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LEXINGTON LAW GROUP  
Eric S. Somers, State Bar No. 139050  
Joseph Mann, State Bar No. 207968  
503 Divisadero Street  
San Francisco, CA 94117  
Telephone: (415) 913-7800  
Facsimile: (415) 759-4112  
esomers@lexlawgroup.com  
jmann@lexlawgroup.com

Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH

ENTERED  
FILED  
ALAMEDA COUNTY  
CLERK OF THE SUPERIOR COURT  
By Darrell G. Drew

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ALAMEDA

CENTER FOR ENVIRONMENTAL HEALTH,  
a non-profit corporation,  
  
Plaintiff,  
  
v.  
  
WHOLE FOODS MARKET CALIFORNIA,  
INC.; ALLEGRO COFFEE COMPANY;  
KEURIG DR PEPPER INC.; and DOES 1 through  
200, inclusive,  
  
Defendants.

Case No. RG 19-026800  
  
**FIRST AMENDED COMPLAINT  
FOR INJUNCTIVE RELIEF AND  
CIVIL PENALTIES**  
  
Health & Safety Code §25249.6, *et seq.*  
  
(Other)

1 Plaintiff Center for Environmental Health, in the public interest, based on  
2 information and belief and investigation of counsel, except for information based on knowledge,  
3 hereby makes the following allegations:

#### 4 **INTRODUCTION**

5 1. This Complaint seeks to remedy Defendants' continuing failure to warn  
6 individuals in California that they are being exposed to inorganic arsenic oxides and inorganic  
7 arsenic compounds (collectively, "Arsenic"), a chemical known to the State of California to cause  
8 cancer and birth defects or other reproductive harm. Such exposures have occurred, and continue  
9 to occur, when people consume bottled spring water that is sold by Defendants. Consumers,  
10 including pregnant women and children, are exposed to Arsenic when they consume Defendants'  
11 bottled spring water.

12 2. Under California's Proposition 65, Health & Safety Code §25249.5, *et seq.*, it is  
13 unlawful for businesses to knowingly and intentionally expose individuals in California to  
14 chemicals known to the State to cause cancer, birth defects, or other reproductive harm without  
15 first providing clear and reasonable warnings to exposed individuals. Defendants introduce  
16 bottled spring water containing significant quantities of arsenic into the California marketplace,  
17 thereby exposing consumers of such bottled spring water, many of whom are pregnant women  
18 and children, to Arsenic.

19 3. Despite the fact that Defendants expose pregnant women, children, and other  
20 consumers to Arsenic, Defendants provide no warnings whatsoever about the carcinogenic or  
21 reproductive hazards associated with Arsenic exposure. Defendants' conduct thus violates the  
22 warning provision of Proposition 65. Health & Safety Code §25249.6.

#### 23 **PARTIES**

24 4. Plaintiff CENTER FOR ENVIRONMENTAL HEALTH ("CEH") is a non-profit  
25 corporation dedicated to protecting the public from environmental health hazards and toxic  
26 exposures. CEH is based in Oakland, California and incorporated under the laws of the State of  
27 California. CEH is a "person" within the meaning of Health & Safety Code §25249.11(a) and  
28 brings this enforcement action in the public interest pursuant to Health & Safety Code

1 §25249.7(d). CEH is a nationally recognized non-profit environmental advocacy group that has  
2 prosecuted a large number of Proposition 65 cases in the public interest. These cases have  
3 resulted in significant public benefit, including the reformulation of millions of products to  
4 remove toxic chemicals and to make them safer. CEH also provides information to Californians  
5 about the health risks associated with exposure to hazardous substances, where manufacturers and  
6 other responsible parties fail to do so.

7 5. Defendant WHOLE FOODS MARKET CALIFORNIA, INC. is a person in the  
8 course of doing business within the meaning of Health & Safety Code §25249.11. Defendant  
9 WHOLE FOODS MARKET CALIFORNIA, INC. markets, distributes, or sells bottled spring  
10 water for sale or use in California. CEH’s allegations and claims against Defendant WHOLE  
11 FOODS MARKET CALIFORNIA, INC. in this action are limited to bottled spring water sold  
12 under the “Starkey” brand.

13 6. Defendant ALLEGRO COFFEE COMPANY is a person in the course of doing  
14 business within the meaning of Health & Safety Code §25249.11. Defendant ALLEGRO  
15 COFFEE COMPANY markets, distributes, or sells bottled spring water for sale or use in  
16 California. CEH’s allegations and claims against Defendant ALLEGRO COFFEE COMPANY  
17 in this action are limited to bottled spring water sold under the “Starkey” brand.

18 7. Defendant KEURIG DR PEPPER INC. is a person in the course of doing business  
19 within the meaning of Health & Safety Code §25249.11. Defendant KEURIG DR PEPPER INC.  
20 markets, distributes, or sells bottled spring water for sale or use in California. CEH’s allegations  
21 and claims against Defendant KEURIG DR PEPPER INC. in this action are limited to bottled  
22 flavored and unflavored mineral spring water sold under the “Penafiel” brand.

23 8. DOES 1 through 200 are each a person in the course of doing business within the  
24 meaning of Health & Safety Code §25249.11. DOES 1 through 200 manufacture, distribute, or  
25 sell bottled spring water for sale or use in California.

26 9. The true names of DOES 1 through 200 are either unknown to CEH at this time or  
27 the applicable time period before which CEH may file a Proposition 65 action has not run. When  
28

1 their identities are ascertained or the applicable time period before which CEH may file a  
2 Proposition 65 action has run, the Complaint shall be amended to reflect their true names.

3 10. The defendants identified in paragraphs 5 through 7 and DOES 1 through 200 are  
4 collectively referred to herein as “Defendants.”

5 **JURISDICTION AND VENUE**

6 11. The Court has jurisdiction over this action pursuant to Health & Safety Code  
7 §25249.7, which allows enforcement in any court of competent jurisdiction, and pursuant to  
8 California Constitution Article VI, Section 10, because this case is a cause not given by statute to  
9 other trial courts.

10 12. This Court has jurisdiction over Defendants because each is a business entity that  
11 does sufficient business, has sufficient minimum contacts in California, or otherwise intentionally  
12 avails itself of the California market through the sale, marketing, or use of bottled spring water in  
13 California or by having such other contacts with California so as to render the exercise of  
14 jurisdiction over it by the California courts consistent with traditional notions of fair play and  
15 substantial justice.

16 13. Venue is proper in Alameda County Superior Court because one or more of the  
17 violations arise in the County of Alameda.

18 **BACKGROUND FACTS**

19 14. The People of the State of California have declared by initiative under Proposition  
20 65 their right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or  
21 other reproductive harm.” Proposition 65, §1(b).

22 15. To effectuate this goal, Proposition 65 prohibits exposing people to chemicals  
23 listed by the State of California as known to cause cancer, birth defects, or other reproductive  
24 harm above certain levels without a “clear and reasonable warning” unless the business  
25 responsible for the exposure can prove that it fits within a statutory exemption. Health & Safety  
26 Code §25249.6 states, in pertinent part:

27 No person in the course of doing business shall knowingly and  
28 intentionally expose any individual to a chemical known to the state to

1 cause cancer or reproductive toxicity without first giving clear and  
2 reasonable warning to such individual. . .

3 16. On February 27, 1987, the State of California officially listed arsenic (inorganic  
4 arsenic compounds) as a chemical known to cause cancer. 27 California Code of Regulations  
5 (“C.C.R.”) §27001(b). On February 27, 1988, one year after it was listed as a chemical known to  
6 cause cancer, arsenic (inorganic arsenic compounds) became subject to the clear and reasonable  
7 warning requirement regarding carcinogens under Proposition 65. Health & Safety Code  
8 §25249.10(b).

9 17. On May 1, 1997, the State of California officially listed arsenic (inorganic oxides)  
10 as a chemical known to cause reproductive toxicity. Arsenic (inorganic oxides) is specifically  
11 identified as a developmental toxicant, which means it tends to harm the developing fetus. 27  
12 C.C.R. §27001(c). On May 1, 1998, one year after it was listed as a chemical known to cause  
13 reproductive toxicity, arsenic (inorganic oxides) became subject to the clear and reasonable  
14 warning requirement regarding reproductive toxicants under Proposition 65. Health & Safety  
15 Code §25249.10(b).

16 18. There is no safe level of exposure to Arsenic and even minute amounts of Arsenic  
17 have been proven harmful. *See, e.g.,* James, K., *et al.*, International Encyclopedia of Public  
18 Health (2d ed. 2017), p. 170-175. The U.S. Environmental Protection Agency (“EPA”) has set a  
19 “maximum contaminant level goal” for Arsenic in water – the level below which there is no  
20 known or expected risk to health – at zero. EPA states that exposure to Arsenic is linked to  
21 cancer of the skin, bladder, lung, kidney, nasal passages, liver, and prostate. *See* EPA, Technical  
22 Fact Sheet: Final Rule for Arsenic in Drinking Water (January 2001). With respect to  
23 reproductive hazards from Arsenic exposures, recent studies have demonstrated reproductive  
24 harm at very low exposure levels that continue to drop. *See, e.g.,* Wang, B., *et al.*, “Prenatal  
25 exposure to arsenic and neurobehavioral development of newborns in China,” 121 Environmental  
26 International (2018), p. 421-427.

27 19. Bottled water is generally believed by consumers to be safer than tap water. This  
28 is one reason bottled water costs hundreds of times more than tap water. Defendants take

1 affirmative steps to promote this belief by using marketing language suggesting that their bottled  
2 spring water is a healthier alternative to tap water, such as terms like “pure,” “filtered,” or  
3 “mineralized.” Consumers who purchase and drink bottled spring water thus are more likely to  
4 care about water safety issues than persons who drink tap water. This makes the failure to warn  
5 about Arsenic in Defendants’ bottled spring water even more egregious.

6 20. Defendants’ bottled spring water contains sufficient quantities of Arsenic such that  
7 consumers, including pregnant women and children, who consume such bottled spring water are  
8 exposed to a significant amount of Arsenic. The primary route of exposure for the violations is  
9 direct ingestion when consumers drink such bottled spring water. These exposures occur in  
10 homes, workplaces, and everywhere else throughout California where Defendants’ bottled spring  
11 water is consumed.

12 21. No clear and reasonable warning is provided with Defendants’ bottled spring water  
13 regarding the carcinogenic or reproductive hazards of Arsenic.

14 22. Any person acting in the public interest has standing to enforce violations of  
15 Proposition 65 provided that such person has supplied the requisite public enforcers with a valid  
16 60-Day Notice of Violation and such public enforcers are not diligently prosecuting the action  
17 within such time. Health & Safety Code §25249.7(d).

18 23. More than sixty days prior to naming each Defendant in this lawsuit, CEH  
19 provided a 60-Day “Notice of Violation” of Proposition 65 to the California Attorney General, to  
20 the District Attorneys of every county in California, to the City Attorneys of every California city  
21 with a population greater than 750,000, and to each of the named Defendants. In compliance with  
22 Health & Safety Code §25249.7(d) and 27 C.C.R. §25903(b), each Notice included the following  
23 information: (1) the name and address of each violator; (2) the statute violated; (3) the time period  
24 during which violations occurred; (4) specific descriptions of the violations, including (a) the  
25 routes of exposure to Arsenic from Defendants’ bottled spring water, and (b) the specific type of  
26 products sold and used in violation of Proposition 65; and (5) the name of the specific Proposition  
27 65-listed chemical that is the subject of the violations described in each Notice.

28

1           24.     CEH also sent a Certificate of Merit for each Notice to the California Attorney  
2 General, to the District Attorneys of every county in California, to the City Attorneys of every  
3 California city with a population greater than 750,000, and to each of the named Defendants. In  
4 compliance with Health & Safety Code §25249.7(d) and 11 C.C.R. §3101, each Certificate  
5 certified that CEH’s counsel: (1) has consulted with one or more persons with relevant and  
6 appropriate experience or expertise who reviewed facts, studies, or other data regarding the  
7 exposures to Arsenic alleged in each Notice; and (2) based on the information obtained through  
8 such consultations, believes that there is a reasonable and meritorious case for a citizen  
9 enforcement action based on the facts alleged in each Notice. In compliance with Health &  
10 Safety Code §25249.7(d) and 11 C.C.R. §3102, each Certificate served on the Attorney General  
11 included factual information – provided on a confidential basis – sufficient to establish the basis  
12 for the Certificate, including the identity of the person(s) consulted by CEH’s counsel and the  
13 facts, studies, or other data reviewed by such persons.

14           25.     None of the public prosecutors with the authority to prosecute violations of  
15 Proposition 65 has commenced or is diligently prosecuting a cause of action against Defendants  
16 under Health & Safety Code §25249.5, *et seq.*, based on the claims asserted in any of CEH’s  
17 Notices regarding Arsenic in bottled spring water.

18           26.     Defendants both know and intend that individuals, including pregnant women and  
19 children, will consume their bottled spring water, thus exposing such individuals to Arsenic.

20           27.     For instance, in April 2019, Consumer Reports published an article reporting that  
21 its own testing found Arsenic levels above 3 parts per billion (“ppb”) in bottled spring water sold  
22 under the following brands: Starkey (10 ppb), Penafiel (18 ppb), Crystal Geyser (3.8 ppb), Volvic  
23 (4 ppb) Crystal Creamery (5 ppb), and EarthH<sub>2</sub>O (3 ppb).

24           28.     In response to the April 2019 Consumer Reports article, Defendant WHOLE  
25 FOODS MARKET CALIFORNIA, INC. did not deny the reported Arsenic levels, despite  
26 admitting that the company tests “every production run of water before it is sold.” Indeed, the  
27 Starkey Spring Water website displays a “2019 bottled Water Quality Report” stating that  
28 “Arsenic levels above 5 ppb and up to 10 ppb are present” in Starkey bottled spring water. That

1 report also contains a test result indicating that a sample of Starkey Spring Water contained 8 ppb  
2 Arsenic. Attached hereto as **Exhibit 1** is a true and correct copy of the “2019 bottled Water  
3 Quality Report,” downloaded from the Starkey website (*see* [https://tinyurl.com/  
4 starkeywaterarsenic](https://tinyurl.com/starkeywaterarsenic)) on July 10, 2019. Also, in 2016 and 2017, Defendant WHOLE FOODS  
5 MARKET CALIFORNIA, INC. issued two separate recalls of more than 2,000 cases of Starkey  
6 bottled spring water after tests by regulators showed Arsenic levels exceeding the federal drinking  
7 water threshold level of 10 ppb.

8 29. In response to the April 2019 Consumer Reports article, Defendant KEURIG DR  
9 PEPPER INC. confirmed that recent testing by the company showed that the Arsenic levels in  
10 Penafiel bottled spring water had an average of 17 ppb. Also, in June 2019, the company issued a  
11 recall of all Penafiel bottled unflavored mineral spring water in the U.S. “due to the presence of  
12 violative levels of arsenic.” Notably, this recall did not involve or address Arsenic in any of the  
13 Penafiel flavored water products.

14 30. Nevertheless, Defendants continue to expose consumers, including pregnant  
15 women and children, to Arsenic without prior clear and reasonable warnings regarding the  
16 carcinogenic or reproductive hazards of Arsenic.

17 31. CEH has engaged in good-faith efforts to resolve the claims alleged herein prior to  
18 filing this Complaint.

19 32. Any person “violating or threatening to violate” Proposition 65 may be enjoined in  
20 any court of competent jurisdiction. Health & Safety Code §25249.7. “Threaten to violate” is  
21 defined to mean “to create a condition in which there is a substantial probability that a violation  
22 will occur.” Health & Safety Code §25249.11(e). Proposition 65 provides for civil penalties not  
23 to exceed \$2,500 per day for each violation of Proposition 65.

24  
25 **FIRST CAUSE OF ACTION**  
**(Violations of Health & Safety Code §25249.6)**

26 33. CEH realleges and incorporates by reference as if specifically set forth herein  
27 Paragraphs 1 through 32, inclusive.



1 34. By placing their bottled spring water into the stream of commerce, each Defendant  
2 is a person in the course of doing business within the meaning of Health & Safety Code  
3 §25249.11.

4 35. Arsenic is a chemical listed by the State of California as known to cause cancer,  
5 birth defects, and other reproductive harm.

6 36. Defendants know that average use of their bottled spring water will expose users  
7 of these products to Arsenic. Defendants intend that their bottled spring water be used in a  
8 manner that results in exposures to Arsenic from these products.

9 37. Defendants have failed, and continue to fail, to provide clear and reasonable  
10 warnings regarding the carcinogenicity and reproductive toxicity of Arsenic to users of their  
11 bottled spring water.

12 38. By committing the acts alleged above, Defendants have at all times relevant to this  
13 Complaint violated Proposition 65 by knowingly and intentionally exposing individuals to  
14 Arsenic without first giving clear and reasonable warnings to such individuals regarding the  
15 carcinogenicity and reproductive toxicity of Arsenic.

16 **PRAYER FOR RELIEF**

17 CEH prays for judgment against Defendants as follows:

18 1. That the Court, pursuant to Health & Safety Code §25249.7(a), preliminarily and  
19 permanently enjoin Defendants from offering bottled spring water that will be sold in California  
20 without either reducing the Arsenic levels in their bottled spring water such that no Proposition 65  
21 warnings are required or providing prior clear and reasonable warnings, as CEH shall specify in  
22 further application to the Court;

23 2. That the Court, pursuant to Health & Safety Code §25249.7(b), assess civil  
24 penalties against each Defendant in the amount of \$2,500 per day for each violation of  
25 Proposition 65 according to proof;

26 3. That the Court, pursuant to Health & Safety Code §25249.7(a), order Defendants  
27 to take action to stop ongoing unwarned exposures to Arsenic resulting from the use of bottled  
28 spring water sold by Defendants, as CEH shall specify in further application to the Court;

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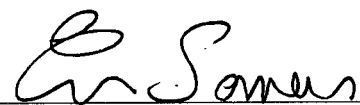
4. That the Court, pursuant to Code of Civil Procedure §1021.5 or any other applicable theory, grant CEH its reasonable attorneys' fees and costs of suit; and

5. That the Court grant such other and further relief as may be just and proper.

Dated: September 12, 2019

Respectfully submitted,

LEXINGTON LAW GROUP



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Eric S. Somers  
Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH

# **Exhibit 1**

2019 BOTTLED WATER QUALITY REPORT  
Starkey Spring Water

Bottler's Name: Starkey Water  
Address: 101 Council Avenue, Council, ID 83612  
Telephone Number: 855-910-4844  
Source(s): Starkey Hot Springs  
Treatment process: 25 um Filtration, 2 um Filtration, 0.5 um Filtration, UV Disinfection

DEFINITIONS:

- **Statement of quality:** The quality standards of bottled water provide the maximum legal limits for a variety of substances that are allowed in bottled water, along with their monitoring requirements. The substances include microbiological contaminants, pesticides, inorganic contaminants, organic contaminants, radiological contaminants, and others. The standards have been established by the United States Food and Drug Administration (FDA), based on the public drinking water standards of the United States Environmental Protection Agency (USEPA). CDPH adopts the FDA regulations pertinent to the quality standards of bottled water.
- **Maximum contaminant level (MCL):** MCL is the maximum level of a contaminant allowed in public drinking water.
- **Primary drinking water standards (PDWS):** PDWS are set to provide the maximum feasible protection to public health. The goal of setting PDWS is to identify MCLs, along with their monitoring and reporting requirements, which prevent adverse health effects. PDWS are established as close to the public health goal (PHG) or the maximum contaminant level goal (MCLG) as is economically and technologically feasible.
- **Public health goal (PHG):** PHG is the level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency.

SOURCE WATER:

The sources of bottled water include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water naturally travels over the surface of the land or through the ground, it can pick up naturally occurring substances as well as substances that are present due to animal and human activity. Substances that may be present in the source water include any of the following:

- (1) Inorganic substances, including, but not limited to, salts and metals, that can be naturally occurring or result from farming, urban storm water runoff, industrial or domestic wastewater discharges, or oil and gas production.
- (2) Pesticides and herbicides that may come from a variety of sources, including, but not limited to, agriculture, urban storm water runoff, and residential uses.
- (3) Organic substances that are byproducts of industrial processes and petroleum production and can also come from gas stations, urban storm water runoff, agricultural application, and septic systems.
- (4) Microbial organisms that may come from wildlife, agricultural livestock operations, sewage treatment plants, and septic systems.
- (5) Substances with radioactive properties that can be naturally occurring or be the result of oil and gas production and mining activities.”

#### CONTAMINANTS IN WATER:

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the United States Food and Drug Administration, Food and Cosmetic Hotline (1-888-723-3366). In order to ensure that bottled water is safe to drink, the United States Food and Drug Administration and the State Department of Public Health prescribe laws and regulations that limit the amount of certain contaminants in water provided by bottled water companies.

Some persons may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, including, but not limited to, persons with cancer who are undergoing chemotherapy, persons who have undergone organ transplants, persons with HIV/AIDS or other immune system disorders, some elderly persons, and infants can be particularly at risk from infections. These persons should seek advice about drinking water from their health care providers. The United States Environmental Protection Agency and the Centers for Disease Control and Prevention guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791).

Arsenic levels above 5 ppb and up to 10 ppb are present in your drinking water. While your drinking water meets the current EPA standard for arsenic, it does contain low levels of arsenic. The standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. The State Department of Public Health continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects, including, but not limited to, skin damage and circulatory problems

#### INFORMATION on PRODUCT RECALLS:

If you would like to know whether a particular bottled water product has been recalled or is being recalled, please visit the FDA's website <http://www.fda.gov/opacom/7alerts.html>.

**NOTE:**        \*\*" indicates that maximum levels have been exceeded, or in the case of pH, is either too high or too low  
                   "ND" indicates that none of this analyte has been detected at or above the specified detection level  
                   "MCL" indicates maximum contaminant level as established by EPA and/or FDA or state  
                   "RL" indicates laboratory reporting limit for method

<b>ANALYSIS PERFORMED</b>	<b>MCL<sup>i</sup> (mg/L)</b>	<b>RL (mg/L)</b>	<b>STARKEY SPRING WATER S-0001603079 (mg/L)</b>
<b>Primary Inorganics</b>			
Antimony	0.006	0.0002	0.0002
Arsenic	0.010	0.001	0.008
Barium	2	0.001	ND
Beryllium	0.004	0.0002	ND
Cadmium	0.005	0.0002	ND
Chromium	0.1	0.001	ND
Cyanide	0.2	0.005	ND
Fluoride	See endnote <sup>ii</sup>	0.1	0.9
Lead	0.005	0.0005	ND
Mercury	0.002	0.0002	ND
Nickel	0.1	0.0005	ND
Nitrogen, Nitrate	10	0.01	ND
Nitrogen, Nitrite	1.0	0.004	ND
Selenium	0.05	0.001	ND
Thallium	0.002	0.0002	ND
<b>Secondary Inorganics</b>			
Aluminum	0.2	0.01	0.02
Chloride	250 <sup>iii</sup>	2	14
Copper	1	0.001	ND
Iron	0.3 <sup>iii</sup>	0.02	ND
Manganese	0.05 <sup>iii</sup>	0.001	ND
Phenol	0.001	0.001	ND
Silver	0.1	0.001	ND
Sulfate	250 <sup>iii</sup>	125	140
TDS	500 <sup>iii</sup>	5	340
Zinc	5 <sup>iii</sup>	0.01	ND
<b>Physical</b>			
Color	15 <sup>iii</sup> CU	5	ND
Odor	3 <sup>iii</sup> TON	1	1
Turbidity	5 NTU	0.1	ND
<b>Microbiological</b>			
Total Coliform	Absence	Absence	ND
E.Coli in Water	-- cfu/mL	Absence	ND
<b>Radiologicals</b>			
Gross Alpha	15 pCi/L	3	ND
Gross Beta	50 pCi/L	4	ND
Radium 226/228	5 pCi/L	1 / 1	ND
Uranium	30 ug/L	0.001	ND

ANALYSIS PERFORMED	MCL (mg/L)	RL (mg/L)	STARKEY SPRING WATER S-0001603079 (mg/L)
<b>Volatile Organic Compounds</b>			
Total Trihalomethanes	0.010 <sup>iv</sup>	0.0005	ND
Benzene	0.005	0.0005	ND
Carbon tetrachloride	0.005	0.0005	ND
Chlorobenzene	0.1	0.0005	ND
1,2-Dichlorobenzene	0.6	0.0005	ND
1,4-Dichlorobenzene	0.075	0.0005	ND
1,2-Dichloroethane	0.005	0.0005	ND
1,1-Dichloroethene	0.007	0.0005	ND
cis-1,2-Dichloroethene	0.07	0.0005	ND
trans-1,2-Dichloroethene	0.1	0.0005	ND
1,2-Dichloropropane	0.005	0.0005	ND
Ethylbenzene	0.7	0.0005	ND
Methylene chloride	0.005	0.0005	ND
Styrene	0.1	0.0005	ND
Tetrachloroethene	0.005	0.0005	ND
Toluene	1	0.0005	ND
1,2,4-Trichlorobenzene	0.07	0.0005	ND
1,1,1-Trichloroethane	0.20	0.0005	ND
1,1,2-Trichloroethane	0.005	0.0005	ND
Trichloroethene	0.005	0.0005	ND
Vinyl chloride	0.002	0.0005	ND
Total Xylenes	10	0.0005	ND
<b>Add'l Organics</b>			
Ethylene Dibromide	0.00005	0.00001	ND
Dibromochloropropane	0.0002	0.00001	ND
Alachlor	0.002	0.0001	ND
Atrazine	0.003	0.0001	ND
Chlordane	0.002	0.0001	ND
Endrin	0.002	0.0001	ND
Heptachlor	0.0004	0.00004	ND
Heptachlor epoxide	0.0002	0.00002	ND
Hexachlorobenzene	0.001	0.0001	ND
Hexachlorocyclopentadiene	0.05	0.0001	ND
Lindane	0.0002	0.00002	ND
Methoxychlor	0.04	0.0001	ND
Total PCBs	0.0005	0.0001	ND
Simazine	0.004	0.00007	ND
Toxaphene	0.003	0.0001	ND
2,4-D	0.07	0.0001	ND
Dalapon	0.2	0.001	ND
Dinoseb	0.007	0.0002	ND
Pentachlorophenol	0.001	0.00004	ND
Picloram	0.5	0.0001	ND
2,4,5-TP (Silvex)	0.05	0.0002	ND

ANALYSIS PERFORMED	MCL (mg/L)	RL (mg/L)	STARKEY SPRING WATER S-0001603079 (mg/L)
Benzo(a)pyrene	0.0002	0.00002	ND
Di(2-ethylhexyl)adipate	0.4	0.0006	ND
Di(2-ethylhexyl)phthalate	0.006	0.0006	ND
Carbofuran	0.04	0.0005	ND
Oxamyl (VYDATE)	0.2	0.0005	ND
Glyphosate	0.7	0.006	ND
Endothall	0.1	0.009	ND
Diquat	0.02	0.0004	ND
2,3,7,8-TCDD (DIOXIN)	3x10 <sup>-8</sup>	5 pg/L	ND
<b>Disinfection Byproducts</b>			
Bromate	0.010	0.005	ND
Chlorite	1.0	0.010	ND
Haloacetic Acids, Total	0.060	0.001	ND
Total Trihalomethanes	0.010	0.0005	ND
<b>Residual Disinfectants</b>			
Residual Chlorine, Total	4.0	0.05	ND
Chloramines	4.0	0.05	ND
Chlorine Dioxide	0.8	0.1	ND

EPA approved methods were used in all of the analyses and a listing is available upon request.

<sup>i</sup> The EPA, some State agencies and/or the IBWA may have established alternate MCLs for some of these analytes. Please refer to Federal, State and Industry codes.

<sup>ii</sup> Fluoride MCL is determined by annual average of maximum daily air temperatures where the bottled water is sold. Refer to tables found in 21 CFR 165.

<sup>iii</sup> Mineral water is exempt from allowable level. The exemptions are aesthetically based allowable levels and do not relate to a health concern.

<sup>iv</sup> The FDA has established the MCL for THMs at 0.080 mg/L.