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Joseph R. Manning, Jr., Esq. (State Bar No. 223381)
Babak Hashemi., Esq. (State Bar No. 263494)
MANNING LAW, APC
20062 Birch St. Suite 200
Newport Beach, CA 92660
(949) 200-8755 Phone
(866) 843-8308 Fax

Assigned for all Purposes

Judge William Claster
CX-104

Attorneys for Plaintiff
CALSAFE RESEARCH CENTER, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE-CENTRAL JUDICIAL DISTRICT

CALSAFE RESEARCH CENTER, INC., a
California non-profit corporation

Plaintiff,

v.

LA CARRETA SUPERMARKETS, INC. and
DOES 1 to 10,

Defendants.

CASE No.: 30-2021-01232201-CU-CR-CXC

**COMPLAINT FOR PERMANENT
INJUNCTION, CIVIL PENALTIES AND
OTHER RELIEF**

Health & Safety Code §25249.5, *et seq.*

Plaintiff CALSAFE RESEARCH CENTER, INC. ("PLAINTIFF" or "CRC") brings this
action in the interests of the general public and, on information and belief, hereby alleges:

I. INTRODUCTION

1. This action set forth in the Complaint seeks to remedy the continuing failure of
Defendants LA CARRETA SUPERMARKETS, INC. and DOES 1-10. (hereinafter individually
referred to as "DEFENDANT" or collectively as "DEFENDANTS") to warn consumers in
California that they are being exposed to acrylamide, a chemical known to the State of California to
cause cancer, birth defects and other reproductive harm. According to the Safe Drinking Water and
Toxics Enforcement Act of 1986, Health and Safety Code ("H&S Code") section 25249.5 (also

1 known as and referred to hereinafter as “Proposition 65”), businesses must provide persons with a
2 “clear and reasonable warning” before exposing individuals to chemicals known to the state to cause
3 cancer or reproductive harm.

4 2. DEFENDANTS manufacture, package, distribute, market, and / or sell in California
5 certain consumer products, as defined in Cal. Code Regs., tit. 27, § 25600.1, subd. (d) and (e),
6 containing acrylamide, referred to herein as (“the SUBJECT PRODUCT”):

- 7 • La Carreta Supermarket Tostada Botanera –Acrylamide

8
9 3. Acrylamide, (hereinafter the “LISTED CHEMICAL”) is known to the State of
10 California to cause cancer, birth defects and other reproductive harm.

11 4. Consumption of the SUBJECT PRODUCT causes exposure to the LISTED
12 CHEMICAL at levels requiring a “clear and reasonable warning” under Proposition 65.

13 5. DEFENDANTS’ continued manufacturing, packaging, distributing, marketing and /
14 or sales of the SUBJECT PRODUCT without the required health hazard warnings, causes or
15 threatens to cause, individuals to be involuntarily, unknowingly and unwittingly exposed to levels
16 of the LISTED CHEMICAL that violates Proposition 65.

17 PARTIES

18
19 6. PLAINTIFF CRC is a non-profit corporation organized under California law
20 dedicated to protecting the public from environmental health hazards and toxic exposures. CRC is
21 based in Newport Beach, CA. CRC is a person within the meaning of H&S Code §25249.11 and
22 brings this enforcement action in the public interest pursuant to H&S Code §25249.7(d). H&S Code
23 § 25249.7 (d) specifies that actions to enforce Proposition 65 may be brought by a person in the
24 public interest, provided certain notice requirements and no other public prosecutor is diligently
25 prosecuting an action for the same violation(s). CRC is dedicated to, among other causes, reducing

1 the use and misuse of hazardous and toxic substances, consumer protection, worker safety, and
2 corporate responsibility.

3 7. Defendant LA CARRETA SUPERMARKETS, INC. is now and was at all times
4 relevant herein a corporation organized under the laws of California and is a person in the course of
5 doing business within the meaning of H&S Code §25249.11.

6 8. DEFENDANTS own, administer, direct, control and /or operate facilities and /or
7 agents, distributors, sellers, marketers, or other retail operations who place their SUBJECT
8 PRODUCT into the stream of commerce in California, (including but not limited to Orange County)
9 under the brand name La Carreta Supermarkets and other brand names, which contain the LISTED
10 CHEMICAL without first giving clear and reasonable warnings.

11 9. DEFENDANTS separately and each of them, are or were, at all times relevant to the
12 claims in this Complaint and continuing through the present, legally responsible for compliance
13 with the provisions of Proposition 65. Whenever an allegation regarding any act or omission of a
14 DEFENDANT is made herein, such allegation shall be deemed to mean that DEFENDANT, or its
15 agent, officer, director, manager, supervisor, or employee did, or so authorized, or failed to do, such
16 acts while engaged in the affairs of DEFENDANT'S business operations and/or while acting within
17 the course and scope of their employment or while conducting business for DEFENDANT(S) for a
18 commercial purpose.

19 10. In this Complaint, whenever reference is made to any act or omission of any
20 DEFENDANT, such allegation shall mean that the owners, officers, directors, agents, employees,
21 contractors, or representatives of DEFENDANT acted or authorized such actions, and/or negligently
22 failed and omitted to act or adequately and properly supervise, control, or direct its employees and
23 agents while engaged in the management, direction, operation or control of the affairs of the business
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1 organization. Whenever reference is made to any act or omission of any DEFENDANT, such
2 allegation shall be deemed to mean the act or omission of each DEFENDANT acting individually,
3 jointly, and severally as defined by Civil Code Section 1430 *et seq.*

4 11. PLAINTIFF does not know the true names, capacities and liabilities of
5 DEFENDANTS DOES Nos. 1-10, inclusive, and therefore sues them under fictitious names.
6 Plaintiff will amend this Complaint to allege the true name and capacities of the DOE Defendants
7 upon being ascertained. Each of these DEFENDANTS was in some way legally responsible for the
8 acts, omissions, and/or violations alleged herein.
9

10 **JURISDICTION AND VENUE**

11 12. This Court has jurisdiction over this action pursuant to California Constitution
12 Article VI, Section 10, which grants the Superior Court “original jurisdiction in all causes except
13 those given by statute to other trial courts.” The statute under which this action is brought does not
14 specify any other court with jurisdiction.
15

16 13. This Court has jurisdiction over DEFENDANTS because they are business entities
17 that do sufficient business, have sufficient minimum contacts in California or otherwise
18 intentionally avail themselves of the California market, through the sale, marketing and use of their
19 SUBJECT PRODUCT in California, to render the exercise of jurisdiction over them by the
20 California courts consistent with traditional notions of fair play and substantial justice.

21 14. Venue in this action is proper in the Orange County Superior Court because the
22 cause, or part thereof, arises in the Orange County Superior Court since DEFENDANTS’ products
23 are marketed, offered for sale, sold, used, and/or consumed in this county.
24

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STATUTORY BACKGROUND

1
2 15. The People of the State of California have declared by initiative under Proposition
3 65 their right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or
4 other reproductive harm.” Proposition 65, § 1(b).

5
6 16. To effectuate this goal, Proposition 65 prohibits exposing people to chemicals
7 listed by the State of California as known to cause cancer, birth defects, or other reproductive
8 harm above certain levels without a “clear and reasonable warning” unless the business
9 responsible for the exposure can prove that it fits within a statutory exemption. California’s Safe
10 Drinking Water and Toxic Enforcement Act of 1986, California Health and Safety Code, section
11 25249.6 et seq. states in pertinent part:

12 No person in the course of doing business shall knowingly and intentionally
13 expose any individual to a chemical known to the state to cause cancer or
14 reproductive toxicity without first giving clear and reasonable warning to
15 such individual. . .

16 17. An exposure to a chemical in a consumer product is one “that results from a person’s
17 acquisition, purchase, storage, consumption, or any reasonably foreseeable use of a consumer
18 product, including consumption of food.” (Cal Code Regs., tit 27, §25600.1, subd. (e).) A
19 “consumer product” includes “any article, or component part thereof, including food, that is
20 produced, distributed, or sold for the personal use, consumption or enjoyment of a consumer.” (Cal
21 Code Regs., tit 27, §25600.1, subd. (d).)

22 18. Proposition 65 provides that any person who “violates or threatens to violate”
23 the statute may be enjoined in any court of competent jurisdiction. Health & Safety Code §
24 25249.7. “Threaten to violate” is defined to mean “to create a condition in which there is a
25 substantial probability that a violation will occur.” Health & Safety Code § 25249.11(e).

1 Proposition 65 provides for civil penalties not to exceed \$2,500 per day for each violation of
2 Proposition 65.

3 **FACTUAL BACKGROUND**

4 19. On February 25, 2011, the State of California officially listed acrylamide as a
5 chemical known to cause developmental toxicity, and male and female reproductive toxicity. On
6 January 1, 1990, the State of California officially listed acrylamide as a chemical known to cause
7 cancer. On January 1, 1991, one year after it was listed as a chemical known to cause cancer,
8 acrylamide became subject to the clear and reasonable warning requirement regarding carcinogens
9 under Proposition 65. 27 California Code of Regulations (“C.C.R.”) § 27001(b); Health & Safety
10 Code § 25249.10(b). Due to the high toxicity of acrylamide, the maximum allowable dose level
11 for acrylamide is 140 µg/day (micrograms a day) for reproductive toxicity and the no significant
12 risk level for carcinogens is 0.2 µg/day.
13

14 20. To test DEFENDANTS’ SUBJECT PRODUCT for the LISTED CHEMICAL,
15 PLAINTIFF hired a well-respected and accredited testing laboratory. The results of testing
16 undertaken by PLAINTIFF of DEFENDANTS’ SUBJECT PRODUCT show that the SUBJECT
17 PRODUCT tested was in violation of “safe harbor” daily dose limits set forth for the LISTED
18 CHEMICAL in Proposition 65’s regulations.
19

20 21. At all times relevant to this action, DEFENDANTS, therefore, have knowingly and
21 intentionally exposed the consumers of the SUBJECT PRODUCT to the LISTED CHEMICAL
22 without first giving a clear and reasonable warning to such individuals.
23

24 22. The SUBJECT PRODUCT has allegedly been sold by DEFENDANTS for use in
25 California. On information and belief, the SUBJECT PRODUCT has been sold for use in California
26 since January 27, 2018.

1 23. The SUBJECT PRODUCT continues to be distributed and sold in California without
2 the requisite warning information.

3 24. As a proximate result of acts by DEFENDANTS, as persons in the course of doing
4 business within the meaning of Health & Safety Code §25249.11, individuals throughout the State
5 of California, including in Orange County have been exposed to the LISTED CHEMICAL without
6 a clear and reasonable warning on the SUBJECT PRODUCT. The individuals subject to the
7 violative exposures include normal and foreseeable users of the SUBJECT PRODUCT, as well as
8 all other persons exposed to the SUBJECT PRODUCT.
9

10 SATISFACTION OF PRIOR NOTICE

11 25. On January 27, 2021, CRC served LA CARRETA SUPERMARKETS, INC. and
12 each of the appropriate public enforcement agencies with documents entitled “Notice of Violations
13 of California Health & Safety Code Section 25249.5” that provided LA CARRETA
14 SUPERMARKETS, INC. and the public enforcement agencies with notice that LA CARRETA
15 SUPERMARKETS, INC. was in violation of Proposition 65 for failing to warn purchasers and
16 individuals using the SUBJECT PRODUCT that the consumption of these products expose them to
17 acrylamide, a chemical known to the State of California to cause cancer and/or reproductive toxicity
18 (“Prop. 65 Notices”). A true and correct copies of the 60-Day Notice (“NOTICE”) is attached hereto
19 as **Exhibit “A”** and hereby is incorporated by reference. The NOTICE is also available on the
20 Attorney General’s website located at <http://oag.ca.gov/prop65>.
21

22 26. The NOTICE was issued pursuant to, and in compliance with, the requirements of
23 H&S Code §25249.7(d) and the statute’s implementing regulations regarding the notice of the
24 violations to be given to certain public enforcement agencies and to the violator. The NOTICE
25 included, *inter alia*, the following information: the name, address, and telephone number of the
26

1 noticing individual; the name of the alleged violator(s); the statute violated; the approximate time
2 period during which violations occurred; and descriptions of the violations including the chemicals
3 involved, the routes of toxic exposure, and the specific product or type of product causing the
4 violations.

5 27. LA CARRETA SUPERMARKETS, INC. was also provided copies of the document
6 with the NOTICE entitled “The Safe Drinking Water and Toxic Enforcement Act of 1986
7 (Proposition 65): A Summary,” which is also known as Appendix A to Title 27 of CCR §25903, via
8 Certified Mail.
9

10 28. The California Attorney General, District Attorneys of every county in California, to
11 the City Attorneys of every California city with a population greater than 750,000, and each of the
12 named DEFENDANTS was provided copies of the NOTICE and a Certificate of Merit by the
13 attorney for the noticing party, stating that there is a reasonable and meritorious case for this action
14 and attaching factual information sufficient to establish a basis for the certificate, including the
15 identity of the persons consulted with and relied on by the certifier, and the facts, studies, or other
16 data reviewed by those persons, pursuant to H&S Code §25249.7(h) (2) via online submission.
17

18 29. After expiration of the sixty (60) day notice period, the appropriate public
19 enforcement agencies failed to commence and diligently prosecute a cause of action under H&S
20 Code §25249.5, et seq. against DEFENDANTS based on the allegations herein.

21 30. After expiration of the sixty (60) day notice period, the appropriate public
22 enforcement agencies failed to commence and diligently prosecute a cause of action under H&S
23 Code §25249.5, et seq. against DEFENDANTS based on the allegations herein.
24

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1 **FIRST CAUSE OF ACTION**

2 **Civil Penalties for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**
3 **SUBJECT PRODUCT described in the January 27, 2021**
4 **Prop. 65 Notice of Violation against DEFENDANTS**

5 31. PLAINTIFF refers to, and incorporates by reference, the allegations of all preceding
6 Paragraphs this Complaint, as though fully set forth herein.

7 32. By committing the acts alleged in this Complaint, DEFENDANTS at all times
8 relevant to this action, and continuing through the present, have violated, or threaten to violate, H&S
9 Code §25249.6 by, in the course of doing business, knowingly and intentionally exposing
10 individuals in California to chemicals known to the State of California to cause cancer or
11 reproductive toxicity without first giving clear and reasonable warnings to such persons who
12 consume the SUBJECT PRODUCT containing the LISTED CHEMICAL, pursuant to H&S Code
13 §§ 25249.6 and 25249.11(f).

14 33. By the above-described acts, DEFENDANTS are liable, pursuant to H&S Code
15 §25249.7(b), for a civil penalty of up to \$2,500 per day per violation for each unlawful exposure to
16 the LISTED CHEMICAL from the SUBJECT PRODUCT.
17

18 **THE NEED FOR INJUNCTIVE RELIEF**

19 **Injunctive Relief for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**
20 **SUBJECT PRODUCT described in the January 27, 2021**
21 **Prop. 65 Notices of Violation against DEFENDANTS**

22 34. PLAINTIFF refers to, and incorporates by reference, the allegations of all preceding
23 Paragraphs this Complaint, as though fully set forth herein.

24 35. By committing the acts alleged in this Complaint, DEFENDANTS at all times
25 relevant to this action, and continuing through the present, have violated, or threaten to violate, H&S
26 Code §25249.6 by, in the course of doing business, knowingly and intentionally exposing

1 individuals in California to chemicals known to the State of California to cause cancer or
2 reproductive toxicity without first giving clear and reasonable warnings to such persons who
3 consume the SUBJECT PRODUCT containing the LISTED CHEMICAL, pursuant to H&S Code
4 §§ 25249.6 and 25249.11(f).

5 36. By the above-described acts, DEFENDANTS have violated, or threaten to violate,
6 H&S Code §25249.6 and are therefore subject to preliminary and permanent injunctions ordering
7 Defendants to stop violating Proposition 65, to provide warnings to all present and future customers,
8 and to provide warnings to DEFENDANTS' past customers who purchased or used the SUBJECT
9 PRODUCT without receiving a clear and reasonable warning.

10 37. An action for injunctive relief under Proposition 65 is specifically authorized by
11 H&S Code §25249.7(a).

12 38. Continuing commission by DEFENDANTS of the acts alleged above will irreparably
13 harm the citizens of the State of California, for which harm they have no plain, speedy, or adequate
14 remedy at law.

15 39. In the absence of preliminary and then permanent injunctive relief, DEFENDANTS
16 will continue to create a substantial risk of irreparable injury by continuing to cause consumers to
17 be involuntarily, unknowingly, and unwittingly exposed to the LISTED CHEMICAL through the
18 consumption of the SUBJECT PRODUCT.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, PLAINTIFF prays for judgment against DEFENDANTS, and each of them,
21 and DOES 1 through 10, as follows:

22 1. A preliminary and permanent injunction, pursuant to H&S Code §25249.7(b),
23 enjoining DEFENDANTS, their agents, employees, assigns and all persons acting in concert or
24 participating with DEFENDANTS, from manufacturing, distributing, marketing or selling the
25 SUBJECT PRODUCT in California without first providing a clear and reasonable warning, within
26

1 the meaning of Proposition 65, that the consumers of the SUBJECT PRODUCT are exposed to the
2 LISTED CHEMICAL;

3 2. An injunctive order, pursuant to H&S Code §25249.7(b), compelling
4 DEFENDANTS, to identify and locate each individual who has purchased the SUBJECT
5 PRODUCT since the dates identified in Paragraph 22 and to provide a warning to such person that
6 the consumption of the SUBJECT PRODUCT will expose the consumer to chemicals known to
7 cause cancer, birth defects and other reproductive harm;

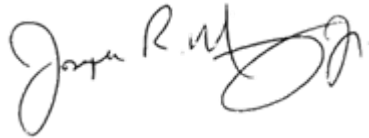
8 3. An assessment of civil penalties pursuant to Health & Safety Code §25249.7(b),
9 against DEFENDANTS in the amount of \$2,500 per day for each violation of Proposition 65;

10 4. An award to PLAINTIFF of its reasonable attorney's fees and costs of suit pursuant
11 to California Code of Civil Procedure §§ 1032 *et. seq* and 1021.5, as PLAINTIFF shall specify in
12 further applications to the Court; and,

13 5. For such other and further relief as the Court may deem just and proper.

14
15 Dated this 17th day of November, 2021

16 **MANNING LAW, A.P.C**

17 

18 By: _____

19 Joseph R. Manning, Jr., Esq.
20 Babak Hashemi, Esq.
21 Attorneys for Plaintiff

EXHIBIT A



MANNING LAW_{APC}

20062 SW Birch St, Suite 200
Newport Beach, CA 92660
Office: 949.200.8755
Facsimile: 866.843.8308
P65@manninglawoffice.com

CONSUMER ATTORNEYS

January 27, 2021

NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 *ET SEQ.* (PROPOSITION 65)

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

I represent CalSafe Research Center, Inc. ("CRC"), 4533 MacArthur Blvd., Ste. 230, Newport Beach, CA 92660; Tel. (949) 630-0413. CRC's Executive Director is Eric Fairon. CRC is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

CRC has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), which is codified at California Health & Safety Code §25249.5 et seq., with respect to the products identified below. These violations have occurred and continue to occur because the alleged Violators identified below failed to provide required clear and reasonable warnings with these products. This letter serves as a notice of these violations to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Health and Safety Code Section 25249.7(d), CRC intends to pursue a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

General Information about Proposition 65. A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with this letter served to the alleged Violators identified below.

Alleged Violators. The names of the person/company covered by this notice that violated Proposition 65 (hereinafter the "Violators") are:

La Carreta Supermarkets
4637 E. Chapman Avenue
Orange, CA 92869



MANNING LAW_{APC}

20062 SW Birch St, Suite 200
Newport Beach, CA 92660
Office: 949.200.8755
Facsimile: 866.843.8308
P65@manninglawoffice.com

CONSUMER ATTORNEYS

Consumer Products and Listed Chemical. The products that are the subject of this notice and the chemical in those products identified as exceeding allowable levels are:

La Carreta Supermarket Tostada Botanera

On February 25, 2011, the State of California officially listed **acrylamide** as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On January 1, 1990, the State of California officially listed acrylamide as a chemical known to cause cancer.

It should be noted that CRC may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

Route of Exposure. The consumer exposures that are the subject of this notice result from the recommended use of these products. Consequently, the route of exposure to this chemical has been and continues to be through ingestion.

Approximate Time Period of Violations. Ongoing violations have occurred every day since at least November 22, 2020, as well as every day since the products were introduced into the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is either removed from or reduced to allowable levels in the products. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemical. The method of warning should be a warning that appears on the product label. The Violators violated Proposition 65 because they failed to provide persons ingesting these products with appropriate warnings that they are being exposed to this chemical.

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, CRC is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violators to: (1) reformulate the identified products so as to eliminate further exposures to the identified chemical, or provide appropriate warnings on the labels of these products; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above products in the last three years. Such a resolution will prevent further unwarned consumer exposures to the identified chemical, as well as an expensive and time-consuming litigation.



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CONSUMER ATTORNEYS

CRC has retained me as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention at the law office address and telephone number indicated on the letterhead or at P65@ManningLawOffice.com.**

Sincerely,



Joseph R. Manning, Jr.
P65@ManningLawOffice.com

Attachments

Certificate of Merit
Certificate of Service
OEHHA Summary (to Alleged Violators only)
Factual Information in Support of Certificate of Merit (to AG only)



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CONSUMER ATTORNEYS

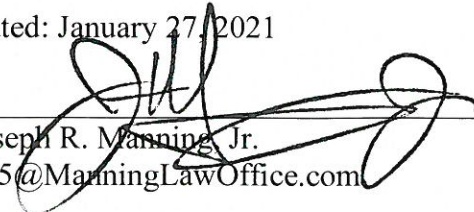
CERTIFICATE OF MERIT

Re: Calsafe Research Center, Inc.'s Notice of Proposition 65 Violations by La Carreta Supermarkets.

I, Joseph R. Manning, Jr., declare:

1. This Certificate of Merit accompanies the attached 60-day notice in which it is alleged that the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the notice.
4. Based on the information obtained through those consultations, and on other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and that the information did not prove that the alleged Violators will be able to establish any of the affirmative defenses set forth in the statute.
5. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California Health & Safety Code §25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: January 27, 2021



Joseph R. Manning, Jr.
P65@ManningLawOffice.com



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CONSUMER ATTORNEYS

CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States and over the age of 18 years of age. My business address is 20062 S.W. Birch, Newport Beach, CA 92660. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Newport Beach, California.

On January 27, 2021 between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I served the following documents: **NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; “THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY”** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties listed below and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

**Maria Navarreo, President
La Carreta Supermarkets
9912 Colony Grove Lane
Villa Park, CA 92861**

On January 27, 2021 between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT INCLUDING A SUMMARY OF CONFIDENTIAL FACTUAL INFORMATION; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General’s website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice>:

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550



CONSUMER ATTORNEYS

On January 27, 2021 between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Nancy O'Malley, District Attorney Alameda County 7677 Oakport Street, Suite 650 Oakland, CA 94621 CEPDProp65@acgov.org	Barbara Yook, District Attorney Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249 Prop65Env@co.calaveras.ca.us
Stacey Grassini, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 sgrassini@contracostada.org	Thomas L. Hardy, District Attorney Inyo County 168 North Edwards Street Independence, CA 93526 inyoda@inyocounty.us
Michelle Latimer, Program Coordinator Lassen County 220 S. Lassen Street Susanville, CA 96130 mlatimer@co.lassen.ca.us	Dije Ndreu, Deputy District Attorney Monterey County 1200 Aguajito Road Monterey, CA 93940 Prop65DA@co.monterey.ca.us
Allison Haley, District Attorney Napa County 1127 First Street, Suite C Napa, CA 94559 CEPD@countyofnapa.org	Michael Hestrin, District Attorney Riverside County 3072 Orange Street Riverside, CA 92501 Prop65@rivcoda.org
Anne Marie Schubert, District Attorney Sacramento County 901 G Street Sacramento, CA 95814 Prop65@sacda.org	Mark Ankcorn, Deputy City Attorney San Diego City Attorney 1200 Third Avenue San Diego, CA 92101 CityAttyProp65@sandiego.gov
Gregory Alker, Assistant District Attorney San Francisco County 732 Brannan Street San Francisco, CA 94103 gregory.alker@sfgov.org	Valerie Lopez, Deputy City Attorney San Francisco City Attorney 1390 Market Street, 7 th Floor San Francisco, CA 94102 Valerie.Lopez@sfcityatty.org

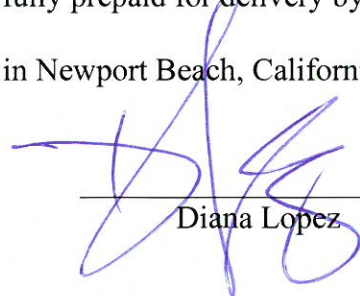


CONSUMER ATTORNEYS

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On January 27, 2021 between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I served the following documents: **NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** on each parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the Service List attached hereto, and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by First Class Mail.

Executed on January 27, 2021, in Newport Beach, California.



Diana Lopez



CONSUMER ATTORNEYS

Service List

District Attorney, Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney, Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney, San Diego County 330 West Broadway, Suite 1300 San Diego, CA 92101
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District Attorney, Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932	District Attorney, Mendocino County Post Office Box 1000 Ukiah, CA 95482	District Attorney, Sierra County 100 Courthouse Square, 2 nd Floor Downieville, CA 95936
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