

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: David Sotelo

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9 CONSUMER ADVOCACY GROUP, INC.

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF LOS ANGELES**

12 CONSUMER ADVOCACY GROUP, INC.,  
13 in the public interest,

14 Plaintiff,

15 v.

16 ASIA SUPERMARKET, LLC, a California  
17 Limited Liability Company;  
18 KIM SENG COMPANY DBA IHA  
19 BEVERAGE, a California Corporation  
20 and DOES 1-30,

21 Defendants.

CASE NO. **20STCV27010**

COMPLAINT FOR PENALTY AND  
INJUNCTION

Violation of Proposition 65, the Safe  
Drinking Water and Toxic Enforcement  
Act of 1986 (*Health & Safety Code*, §  
25249.5, *et seq.*)

ACTION IS AN UNLIMITED CIVIL  
CASE (exceeds \$25,000)

22  
23 Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges three causes of action  
24 against defendants ASIA SUPERMARKET, LLC; KIM SENG COMPANY DBA IHA  
25 BEVERAGE and DOES 1-30 as follows:

26 **THE PARTIES**

- 1 1. Plaintiff CONSUMER ADVOCACY GROUP, INC. (“Plaintiff” or “CAG”) is an  
2 organization qualified to do business in the State of California. CAG is a person within  
3 the meaning of Health and Safety Code Section 25249.11, subdivision (a). CAG, acting  
4 as a private attorney general, brings this action in the public interest as defined under  
5 Health and Safety Code Section 25249.7, subdivision (d).
- 6 2. Defendant ASIA SUPERMARKET, LLC (“ASIA LLC”) is a California Limited  
7 Liability Company doing business in the State of California at all relevant times herein.
- 8 3. Defendant KIM SENG COMPANY DBA IHA BEVERAGE (“KIM SENG”) is a  
9 California Corporation, qualified to do business in California and doing business in the  
10 State of California at all relevant times herein.
- 11 4. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-30,  
12 and therefore sues these defendants by such fictitious names. Plaintiff will amend this  
13 Complaint to allege their true names and capacities when ascertained. Plaintiff is  
14 informed, believes, and thereon alleges that each fictitiously named defendant is  
15 responsible in some manner for the occurrences herein alleged and the damages caused  
16 thereby.
- 17 5. At all times mentioned herein, the term “Defendants” includes ASIA LLC, KIM SENG,  
18 and DOES 1-30.
- 19 6. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all  
20 times mentioned herein have conducted business within the State of California.
- 21 7. Upon information and belief, at all times relevant to this action, each of the Defendants,  
22 including DOES 1-30, was an agent, servant, or employee of each of the other  
23 Defendants. In conducting the activities alleged in this Complaint, each of the  
24 Defendants was acting within the course and scope of this agency, service, or  
25 employment, and was acting with the consent, permission, and authorization of each of  
26 the other Defendants. All actions of each of the Defendants alleged in this Complaint  
27 were ratified and approved by every other Defendant or their officers or managing  
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1 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated the  
2 alleged wrongful conduct of each of the other Defendants.

- 3 8. Plaintiff is informed, believes, and thereon alleges that at all relevant times, each of the  
4 Defendants was a person doing business within the meaning of Health and Safety Code  
5 Section 25249.11, subdivision (b), and that each of the Defendants had ten (10) or more  
6 employees at all relevant times.

7 **JURISDICTION**

- 8 9. The Court has jurisdiction over this lawsuit pursuant to California Constitution Article  
9 VI, Section 10, which grants the Superior Court original jurisdiction in all causes except  
10 those given by statute to other trial courts. This Court has jurisdiction over this action  
11 pursuant to Health and Safety Code Section 25249.7, which allows enforcement of  
12 violations of Proposition 65 in any Court of competent jurisdiction.

- 13 10. This Court has jurisdiction over Defendants named herein because Defendants either  
14 reside or are located in this State or are foreign corporations authorized to do business in  
15 California, are registered with the California Secretary of State, or who do sufficient  
16 business in California, have sufficient minimum contacts with California, or otherwise  
17 intentionally avail themselves of the markets within California through their  
18 manufacture, distribution, promotion, marketing, or sale of their products within  
19 California to render the exercise of jurisdiction by the California courts permissible  
20 under traditional notions of fair play and substantial justice.

- 21 11. Venue is proper in the County of Los Angeles because one or more of the instances of  
22 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or  
23 because Defendants conducted, and continue to conduct, business in the County of Los  
24 Angeles with respect to the consumer product that is the subject of this action.

25 **BACKGROUND AND PRELIMINARY FACTS**

- 26 12. In 1986, California voters approved an initiative to address growing concerns about  
27 exposure to toxic chemicals and declared their right “[t]o be informed about exposures to  
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1 chemicals that cause cancer, birth defects, or other reproductive harm." Ballot Pamp.,  
2 Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking  
3 Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code Sections  
4 25249.5, *et seq.* ("Proposition 65"), helps to protect California's drinking water sources  
5 from contamination, to allow consumers to make informed choices about the products  
6 they buy, and to enable persons to protect themselves from toxic chemicals as they see  
7 fit.

8 13. Proposition 65 requires the Governor of California to publish a list of chemicals known  
9 to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety*  
10 *Code* § 25249.8. The list, which the Governor updates at least once a year, contains over  
11 700 chemicals and chemical families. Proposition 65 imposes warning requirements and  
12 other controls that apply to Proposition 65-listed chemicals.

13 14. All businesses with ten (10) or more employees that operate or sell products in California  
14 must comply with Proposition 65. Under Proposition 65, businesses are: (1) prohibited  
15 from knowingly discharging Proposition 65-listed chemicals into sources of drinking  
16 water (*Health & Safety Code* § 25249.5), and (2) required to provide "clear and  
17 reasonable" warnings before exposing a person, knowingly and intentionally, to a  
18 Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).

19 15. Proposition 65 provides that any person "violating or threatening to violate" the statute  
20 may be enjoined in any court of competent jurisdiction. *Health & Safety Code* §  
21 25249.7. "Threaten to violate" means "to create a condition in which there is a  
22 substantial probability that a violation will occur." *Health & Safety Code* § 25249.11(e).  
23 Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation,  
24 recoverable in a civil action. *Health & Safety Code* § 25249.7(b).

25 16. Plaintiff identified certain practices of manufacturers and distributors of Seaweed of  
26 exposing, knowingly and intentionally, persons in California to Lead and Lead  
27 Compounds, Cadmium and Cadmium Compounds, of such products without first  
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1 providing clear and reasonable warnings of such to the exposed persons prior to the time  
2 of exposure. Plaintiff later discerned that Defendants engaged in such practice.

3 17. On October 1, 1992 the Governor of California added Lead and Lead Compounds  
4 (“Lead”) to the list of chemicals known to the State to cause cancer (*Cal. Code Regs.* tit.  
5 27, § 27001(b)). Pursuant to Health and Safety Code Sections 25249.9 and 25249.10,  
6 twenty (20) months after addition of Lead to the list of chemicals known to the State to  
7 cause cancer, Lead became fully subject to Proposition 65 warning requirements and  
8 discharge prohibitions.

9 18. On February 27, 1987, the Governor of California added Lead to the list of chemicals  
10 known to the State to cause developmental and reproductive toxicity (*Cal. Code Regs.*  
11 tit. 27, § 27001(c)). Lead is known to the State to cause developmental, female, and  
12 male reproductive toxicity. Pursuant to Health and Safety Code Sections 25249.9 and  
13 25249.10, twenty (20) months after addition of Lead to the list of chemicals known to  
14 the State to cause developmental and reproductive toxicity, Lead became fully subject to  
15 Proposition 65 warning requirements and discharge prohibitions.

16 19. On October 1, 1987 the Governor of California added Cadmium and Cadmium  
17 Compounds (“Cadmium”) to the list of chemicals known to the State to cause cancer  
18 (*Cal. Code Regs.* tit. 27, § 27001(b)). Pursuant to Health and Safety Code Sections  
19 25249.9 and 25249.10, twenty (20) months after addition of Cadmium to the list of  
20 chemicals known to the State to cause cancer, Cadmium became fully subject to  
21 Proposition 65 warning requirements and discharge prohibitions.

22 20. On May 1, 1997, the Governor of California added Cadmium to the list of chemicals  
23 known to the State to cause developmental and reproductive toxicity (*Cal. Code Regs.*  
24 tit. 27, § 27001(c)). Cadmium is known to the State to cause developmental, and male  
25 reproductive toxicity. Pursuant to Health and Safety Code Sections 25249.9 and  
26 25249.10, twenty (20) months after addition of Cadmium to the list of chemicals known  
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1 to the State to cause developmental and reproductive toxicity, Cadmium became fully  
2 subject to Proposition 65 warning requirements and discharge prohibitions.

3 **SATISFACTION OF PRIOR NOTICE**

4 21. Plaintiff served the following notices for alleged violations of Health and Safety Code  
5 Section 25249.6, concerning consumer products exposures:

- 6 a. On or about September 24, 2019 Plaintiff gave notice of alleged violations of  
7 Health and Safety Code Section 25249.6, concerning consumer products  
8 exposures subject to a private action to KIM SENG, and to the California  
9 Attorney General, County District Attorneys, and City Attorneys for each city  
10 containing a population of at least 750,000 people in whose jurisdictions the  
11 violations allegedly occurred, concerning the Dried Seaweed.
- 12 b. On or about December 4, 2019 Plaintiff gave notice of alleged violations of  
13 Health and Safety Code Section 25249.6, concerning consumer products  
14 exposures subject to a private action to KIM SENG, ASIA LLC, and to the  
15 California Attorney General, County District Attorneys, and City Attorneys for  
16 each city containing a population of at least 750,000 people in whose  
17 jurisdictions the violations allegedly occurred, concerning the Dried Seaweed.
- 18 c. On or about November 15, 2019 Plaintiff gave notice of alleged violations of  
19 Health and Safety Code Section 25249.6, concerning consumer products  
20 exposures subject to a private action to ASIA LLC, and to the California  
21 Attorney General, County District Attorneys, and City Attorneys for each city  
22 containing a population of at least 750,000 people in whose jurisdictions the  
23 violations allegedly occurred, concerning the Dried Seaweed

24 22. Before sending the notice of alleged violations, Plaintiff investigated the consumer  
25 products involved, the likelihood that such products would cause users to suffer  
26 significant exposures to Lead and Cadmium, and the corporate structure of each of the  
27 Defendants.

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1 23. Plaintiff's notice of alleged violation included a Certificate of Merit executed by the  
2 attorney for the noticing party, CAG. The Certificate of Merit stated that the attorney for  
3 Plaintiff who executed the certificate had consulted with at least one person with relevant  
4 and appropriate expertise who reviewed data regarding the exposures to Lead and  
5 Cadmium, the subject Proposition 65-listed chemical of this action. Based on that  
6 information, the attorney for Plaintiff who executed the Certificate of Merit believed  
7 there was a reasonable and meritorious case for this private action. The attorney for  
8 Plaintiff attached to the Certificate of Merit served on the Attorney General the  
9 confidential factual information sufficient to establish the basis of the Certificate of  
10 Merit.

11 24. Plaintiff's notice of alleged violations also included a Certificate of Service and a  
12 document entitled "The Safe Drinking Water & Toxic Enforcement Act of 1986  
13 (Proposition 65) A Summary." *Health & Safety Code* § 25249.7(d).

14 25. Plaintiff is commencing this action more than sixty (60) days from the dates that Plaintiff  
15 gave notice of the alleged violations to ASIA LLC, KIM SENG, and the public  
16 prosecutors referenced in Paragraph 21.

17 26. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor  
18 any applicable district attorney or city attorney has commenced and is diligently  
19 prosecuting an action against the Defendants.

20  
21 **FIRST CAUSE OF ACTION**

22 **(By CONSUMER ADVOCACY GROUP, INC. and against KIM SENG and**  
23 **DOES 1-10 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
24 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

25 **Seaweed**

26 27. Plaintiff repeats and incorporates by reference paragraphs 1 through 26 of this complaint  
27 as though fully set forth herein.

28 28. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
distributor, promoter, or retailer of Dried Seaweed ("Dried Seaweed"), including but not

1 limited to “DRIED SEAWEED;” “NET WT 2oz (56g);” “DISTRIBUTOR: IHA  
2 BEVERAGE COMMERCE, CA 90040;” “PRODUCT OF CHINA;” “6 10232 02235  
3 2;”

4 29. Dried Seaweed contains Cadmium and Lead.

5 30. Defendants knew or should have known that Cadmium and Lead has been identified by  
6 the State of California as a chemical known to cause cancer, developmental, and  
7 reproductive toxicity and therefore was subject to Proposition 65 warning requirements.  
8 Defendants were also informed of the presence of Cadmium and Lead in Dried Seaweed  
9 within Plaintiff’s notice of alleged violations further discussed above at Paragraph 21a.

10 31. Plaintiff’s allegations regarding Dried Seaweed concerns “[c]onsumer products  
11 exposure[s],” which “is an exposure that results from a person’s acquisition, purchase,  
12 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
13 exposure that results from receiving a consumer service.” *Cal. Code Regs. tit. 27, §*  
14 *25602(b)*. Dried Seaweed is consumer products, and, as mentioned herein, exposures to  
15 Cadmium and Lead took place as a result of such normal and foreseeable consumption  
16 and use.

17 32. Plaintiff is informed, believes, and thereon alleges that between September 24, 2016 and  
18 the present, each of the Defendants knowingly and intentionally exposed California  
19 consumers and users of Dried Seaweed, which Defendants manufactured, distributed, or  
20 sold as mentioned above, to Cadmium and Lead, without first providing any type of clear  
21 and reasonable warning of such to the exposed persons before the time of exposure.  
22 Defendants have distributed and sold Dried Seaweed in California. Defendants know  
23 and intend that California consumers will use and consume Dried Seaweed, thereby  
24 exposing them to Cadmium and Lead. Defendants thereby violated Proposition 65.

25 33. The principal routes of exposure are through dermal contact, direct ingestion and  
26 inhalation. Persons sustain exposures eating and consuming Dried Seaweed and by  
27 handling Dried Seaweed without wearing gloves or any other personal protective  
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- 1 equipment, or by touching bare skin or mucous membranes with gloves after handling  
2 Dried Seaweed, as well as through direct and indirect hand to mouth contact, hand to  
3 mucous membrane, or breathing in particulate matter dispersed from Dried Seaweed.
- 4 34. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
5 Proposition 65 as to Dried Seaweed have been ongoing and continuous, as Defendants  
6 engaged and continue to engage in conduct which violates Health and Safety Code  
7 Section 25249.6, including the manufacture, distribution, promotion, and sale of Dried  
8 Seaweed, so that a separate and distinct violation of Proposition 65 occurred each and  
9 every time a person was exposed to Cadmium and Lead by Dried Seaweed as mentioned  
10 herein.
- 11 35. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
12 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
13 violations alleged herein will continue to occur into the future.
- 14 36. Based on the allegations herein, Defendants are liable for civil penalties of up to  
15 \$2,500.00 per day per individual exposure to Cadmium and Lead from Dried Seaweed,  
16 pursuant to Health and Safety Code Section 25249.7(b).
- 17 37. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
18 filing this Complaint.

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20 **SECOND CAUSE OF ACTION**

21 **(By CONSUMER ADVOCACY GROUP, INC. and against ASIA LLC, KIM**  
22 **SENG and DOES 11-20 for Violations of Proposition 65, The Safe Drinking Water**  
23 **and Toxic Enforcement Act of 1986 (*Health & Safety Code, §§ 25249.5, et seq.*))**

24 **Seaweed II**

- 25 38. Plaintiff repeats and incorporates by reference paragraphs 1 through 37 of this complaint  
26 as though fully set forth herein.
- 27 39. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
28 distributor, promoter, or retailer of Dried Seaweed ("Dried Seaweed II"), including but

1 not limited to “Dried Seaweed”; “Net Wt: 2oz (56g)”; “Distributor: IHA Beverage  
2 Commerce, CA 90040 “Product of China”; UPC “6 10232 02235 2”

3 40. Dried Seaweed II contains Cadmium and Lead.

4 41. Defendants knew or should have known that Cadmium and Lead has been identified by  
5 the State of California as a chemical known to cause cancer, developmental, and  
6 reproductive toxicity and therefore was subject to Proposition 65 warning requirements.  
7 Defendants were also informed of the presence of Cadmium and Lead in Dried Seaweed  
8 II within Plaintiff’s notice of alleged violations further discussed above at Paragraph 21b

9 42. Plaintiff’s allegations regarding Dried Seaweed II concerns “[c]onsumer products  
10 exposure[s],” which “is an exposure that results from a person’s acquisition, purchase,  
11 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
12 exposure that results from receiving a consumer service.” *Cal. Code Regs. tit. 27, §*  
13 *25602(b)*. Dried Seaweed II is consumer products, and, as mentioned herein, exposures  
14 to Cadmium and Lead took place as a result of such normal and foreseeable consumption  
15 and use.

16 43. Plaintiff is informed, believes, and thereon alleges that between December 4, 2016 and  
17 the present, each of the Defendants knowingly and intentionally exposed California  
18 consumers and users of Dried Seaweed II, which Defendants manufactured, distributed,  
19 or sold as mentioned above, to Cadmium and Lead, without first providing any type of  
20 clear and reasonable warning of such to the exposed persons before the time of exposure.  
21 Defendants have distributed and sold Dried Seaweed II in California. Defendants know  
22 and intend that California consumers will use and consume Dried Seaweed II, thereby  
23 exposing them to Cadmium and Lead. Defendants thereby violated Proposition 65.

24 44. The principal routes of exposure are through dermal contact, direct ingestion and  
25 inhalation. Persons sustain exposures eating and consuming Dried Seaweed II and by  
26 handling Dried Seaweed II without wearing gloves or any other personal protective  
27 equipment, or by touching bare skin or mucous membranes with gloves after handling  
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- 1 Dried Seaweed II, as well as through direct and indirect hand to mouth contact, hand to  
2 mucous membrane, or breathing in particulate matter dispersed from Dried Seaweed II.
- 3 45. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
4 Proposition 65 as to Dried Seaweed II have been ongoing and continuous, as Defendants  
5 engaged and continue to engage in conduct which violates Health and Safety Code  
6 Section 25249.6, including the manufacture, distribution, promotion, and sale of Dried  
7 Seaweed II, so that a separate and distinct violation of Proposition 65 occurred each and  
8 every time a person was exposed to Cadmium and Lead by Dried Seaweed II as  
9 mentioned herein.
- 10 46. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
11 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
12 violations alleged herein will continue to occur into the future.
- 13 47. Based on the allegations herein, Defendants are liable for civil penalties of up to  
14 \$2,500.00 per day per individual exposure to Cadmium and Lead from Dried Seaweed II,  
15 pursuant to Health and Safety Code Section 25249.7(b).
- 16 48. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
17 filing this Complaint.

18 **THIRD CAUSE OF ACTION**

19 **(By CONSUMER ADVOCACY GROUP, INC. and against ASIA LLC and DOES**  
20 **21-30 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
21 **Enforcement Act of 1986 (*Health & Safety Code, §§ 25249.5, et seq.*)**

22 **Seaweed III**

- 23 49. Plaintiff repeats and incorporates by reference paragraphs 1 through 48 of this complaint  
24 as though fully set forth herein.
- 25 50. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
26 distributor, promoter, or retailer of Dried Seaweed ("Dried Seaweed III"), including but  
27 not limited to "Dried Seaweed"; "Net Wt: 2oz (60g)"; "Distributed by: CACA Food  
28 Group, Inc." "Product of China"; "UPC 6 946886 289013"

1 51. Dried Seaweed III contains Cadmium and Lead.

2 52. Defendants knew or should have known that Cadmium and Lead has been identified by  
3 the State of California as a chemical known to cause cancer, developmental, and  
4 reproductive toxicity and therefore was subject to Proposition 65 warning requirements.  
5 Defendants were also informed of the presence of Cadmium and Lead in Dried Seaweed  
6 III within Plaintiff's notice of alleged violations further discussed above at Paragraph 21c

7 53. Plaintiff's allegations regarding Dried Seaweed III concerns "[c]onsumer products  
8 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,  
9 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
10 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*  
11 *25602(b)*. Dried Seaweed III is consumer products, and, as mentioned herein, exposures  
12 to Cadmium and Lead took place as a result of such normal and foreseeable consumption  
13 and use.

14 54. Plaintiff is informed, believes, and thereon alleges that between November 15, 2016 and  
15 the present, each of the Defendants knowingly and intentionally exposed California  
16 consumers and users of Dried Seaweed III, which Defendants manufactured, distributed,  
17 or sold as mentioned above, to Cadmium and Lead, without first providing any type of  
18 clear and reasonable warning of such to the exposed persons before the time of exposure.  
19 Defendants have distributed and sold Dried Seaweed III in California. Defendants know  
20 and intend that California consumers will use and consume Dried Seaweed III, thereby  
21 exposing them to Cadmium and Lead. Defendants thereby violated Proposition 65.

22 55. The principal routes of exposure are through dermal contact, direct ingestion and  
23 inhalation. Persons sustain exposures eating and consuming Dried Seaweed III and by  
24 handling Dried Seaweed III without wearing gloves or any other personal protective  
25 equipment, or by touching bare skin or mucous membranes with gloves after handling  
26 Dried Seaweed III, as well as through direct and indirect hand to mouth contact, hand to  
27 mucous membrane, or breathing in particulate matter dispersed from Dried Seaweed III.

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1 56. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
2 Proposition 65 as to Dried Seaweed III have been ongoing and continuous, as  
3 Defendants engaged and continue to engage in conduct which violates Health and Safety  
4 Code Section 25249.6, including the manufacture, distribution, promotion, and sale of  
5 Dried Seaweed III, so that a separate and distinct violation of Proposition 65 occurred  
6 each and every time a person was exposed to Cadmium and Lead by Dried Seaweed III  
7 as mentioned herein.

8 57. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
9 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
10 violations alleged herein will continue to occur into the future.

11 58. Based on the allegations herein, Defendants are liable for civil penalties of up to  
12 \$2,500.00 per day per individual exposure to Cadmium and Lead from Dried Seaweed  
13 III, pursuant to Health and Safety Code Section 25249.7(b).

14 59. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
15 filing this Complaint.

16 **PRAYER FOR RELIEF**

17 Plaintiff demands against each of the Defendants as follows:

- 18 1. A permanent injunction mandating Proposition 65-compliant warnings;
- 19 2. Penalties pursuant to Health and Safety Code Section 25249.7, subdivision (b);
- 20 3. Costs of suit;
- 21 4. Reasonable attorney fees and costs; and
- 22 5. Any further relief that the court may deem just and equitable.

23 Dated: July 17, 2020

YEROUSHALMI & YEROUSHALMI\*



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Reuben Yeroushalmi  
Attorneys for Plaintiff,  
CONSUMER ADVOCACY GROUP, INC.

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