in charge of listing
22 chemicals pursuant to Proposition 65.

23 35. OEHHA listed Delta-9-THC under Proposition 65 as a chemical known to cause
24 developmental harm (harm to the developing fetus), a form of reproductive toxicity, on January 3,
25 2020. (Cal. Code Regs., tit. 27, § 27001, subd. (c).)

26 36. OEHHA listed Beta-Myrcene under Proposition 65 as a chemical known to cause
27 cancer on March 27, 2015. (*Id.*, § 27001, subd. (b).)

1 37. Defendants know and have known that their Products contain Delta-9-THC and beta-
2 Myrcene.

3 38. Defendants know and have known that California consumers who purchase the
4 Products they sell are exposed to Delta-9-THC and beta-Myrcene through inhalation, ingestion,
5 and/or application to the skin.

6 39. Defendants have intentionally sold the Products without providing a clear and
7 reasonable warning that the Products contain Delta-9-THC and beta-Myrcene, chemicals known
8 to the state of California to cause cancer and birth defects or other reproductive harm.

9 **FIRST CAUSE OF ACTION**

10 **ILLEGAL SALE OF INHALABLE HEMP PRODUCTS**

11 (Violations of Health and Safety Code Section 111921.6)

12 [Against All Defendants]

13 40. Plaintiff realleges and incorporates herein by reference all paragraphs above as
14 though set forth herein.

15 41. Defendants have engaged, and continue to engage, in acts or practices that violate
16 Health and Safety Code section 111921.6.

17 42. Plaintiff is informed and believes that on or about May 7, 2023, inhalable hemp
18 products were purchased online from Defendant G.E.T.'s website and were shipped to the address
19 of a private party representative in Alameda County, California. In addition, on August 15, 2023,
20 Plaintiff's investigator purchased inhalable hemp products online from Defendant G.E.T.'s
21 website, which were shipped on August 16, 2023, and received on August 21, 2023, at an address
22 in Fresno County, California.

23 43. Plaintiff is informed and believes that on or about April 22, 2023, inhalable hemp
24 products were purchased online from Defendant Hempacco's website and were shipped to the
25 address of a private party representative in Alameda County, California.

26 44. Plaintiff is informed and believes that on or about February 22, 2022, inhalable hemp
27 products were purchased online from Defendant IHF's website and were shipped to the address of
28 a private party representative in Sonoma County, California. Plaintiff is informed and believes

1 that on or about March 21, 2023 and May 16, 2023, additional inhalable hemp products were
2 purchased online from Defendant IHF's website and were shipped to the address of a private
3 party representative in Alameda County, California.

4 45. Plaintiff is informed and believes that on or about February 10, 2022, inhalable hemp
5 products were purchased online from Defendant Cheef's website and were shipped to the address
6 of a private party representative in Sonoma County, California. Plaintiff is informed and believes
7 that on or about April 20, 2023, May 15, 2023, and May 18, 2023, additional inhalable hemp
8 products were purchased online from Defendant Cheef's website and were shipped to the address
9 of a private party representative in Alameda County, California.

10 46. Plaintiff is informed and believes that on or about January 31, 2022, inhalable hemp
11 products were purchased online from Defendant Eagle Moon Hemp's website and were shipped
12 to the address of a private party representative in Sonoma County, California. In addition, on
13 August 14, 2023 and August 15, 2023, Plaintiff's investigator purchased inhalable hemp products
14 online from Defendant Eagle Moon Hemp's website, which were shipped respectively on August
15 14, 2023 and August 16, 2023, and received respectively on August 21, 2023 and August 23,
16 2023, at an address in Fresno County, California.

17 47. Plaintiff is informed and believes that on or about January 31, 2022, inhalable hemp
18 products were purchased online from Defendant Eagle Moon Farm's website and were shipped to
19 the address of a private party representative in Sonoma County, California. Plaintiff is informed
20 and believes that on or about May 8, 2023, additional inhalable hemp products were purchased
21 online from Defendant Eagle Moon Farm's website and were shipped to the address of a private
22 party representative in Alameda County, California. In addition, on August 14, 2023 and August
23 15, 2023, Plaintiff's investigator purchased inhalable hemp products online from Defendant Eagle
24 Moon Farm's website, which were shipped respectively on August 14, 2023 and August 16,
25 2023, and received respectively on August 21, 2023 and August 23, 2023, at an address in Fresno
26 County, California.

27 48. Plaintiff is informed and believes that on or about January 31, 2022, inhalable hemp
28 products were purchased online from Defendant EMH's website and were shipped to the address

1 of a private party representative in Sonoma County, California. Plaintiff is informed and believes
2 that on or about May 8, 2023, additional inhalable hemp products were purchased online from
3 Defendant EMH's website and were shipped to the address of a private party representative in
4 Alameda County, California. In addition, on August 14, 2023 and August 15, 2023, Plaintiff's
5 investigator purchased inhalable hemp products online from Defendant EMH's website, which
6 were shipped respectively on August 14, 2023 and August 16, 2023, and received respectively on
7 August 21, 2023 and August 23, 2023, at an address in Fresno County, California.

8 49. Plaintiff is informed and believes that on or about February 16, 2022, inhalable hemp
9 products were purchased online from Defendant Cannaflower's website and were shipped to the
10 address of a private party representative in Sonoma County, California. Plaintiff is informed and
11 believes that on or about March 25, 2023, additional inhalable hemp products were purchased
12 online from Defendant Cannaflower's website and were shipped to the address of a private party
13 representative in Alameda County, California. In addition, on August 15, 2023, Plaintiff's
14 investigator purchased inhalable hemp products online from Defendant Cannaflower's website,
15 which were shipped on August 17, 2023, and received on August 21, 2023, at an address in
16 Fresno County, California.

17 50. Plaintiff is informed and believes that on or about February 16, 2022, inhalable hemp
18 products were purchased online from Defendant Berkshire's website and were shipped to the
19 address of a private party representative in Sonoma County, California. Plaintiff is informed and
20 believes that on or about March 25, 2023, additional inhalable hemp products were purchased
21 online from Defendant Berkshire's website and were shipped to the address of a private party
22 representative in Alameda County, California. In addition, on August 15, 2023, Plaintiff's
23 investigator purchased inhalable hemp products online from Defendant Berkshire's website,
24 which were shipped on August 17, 2023, and received on August 21, 2023, at an address in
25 Fresno County, California.

26 51. By committing the acts alleged above, Defendants are liable to Plaintiff for civil
27 penalties of up to \$1,000 for each violation of Health and Safety Code section 111921.6.

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1 **SECOND CAUSE OF ACTION**

2 **FAILURE TO WARN**

3 (Violations of Proposition 65)

4 [Against All Defendants for All Products]

5 52. Plaintiff realleges and incorporates herein by reference all paragraphs above as
6 though set forth herein.

7 53. Defendants each employs ten or more persons.

8 54. Each Defendant is a “[p]erson in the course of doing business” as that term is used in
9 Health and Safety Code sections 25249.6 and 25249.11, subdivision (b).

10 55. By committing the acts alleged above, each Defendant has, in the course of doing
11 business, knowingly and intentionally exposed individuals to Delta-9-THC, a chemical known to
12 the State of California to cause reproductive harm, and beta-Myrcene, a chemical known to the
13 State of California to cause cancer, without first giving a clear and reasonable warning to such
14 individuals within the meaning of Health and Safety Code section 25249.6.

15 56. Said violations render each defendant liable to plaintiff for civil penalties of up to
16 \$2,500 per day for each violation, and provide the basis for other remedies.

17 **THIRD CAUSE OF ACTION**

18 **UNFAIR BUSINESS PRACTICES**

19 (Violations of Business and Professions Code Sections 17200 et seq.)

20 [Against All Defendants]

21 57. Plaintiff realleges and incorporates herein by reference all paragraphs above as
22 though set forth herein.

23 58. Defendants have engaged, and continue to engage, in acts or practices that are
24 unlawful, unfair, or fraudulent, and which constitute unfair competition within the meaning of
25 section 17200 of the Business and Professions Code. These acts or practices include, but are not
26 limited to, violating Health and Safety Code section 111921.6, as alleged in the First Cause of
27 Action.

1 59. By committing the acts alleged, Defendants are liable to plaintiff for civil penalties of
2 up to \$2,500 for each violation.

3 **FOURTH CAUSE OF ACTION**

4 **UNFAIR BUSINESS PRACTICES**

5 (Violations of Business and Professions Code Sections 17200 et seq.)

6 [Against All Defendants]

7 60. Plaintiff realleges and incorporates herein by reference all paragraphs above as
8 though set forth herein.

9 61. Defendants have engaged, and continue to engage, in acts or practices that are
10 unlawful, unfair, or fraudulent, and which constitute unfair competition within the meaning of
11 section 17200 of the Business and Professions Code. These acts or practices include, but are not
12 limited to, violating Proposition 65 as alleged in the Second Cause of Action.

13 62. By committing the acts alleged, Defendants are liable to plaintiff for civil penalties of
14 up to \$2,500 for each violation.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff prays that the Court:

17 (1) Pursuant to Health and Safety Code section 111900, and other applicable laws, enter
18 such preliminary injunctions, permanent injunctions, or other orders as Plaintiff shall specify in
19 further application to the court prohibiting Defendants, and their successors, agents,
20 representatives, employees and all persons who act in concert with them, from violating Health
21 and Safety Code section 111921.6 by selling inhalable commercial hemp products within the
22 State of California;

23 (2) Pursuant to Health and Safety Code section 25249.7 and other applicable laws, enter
24 such preliminary injunctions, permanent injunctions, or other orders as Plaintiff shall specify in
25 further application to the court prohibiting Defendants, and their successors, agents,
26 representatives, employees and all persons who act in concert with them, from exposing persons
27 within the State of California to Delta-9-THC and beta-Myrcene from commercial hemp products
28 without providing clear and reasonable warnings;

1 (3) Pursuant to Health and Safety Code section 25249.7, subdivision (b)(1), that the
2 Court assess a civil penalty of two thousand five hundred dollars (\$2,500) against Defendants for
3 each violation of Health and Safety Code section 25249.6, as proved at trial;

4 (4) Pursuant to Business and Professions Code section 17203, that the Court make such
5 orders or judgments necessary to prevent the use or employment by Defendants, along with
6 Defendants' successors, agents, representatives, employees, and all persons who act in concert
7 with Defendants, of any practice which constitutes unfair competition, as proved at trial;

8 (5) Pursuant to Business and Professions Code section 17203, that the Court enter all
9 orders or judgments as may be necessary to restore to any person in interest any money or other
10 property which may have acquired by means of unfair competition, as proved at trial;

11 (6) Pursuant to Business and Professions Code section 17206, that the Court assess a civil
12 penalty of two thousand five hundred dollars (\$2,500) against Defendants for each violation of
13 Business and Professions Code sections 17200 et seq., as proved at trial;

14 (7) Award Plaintiff its cost of suit; and

15 (8) Grant such other and further relief as the court deems just and proper.

16 Dated: August 31, 2023

Respectfully submitted,

17 ROB BONTA
18 Attorney General of California
19 HARINDER K. KAPUR
20 Senior Assistant Attorney General
21 JOSHUA B. EISENBERG
22 Supervising Deputy Attorney General

23 GREGORY M. CRIBBS
24 Deputy Attorney General
25 *Attorneys for the People of the State of*
26 *California*