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6 Attorneys for Plaintiff
The Chemical Toxin Working Group Inc. doing
7 business as Healthy Living Foundation Inc.

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ALAMEDA**

10 THE CHEMICAL TOXIN WORKING
11 GROUP INC., a California non-profit
12 corporation, doing business as HEALTHY
LIVING FOUNDATION INC.

13 Plaintiff,

14 vs.

15 CVS PHARMACY, INC., a Rhode Island
16 corporation; and DOES 1-10,

17 Defendants.

FILED
Superior Court of California
County of Alameda

09/26/2022

Clerk of the Court, Executive Officer / Clerk of the Court

By: X. Bowie Deputy

X. Bowie

CASE NO. **22CV018418**

**COMPLAINT FOR INJUNCTIVE
RELIEF, CIVIL PENALTIES, AND
OTHER RELIEF UNDER HEALTH AND
SAFETY CODE SECTION 25249.5, et seq
(PROPOSITION 65)**

19 Plaintiff The Chemical Toxin Working Group Inc. doing business as Healthy Living
20 Foundation Inc. (“Plaintiff” or “HLF”) hereby alleges the following on information and belief:

21 **INTRODUCTION**

22 1. This action seeks injunctive and declaratory relief and civil penalties to remedy the
23 continuing failure of Defendant CVS PHARMACY, INC. (“Defendant”) to warn consumers in
24 California that they are being exposed to Benzene, a chemical known to the State of California to
25 cause cancer and reproductive toxicity found in CVS Health Aftersun Aloe Vera Moisturizing
26 Gel (“Product” or “Products”).

1 2. This action is brought in the public interest and is based on The Safe Drinking Water and
2 Toxic Enforcement Act of 1986 (Health and Safety Code § 25249.6 et seq.) also known as
3 “Proposition 65.” This statute mandates that any person in the course of doing business must
4 provide a clear and reasonable warning prior to exposing any individual to a chemical known to
5 the state to cause cancer, birth defects or other reproductive harm.

6 **PARTIES**

7 3. HLF is a California non-profit public benefit corporation dedicated to, among other
8 causes, reducing the amount of chemical toxins in consumer products, the promotion of human
9 health, environmental safety, and improvement of worker and consumer safety.

10 4. HLF is a person within the meaning of Health and Safety Code section 25249.11,
11 subdivision (a). HLF, acting as a private attorney general, brings this action in the public interest
12 as defined under Health and Safety Code section 25249.7, subdivision (d).

13 5. Defendant is a Rhode Island corporation, doing business in the State of California at all
14 relevant times herein.

15 6. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-10,
16 and therefore sues these defendants by such fictitious names. Plaintiff will amend this complaint
17 to allege their true names and capacities when ascertained. Plaintiff is informed, believes, and
18 thereon alleges that each fictitiously named defendant is responsible in some manner for the
19 occurrences herein alleged and the violations caused thereby. DOES 1-10 are each a person in
20 the course of doing business within the meaning of Health and Safety Code §§ 25249.6 and
21 25249.11.

22 7. At all times mentioned herein, the term “Defendants” includes Defendant and DOES 1-
23 10.

24 8. Defendants employ ten or more persons and have employed ten or more persons at all
25 times relevant to this action, and are each a person in the course of doing business within the
26 meaning of Health and Safety Code §§ 25249.6 and 25249.11.

1 **JURISDICTION AND VENUE**

2 9. This Court has jurisdiction pursuant to California Constitution Article VI, Section 10,
3 which grants the Superior Court original jurisdiction in all causes except those given by statute to
4 other trial courts. The statute under which this action is brought does not specify any other basis
5 for jurisdiction.

6 10. This Court has jurisdiction over this action pursuant to Health and Safety Code section
7 25249.7, which allows enforcement of violations of Proposition 65 in any Court of competent
8 jurisdiction.

9 11. This Court has jurisdiction over Defendants because Defendants either reside or are
10 located in this State or are foreign corporations authorized to do business in California, are
11 registered with the California Secretary of State, or Defendants have sufficient minimum
12 contacts with California, and otherwise intentionally avails itself of the California market
13 through the marketing, distribution, and/or sale of Products in the State of California, so as to
14 render the exercise of jurisdiction over Defendants by the California courts consistent with
15 traditional notions of fair play and substantial justice.

16 12. Venue is proper in the Alameda Superior Court because the cause of action arises out of
17 violations in the County of Alameda and/or because Defendants conducted, and continue to
18 conduct, business in the County of Alameda with respect to the consumer products that are the
19 subject of this action.

20 13. Plaintiffs seek injunctive and declaratory relief and civil penalties from Defendants’
21 violations of the prohibitions of Proposition 65 (Health and Safety Code § 25249.5 et seq.)

22 **STATUTORY BACKGROUND**

23 14. The Safe Drinking Water and Toxic Enforcement Act of 1986 is an initiative statute
24 passed as “Proposition 65” by close to a two-to-one voting margin. Proposition 65 is referred to
25 as a “right-to-know” law intended to inform consumers of the potential for exposure to toxic
26 chemicals and thereby empower them with the information needed to avoid the exposure.

1 15. Proposition 65 requires that individuals be provided with a “clear and reasonable
2 warning” before being exposed to substances listed by the State of California as causing cancer
3 or reproductive toxicity. The warning requirement of Proposition 65 is contained in Health &
4 Safety Code § 25249.6, which provides,

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

8 16. In this case, the exposures are caused by consumer products. “Consumer product” means
9 any article, or component part thereof, including food, that is produced, distributed, or sold for
10 the personal use, consumption or enjoyment of a consumer. (27 California Code of Regulations
11 § 25600.1(d)) “Consumer product exposure” means an exposure that results from a person's
12 acquisition, purchase, storage, consumption, or any reasonably foreseeable use of a consumer
13 product, including consumption of a food. (27 California Code of Regulations § 25600.1(e)).

14 17. Proposition 65 requires the State to publish a list of chemicals known to cause cancer or
15 birth defects or other reproductive harm (Health and Safety Code §25249.8.) This list now
16 comprises over 800 chemicals.

17 18. Proposition 65 establishes a procedure by which the State is to develop a list of chemicals
18 “known to the State to cause cancer or reproductive toxicity.” (Health & Safety, § 25249.8.)

19 19. Benzene was listed as a chemical known to the State of California to cause reproductive
20 toxicity on December 26, 1997. Benzene became subject to the warning requirement one year
21 later and was therefore subject to the “clear and reasonable” warning requirements of Proposition
22 65 beginning on December 26, 1998. (27 California Code of Regulations § 25000, *et seq.*; Health
23 & Safety Code § 25249.5, *et seq.*). Due to the toxicity of Benzene, the maximum allowable dose
24 level is 24 micrograms a day (oral) and 49 micrograms a day (inhalation). (27 California Code of
25 Regulations § 25805(b).) As a point of reference, one microgram is equal to one millionth of a
26 gram (1 microgram = 1/1,000,000 gram).

1 20. Benzene was listed as a chemical known to the State of California to cause cancer on
2 February 27, 1987. Benzene became subject to the warning requirement one year later and was
3 therefore subject to the “clear and reasonable” warning requirements of Proposition 65 beginning
4 on February 27, 1988. (27 California Code of Regulations § 25000, *et seq.*; Health & Safety
5 Code §25249.5, *et seq.*). Due to the carcinogenicity of Benzene, the no significant risk level for
6 Benzene is 6.4 micrograms a day (oral) and 13 micrograms a day (inhalation). (27 California
7 Code of Regulations § 25705(b)(1).)

8 21. Proposition 65 provides that any “person who violates or threatens to violate” the statute
9 “may be enjoined in a court of competent jurisdiction.” (Health & Safety Code § 25249.7).
10 Violators are liable for civil penalties of up to \$2,500 per day for each violation of the Act.
11 (Health & Safety Code §25249.7(b)(1).)

12 22. Violations of Proposition 65 may be enforced by any person in the public interest, after
13 providing a 60-day notice of the violations of the Attorney General, appropriate District
14 Attorneys and City Attorneys and the alleged violator. (Health and Safety Code § 25249.7(d)(1).)
15 Remedies include injunctive relief to prevent actual or threatened violations, and penalties up to
16 \$2,500 per day per violation. (Health and Safety Code §25249.7(a) and (b).)

17 23. Proposition 65 may be enforced by any person who provides notice sixty days before
18 filing suit to both the violator and designated law enforcement officials. When the law
19 enforcement officials do not file a timely Complaint, this enables a citizen suit to be filed
20 pursuant to Health & Safety Code section 25249.7, subdivisions (c) and (d).

21 **FACTUAL BACKGROUND**

22 24. Defendants are businesses that develop, manufacture, package, distribute, market, offer
23 for sale and/or sell the Product in the State of California.

24 25. Plaintiff hired a well-respected and accredited testing laboratory to test Defendant’s
25 Product for Benzene. The results of the testing show that the Product contains Benzene.

26 26. Individuals are exposed to the Benzene from the reasonable anticipated use of the

1 Product or when they use, touch and apply the Product.

2 27. The Product continues to be offered for sale, sold and/or otherwise made available for use
3 and/or handling to persons in California.

4 28. At all times relevant to this action, Defendants, therefore, have knowingly and
5 intentionally exposed the users of the Product to Benzene without first giving a clear and
6 reasonable warning to such individuals. The Product continues to be distributed and sold in
7 California without providing the requisite warning, and thus the violations are ongoing and
8 continuous and will continue to occur into the future.

9 29. As a proximate result of acts by Defendants, persons in the course of doing business
10 within the meaning of Health & Safety Code § 25249.11(b), individuals throughout the State of
11 California, including in the County of Alameda, have been exposed to Benzene without a clear
12 and reasonable warning.

13 **SATISFACTION OF 60 DAY NOTICE**

14 30. On February 11, 2022, Plaintiff served Defendant and each appropriate public
15 enforcement agency with a Proposition 65 Notice, a document entitled “Sixty-Day Notice of
16 Intent to Sue for Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986”
17 (“Notice of Violation”) that provided Defendant and the public enforcement agency with notice
18 that Defendant was in violation of Proposition 65 for failing to warn purchasers and consumers
19 of the Product that ingestion of the Product exposes them to Benzene, a chemical known to the
20 State of California to cause cancer and reproductive toxicity. The Notice of Violation is
21 designated with Attorney General number 2022-00296. The Notice of Violation constitutes
22 adequate notice to Defendant because it provided adequate information to allow Defendant to
23 assess the nature of the alleged violations. A certificate of merit and a certificate of service
24 accompanied the Notice of Violation, and both certificates comply with Proposition 65 and its
25 implementing regulations. A true and correct copy of the Notice of Violation is attached here as
26 Exhibit A and is incorporated herein by reference.

1 31. More than 60 days have passed since Plaintiff served the Notice of Violation and no
2 public enforcement entity has filed a Complaint in this case.

3 32. Plaintiff is commencing this action more than sixty (60) days from the date that Plaintiff
4 served the Notice of Violation on the Defendants and the public prosecutors referenced in the
5 paragraphs above.

6 33. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor
7 any applicable district attorney or city attorney has commenced an action or is diligently
8 prosecuting an action against either of the Defendants.

9 **FIRST CAUSE OF ACTION**
10 **(Violation of Health & Safety Code § 25249.6, Failure to Provide Clear and Reasonable**
11 **Warning under Proposition 65 – Against all Defendants)**

12 34. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 33, inclusive, as if
13 superficially set forth herein.

14 35. By committing the acts alleged above, Defendants have, in the course of doing business,
15 knowingly and intentionally exposed users of the Product to Benzene, a chemical known to the
16 State of California to cause cancer and reproductive toxicity without first giving clear and
17 reasonable warning to such individuals within the meaning of Health & Safety Code § 25249.6
18 and continue to violate the statute as the Product continues to make its way to individuals in
19 California through the chain of commerce.

20 36. Said violations render Defendants liable for civil penalties, up to \$2,500 per day for each
21 violation, and subject Defendants to injunction.

22 **PRAYER**

23 Wherefore, Plaintiff accordingly prays for the following relief:

24 37. An assessment of civil penalties pursuant to Health & Safety Code § 25249.7(b), against
25 Defendants in the amount of \$2,500 per day for each violation of Proposition 65;
26

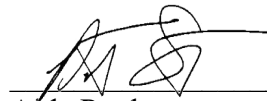
1 38. An injunctive order, pursuant to Health & Safety Code § 25249.7(a), for such temporary
2 restraining orders, preliminary and permanent injunctive orders as are necessary to prevent
3 Defendants from exposing individuals to Benzene without providing a clear and reasonable
4 warning for the Product;

5 39. On all Causes of Action, an award to Plaintiff of its reasonable attorneys' fees and costs;

6 40. For such other relief as the Court may deem just and proper.

7 DATED: September 23, 2022

POULSEN LAW P.C.

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11 _____
Aida Poulsen
Peter T. Sato
Attorney for Plaintiff
The Chemical Toxin Working Group Inc. doing
12 business as Healthy Living Foundation Inc.
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EXHIBIT A

VIA CERTIFIED FIRST CLASS MAIL

Carol A. Denale or Current
Chief Executive Officer or President
CVS Pharmacy, Inc.
One CVS Drive
Woonsocket, RI 02895

Carol A. Denale or Current
Chief Executive Officer or President
CVS Pharmacy, Inc.
c/o C T Corporation System
330 N Brand Blvd Ste 700
Glendale, CA 91203

VIA ELECTRONIC FILING

State of California Department of Justice
Office of Attorney General of California
Filing link: oag.ca.gov/prop65

VIA FIRST CLASS MAIL

District Attorneys of California Counties
and City Attorneys, as in the Certificate of
Service

VIA E-MAIL

District Attorneys of California Counties
and City Attorneys, as in the Certificate of
Service

Re: Benzene in CVS Pharmacy, Inc. products

February 11, 2022

60-DAY NOTICE OF INTENT TO SUE

for violations of the Safe Drinking Water and Toxic Enforcement Act of 1986

Dear alleged violators and public enforcement agencies,

Poulsen Law P.C. represents The Chemical Toxin Working Group, Inc., doing business as Healthy Living Foundation Inc. (“HLF,” “Noticing Party”), a non-profit consumer health organization engaged in supporting public health, implementing measures reducing the amount of chemical toxins in consumer products, improvement of worker and consumer safety from chemical exposures. as well as publishing comparative results of testing foods and consumer products and educating the public.

HLF has enforced a large number of Cal. Health & Safety Code violations in the public interest and developed an extensive expertise in prosecuting manufacturers and distributors of food and consumer products for violations of health laws and consumer safety. These cases have resulted in significant public benefit, including reformulation of products to remove toxic chemicals to make them safer, and putting label warnings on products tested as contaminated with lead, cadmium, acrylamide, dioxane, or removing them from the California market.

HLF’s Chief Officer David Steinman is a journalist, a publisher and an author of a bestseller *Diet For A Poisoned Planet* (Crown ed., 1990, Ballantine 2d ed., 1992, Running Press 3d ed., 2007); his major books also include *The Safe Shopper’s Bible* (Macmillan ed., 1995, Wiley 2d ed., 2000), *The Breast Cancer Prevention Program* (Macmillan ed., 1997), *Living Healthy In A Toxic World* (Perseus ed., 1996), *Safe Trip To Eden: Ten Steps To Save The Planet Earth From The Global Warming Meltdown* (Running Press ed., 2007), along with many publications in periodicals and other media.

The Safe Drinking Water and Toxic Enforcement Act of 1986, codified in the California Health & Safety Code sections 25249.5, et seq. (“Proposition 65”), requires that a 60-day notice of intent to sue be provided to a violator of Cal. Health & Safety Code § 25249.6.

With this notice of violation (Notice), HLF gives a written notice of the alleged violation, bringing this action in the public interest as defined under the Cal. Health & Safety Code § 25249.7(d), seeking to prosecute the alleged continuing noncompliance and to warn consumers about their exposure to the violative chemical(s), or reduce and/or eliminate consumer exposures from product(s) (collectively, the “Specified Products” and each a

“Specified Product”) listed in the table below, which are manufactured, distributed and/or sold by CVS Pharmacy, Inc. (referred to collectively as the “Noticed Parties”).

This Notice covers the violations of Proposition 65 that are currently known to the Noticing Party from information now available as specifically related to the violating products listed below and manufactured, distributed or/and sold by and through the Noticed Parties. HLF is continuing its investigation that may reveal further violations.

The Specified Product(s) subject to this Notice, the chemical(s) in the Specified Product(s) identified as exceeding allowable levels, and the Noticed Parties responsible for sales of the Specified Products, are as follows:

Specified Products	Violative chemical	Noticed Party
CVS Health Aftersun Aloe Vera Moisturizing Gel	Benzene	CVS Pharmacy, Inc.

The primary routes of exposure has been through dermal contact, inhalation, and ingestion (hand to mouth).

Noticed Parties have manufactured, marketed, distributed and/or sold the Specified Products which, according to the test results, have exposed and continue to expose consumers within the State of California to benzene.

Benzene (“benzene”) is listed pursuant to Proposition 65 as a chemical known to the State of California to cause developmental male toxicity, reproductive toxicity, and cancer. Cal. Health & Safety Code § 25249.6 requires that a “clear and reasonable” warning be provided prior to exposure to chemicals listed under Proposition 65. The Noticed Parties are in violation of Proposition 65 because the Noticed Parties have failed to provide a warning to consumers that they are being exposed to benzene. While in the course of doing business, the Noticed Parties are knowingly and intentionally exposing consumers to benzene without first providing a “clear and reasonable” warning.

The method of warning should be a warning that appears on the product’s label. See Cal. Code Regs. tit. 27, § 25602, subd. (a)(3), and subd. (b) for internet purchases also at the point of sale, as applicable. The Noticed Parties have not provided any Proposition 65 warnings as required by law or any other appropriate warnings that persons handling, applying and/or otherwise using the Specified Products are being exposed to benzene.

With respect to each Specified Product listed above, the violation commenced on the latter of the date that the Specified Product was first offered for sale in California or the date upon which California law codified the allowable level of the relevant chemical; has continued every day since the relevant date the violation commenced; and will continue every day henceforth until benzene is removed from each Specified Product, reduced to allowable levels, or until a “clear and reasonable” warning is provided to consumers by the Noticed Parties, as applicable, in accordance with the law.



Pursuant to Title 27, C.C.R. § 25903(b), copies of the following documents are attached hereto for reference by the Noticed Parties:

(i) "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary."

Pursuant to Title 11, C.C.R. § 3100, the "Certificate of Merit" is attached hereto.

HLF intends to file a lawsuit after 60 days based on the facts set forth in this Notice. Meanwhile we encourage a prompt resolution of this matter within the said period of 60 days where the Noticed Parties agree in a written agreement to (1) eliminate or reduce benzene to an allowable level in the Specified Products or, as an alternative, (2) provide a Proposition 65-compliant warning on the label of the Specified Products and at the point of sale; and (3) pay applicable civil penalties and costs of bringing this action.

Prompt action of the Noticed Parties on this Notice will prevent further consumer exposures to a dangerous chemical without warning, therefore rectifying these alleged ongoing violations of the California law and affording the Noticed Parties the opportunity to avoid increasing costs associated with noncompliance.

Please direct all communications regarding this Notice to this office.

Sincerely,



Aida Poulsen | Managing attorney | NY | CA
contact@poulsenlaw.org

ATTACHMENTS

1. Certificate of Merit;
2. Confidential Factual Information supporting Certificate of Merit (to Attorney General only);
3. Certificate of Service;
4. Appendix "A" - "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary" (to the Noticed Parties only);



To:	California Attorney General
Noticing Party:	Chemical Toxin Working Group Inc. dba Healthy Living Foundation Inc.
Noticed Parties:	CVS Pharmacy, Inc.

February 11, 2022

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.7(d)

To the Notice of Violation

I, Aida Poulsen, attorney at law, hereby declare:

I am the attorney for the Noticing Party.

I have reviewed the facts of this case and have consulted with one or more persons with relevant and appropriate experience and expertise who have reviewed facts, studies, and/or other data regarding the alleged exposures to the listed chemical that is the subject of the attached Notice of Violation dated February 11, 2022 (the "Notice").

I have reviewed the laboratory testing results for the chemical subject to the Notice and rely on these results. The testing was conducted by a reputable accredited testing laboratory and by experienced scientists with doctoral and other degrees in relevant sciences. The facts, studies and other data derived through this investigation overwhelmingly demonstrate that the alleged violators have exposed persons to the listed chemical that is the subject of the Notice and is known to the State of California to cause reproductive and/or developmental harm, and/or cancer.

Based on the information obtained through those consultations, and on all 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 plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.



This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged that the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 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.



Aida Poulsen | Managing attorney | NY | CA
contact@poulsenlaw.org



CERTIFICATE OF SERVICE

I, Jonathan Newell, am over the age of eighteen years and am not a party to the action, process or case related to or arising out of the Notice of Violation being served under this Certificate of Service. My address is 18653 Ventura Blvd., Ste. 136, Tarzana, CA 91356.

On February 11, 2022, between 11:00 a.m. and 5:00 p.m. Pacific Time, I served the following documents:

1. Notice of Violations of California Health & Safety Code Section 25249.5 et seq. by CVS Pharmacy, Inc.;
2. Certificate of Merit;
3. Appendix "A" - "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 the parties below, and causing it to be deposited at a United States Postal Service Office in Los Angeles County, California, for delivery by Certified Mail:

<p>Carol A. Denale or Current Chief Executive Officer or President CVS Pharmacy, Inc. One CVS Drive Woonsocket, RI 02895</p>	<p>Carol A. Denale or Current Chief Executive Officer or President CVS Pharmacy, Inc. c/o C T Corporation System 330 N Brand Blvd Ste 700 Glendale, CA 91203</p>
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On February 11, 2022, between 11:00 a.m. and 11:30 p.m. Pacific Time, I served the following documents:

1. Notice of Violations of California Health & Safety Code Section 25249.5 et seq. by CVS Pharmacy, Inc.;
2. Certificate of Merit;
3. Confidential Factual Information and Supporting Documentation Required by Title 11, C.C.R. § 3102

on the following parties by filing electronically a true and correct copy thereof as permitted through the website of the California Office of the Attorney General via link at oag.ca.gov/prop65:

State of California Department of Justice;
Office of the Attorney General of California.

On February 11, 2022, between 11:00 a.m. and 5:00 p.m. Pacific Time, I served the following documents:

1. Notice of Violations of California Health & Safety Code Section 25249.5 et seq. by CVS Pharmacy, Inc.;
2. Certificate of Merit



on the following parties below by placing a true and correct copy thereof in a sealed envelope, addressed to each of the District Attorney and City Attorney offices listed below, and causing each envelope to be deposited at a United States Postal Service mail box for delivery by First Class Mail:

District Attorney Alpine County PO Box 248 Markleeville, CA 96120	District Attorney Lake County 255 North Forbes Street Lakeport, CA 95453	District Attorney Sierra County PO Box 457 Downieville, CA 95936
District Attorney Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney Los Angeles County Hall of Justice 211 West Temple St. Ste 1200 Los Angeles, CA 90012	District Attorney's Office Siskiyou County Courthouse 311 Fourth Street, Room 204 Yreka, CA 96097
District Attorney Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965	District Attorney Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533
District Attorney Colusa County 310 6 th Street Colusa, CA 95932	District Attorney Marin County 3501 Civic Center Drive, Room 130 San Rafael, CA 94903	District Attorney Stanislaus County 832 12th Street, Ste 300 Modesto, CA 95354
District Attorney Del Norte County 450 H Street, Suite 171 Crescent City, CA 95531	District Attorney Mendocino County PO Box 1000 Ukiah, CA 95482	District Attorney Sutter County 446 Second Street Yuba City, CA 95991
District Attorney EL Dorado County 778 Pacific Street Placerville, CA 95667	District Attorney Modoc County 204 S Court Street, Room 202 Alturas, CA 96101-4020	District Attorney Tehama County PO Box 519 Red Bluff, CA 96080
District Attorney Fresno County 2220 Tulare Street Suite 1000 Fresno, CA 93721	District Attorney Orange County 300 N Flower St. Santa Ana, CA 92703	District Attorney Trinity County Post Office Box 310 Weaverville, CA 96093
District Attorney Glenn County Post Office Box 430 Willows, CA 95988	District Attorney San Benito County 419 4 th Street Hollister, CA 95023	District Attorney Tuolumne County 423 North Washington St. Sonora, CA 95370
District Attorney Humboldt County 825 5th Street 4 th Floor Eureka, CA 95501	District Attorney San Bernardino County 316 No. Mountain View Avenue San Bernardino, CA 92415	District Attorney Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901
District Attorney Imperial County 940 West Main Street, Suite 102	District Attorney San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite

NOTICE OF VIOLATION/CERTIFICATE OF SERVICE
CVS PHARMACY, INC.



El Centro, CA 92243		800 Los Angeles, CA 90012
District Attorney Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney Shasta County 1355 West Street Redding, CA 96001	San Jose City Attorney's Office 200 East Santa Clara Street, 16 th Floor San Jose, CA 95113
District Attorney Kings County 1400 West Lacey Blvd. Hanford, CA 93230	District Attorney Mono County Post Office Box 617 Bridgeport, CA 93517	

On February 11, 2022, between 11:00 a.m. and 11:30 p.m. Pacific Time, I served the following documents:

1. Notice of Violations of California Health & Safety Code Section 25249.5 et seq. by CVS Pharmacy, Inc.;
2. Certificate of Merit

on each of the parties below, all of which have requested electronic service only via the following email addresses:

Alameda County District Attorney CEPDProp65@acgov.org	Calaveras County District Attorney Prop65Env@co.calaveras.ca.us
Contra Costa County District Attorney sgrassini@contracostada.org	Inyo County District Attorney inyoda@inyocounty.us
Lassen County District Attorney mlatimer@co.lassen.ca.us	Mariposa County District Attorney mcd@mariposacounty.org
Merced County District Attorney Prop65@countyofmerced.com	Monterey County District Attorney Prop65DA@co.monterey.ca.us
Napa County District Attorney CEPD@countyofnapa.org	Nevada County District Attorney DA.Prop65@co.nevada.ca.us
Placer County District Attorney Prop65@placer.ca.gov	Plumas County District Attorney davidhollister@countyofplumas.com
Riverside County District Attorney Prop65@rivcoda.org	Sacramento County District Attorney Prop65@sacda.org
San Diego City Attorney CityAttyProp65@sandiego.gov	San Diego County District Attorney SanDiegoDAProp65@sdca.org
San Francisco County District Attorney alethea.sargent@sfgov.org	San Francisco City Attorney Valerie.Lopez@sfcityatty.org
San Joaquin County District Attorney DA DAConsumer.Environmental@sjca.org	San Luis Obispo County District Attorney edobroth@co.slo.ca.us
Santa Barbara County District Attorney DAProp65@co.santa-barbara.ca.us	Santa Clara County District Attorney EPU@da.sccgov.org
Santa Cruz County District Attorney Prop65DA@santacruzcounty.us	Sonoma County District Attorney jbarnes@sonoma-county.org
Tulare County District Attorney Prop65@co.tulare.ca.us	Ventura County District Attorney daspecialops@ventura.org



Yolo County District Attorney cfepd@yolocounty.org	
-------------------------------------------------------	--

I, Jonathan Newell, declare under penalty of perjury that the foregoing is true and correct.

Signature

Jonathan Newell

18653 Ventura Blvd., Ste. 136
Tarzana, California 91356

February 11, 2022

NOTICE OF VIOLATION/CERTIFICATE OF SERVICE
CVS PHARMACY, INC.

