

1 Reuben Yeroushalmi (SBN 193981)

2 reuben@yerausalmi.com

3 **YEROUSHALMI & YEROUSHALMI\***

4 9100 Wilshire Boulevard, Suite 240W

5 Beverly Hills, California 90212

6 Telephone: (310) 623-1926

7 Facsimile: (310) 623-1930

8 Attorneys for Plaintiff,

9 CONSUMER ADVOCACY GROUP, INC.

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
4/25/2025 3:53 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By Y. Ayala, Deputy Clerk

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 TRANSOCEAN RESOURCES  
17 MANAGEMENT, INC. DBA YAMIBUY, a  
18 Delaware Corporation;  
19 H.C. FOODS CO., LTD., a California  
20 Limited Company;  
21 and DOES 1-80,

22 Defendants.

CASE NO. **25STCV12186**

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 \$35,000)

23  
24  
25  
26 Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges eight causes of action  
27 against defendants TRANSOCEAN RESOURCES MANAGEMENT, INC. DBA YAMIBUY,  
28 H.C. FOODS CO., LTD., and DOES 1-80 as follows:

## **THE PARTIES**

1. Plaintiff CONSUMER ADVOCACY GROUP, INC. (“Plaintiff” or “CAG”) is an organization qualified to do business in the State of California. CAG is a person within the meaning of Health and Safety Code Section 25249.11, subdivision (a). CAG, acting as a private attorney general, brings this action in the public interest as defined under Health and Safety Code Section 25249.7, subdivision (d).
2. Defendant TRANSOCEAN RESOURCES MANAGEMENT, INC. DBA YAMIBUY (“YAMIBUY”) is a Delaware Corporation, qualified to do business in California, and doing business in the State of California at all relevant times herein.
3. Defendant H. C. FOODS COMPANY, LTD. (“HC FOODS”) is a California Limited Company, qualified to do business in California, and doing business in the State of California at all relevant times herein.
4. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-80, and therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when ascertained. Plaintiff is informed, believes, and thereon alleges that each fictitiously named defendant is responsible in some manner for the occurrences herein alleged and the damages caused thereby.
5. At all times mentioned herein, the term “Defendants” includes YAMIBUY, HC FOODS, and DOES 1-80.
6. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all times mentioned herein have conducted business within the State of California.
7. Upon information and belief, at all times relevant to this action, each of the Defendants, including DOES 1-80, was an agent, servant, or employee of each of the other Defendants. In conducting the activities alleged in this Complaint, each of the Defendants was acting within the course and scope of this agency, service, or employment, and was acting with the consent, permission, and authorization of each of

1 the other Defendants. All actions of each of the Defendants alleged in this Complaint  
2 were ratified and approved by every other Defendant or their officers or managing  
3 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated the  
4 alleged wrongful conduct of each of the other Defendants.

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

9 **JURISDICTION**

- 10 9. The Court has jurisdiction over this lawsuit pursuant to California Constitution Article  
11 VI, Section 10, which grants the Superior Court original jurisdiction in all causes except  
12 those given by statute to other trial courts. This Court has jurisdiction over this action  
13 pursuant to Health and Safety Code Section 25249.7, which allows enforcement of  
14 violations of Proposition 65 in any Court of competent jurisdiction.
- 15 10. This Court has jurisdiction over Defendants named herein because Defendants either  
16 reside or are located in this State or are foreign corporations authorized to do business in  
17 California, are registered with the California Secretary of State, or who do sufficient  
18 business in California, have sufficient minimum contacts with California, or otherwise  
19 intentionally avail themselves of the markets within California through their  
20 manufacture, distribution, promotion, marketing, or sale of their products within  
21 California to render the exercise of jurisdiction by the California courts permissible  
22 under traditional notions of fair play and substantial justice.
- 23 11. Venue is proper in the County of Los Angeles because one or more of the instances of  
24 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or  
25 because Defendants conducted, and continue to conduct, business in the County of Los  
26 Angeles with respect to the consumer product that is the subject of this action.
- 27  
28

## **BACKGROUND AND PRELIMINARY FACTS**

12. In 1986, California voters approved an initiative to address growing concerns about exposure to toxic chemicals and declared their right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or other reproductive harm.” Ballot Pamp., Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code Sections 25249.5, *et seq.* (“Proposition 65”), helps to protect California’s drinking water sources from contamination, to allow consumers to make informed choices about the products they buy, and to enable persons to protect themselves from toxic chemicals as they see fit.
13. Proposition 65 requires the Governor of California to publish a list of chemicals known to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety Code* § 25249.8. The list, which the Governor updates at least once a year, contains over 700 chemicals and chemical families. Proposition 65 imposes warning requirements and other controls that apply to Proposition 65-listed chemicals.
14. All businesses with ten (10) or more employees that operate or sell products in California must comply with Proposition 65. Under Proposition 65, businesses are: (1) prohibited from knowingly discharging Proposition 65-listed chemicals into sources of drinking water (*Health & Safety Code* § 25249.5), and (2) required to provide “clear and reasonable” warnings before exposing a person, knowingly and intentionally, to a Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).
15. Proposition 65 provides that any person “violating or threatening to violate” the statute may be enjoined in any court of competent jurisdiction. *Health & Safety Code* § 25249.7. “Threaten to violate” means “to create a condition in which there is a substantial probability that a violation will occur.” *Health & Safety Code* § 25249.11(e). Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation, recoverable in a civil action. *Health & Safety Code* § 25249.7(b).

- 1 16. Plaintiff identified certain practices of manufacturers and distributors of Kelp Slices,  
2 Salted Sprouts, and Fried Anchovy of exposing, knowingly and intentionally, persons in  
3 California to Lead and Lead Compounds, Cadmium and Cadmium Compounds, of such  
4 products without first providing clear and reasonable warnings of such to the exposed  
5 persons prior to the time of exposure. Plaintiff later discerned that Defendants engaged  
6 in such practice.
- 7 17. On October 1, 1992, the Governor of California added Lead and Lead Compounds  
8 (“Lead”) to the list of chemicals known to the State to cause cancer (*Cal. Code Regs.* tit.  
9 27, § 27001(b)). Pursuant to Health and Safety Code Sections 25249.9 and 25249.10,  
10 twenty (20) months after addition of Lead to the list of chemicals known to the State to  
11 cause cancer, Lead became fully subject to Proposition 65 warning requirements and  
12 discharge prohibitions.
- 13 18. On February 27, 1987, the Governor of California added Lead to the list of chemicals  
14 known to the State to cause developmental and reproductive toxicity (*Cal. Code Regs.*  
15 tit. 27, § 27001(c)). Lead is known to the State to cause developmental, female, and  
16 male reproductive toxicity. Pursuant to Health and Safety Code Sections 25249.9 and  
17 25249.10, twenty (20) months after addition of Lead to the list of chemicals known to  
18 the State to cause developmental and reproductive toxicity, Lead became fully subject to  
19 Proposition 65 warning requirements and discharge prohibitions.
- 20 19. On May 1, 1997, the Governor of California added Cadmium and Cadmium Compounds  
21 (“Cadmium”) to the list of chemicals known to the State to cause developmental and  
22 reproductive toxicity (*Cal. Code Regs.* tit. 27, § 27001(c)). Cadmium is known to the  
23 State to cause developmental, and male reproductive toxicity. Pursuant to Health and  
24 Safety Code Sections 25249.9 and 25249.10, twenty (20) months after addition of  
25 Cadmium to the list of chemicals known to the State to cause developmental and  
26 reproductive toxicity, Cadmium became fully subject to Proposition 65 warning  
27 requirements and discharge prohibitions.
- 28

1 **SATISFACTION OF PRIOR NOTICE**

2 20. Plaintiff served the following notices for alleged violations of Health and Safety Code  
3 Section 25249.6, concerning consumer products exposures:

- 4 a. On or about September 16, 2024, Plaintiff gave notice of alleged violations of  
5 Health and Safety Code Section 25249.6, concerning consumer products  
6 exposures subject to a private action to YAMIBUY, and to the California  
7 Attorney General, County District Attorneys, and City Attorneys for each city  
8 containing a population of at least 750,000 people in whose jurisdictions the  
9 violations allegedly occurred, concerning the Kelp Slices.
- 10 b. On or about September 23, 2024, Plaintiff gave notice of alleged violations of  
11 Health and Safety Code Section 25249.6, concerning consumer products  
12 exposures subject to a private action to YAMIBUY, and to the California  
13 Attorney General, County District Attorneys, and City Attorneys for each city  
14 containing a population of at least 750,000 people in whose jurisdictions the  
15 violations allegedly occurred, concerning the Kelp Slices.
- 16 c. On or about November 4, 2024, Plaintiff gave notice of alleged violations of  
17 Health and Safety Code Section 25249.6, concerning consumer products  
18 exposures subject to a private action to YAMIBUY, and to the California  
19 Attorney General, County District Attorneys, and City Attorneys for each city  
20 containing a population of at least 750,000 people in whose jurisdictions the  
21 violations allegedly occurred, concerning the Salted Sprouts.
- 22 d. On or about November 12, 2024, Plaintiff gave notice of alleged violations of  
23 Health and Safety Code Section 25249.6, concerning consumer products  
24 exposures subject to a private action to YAMIBUY, and to the California  
25 Attorney General, County District Attorneys, and City Attorneys for each city  
26 containing a population of at least 750,000 people in whose jurisdictions the  
27 violations allegedly occurred, concerning the Salted Sprouts.
- 28

- 1 e. On or about December 10, 2024, Plaintiff gave notice of alleged violations of  
2 Health and Safety Code Section 25249.6, concerning consumer products  
3 exposures subject to a private action to YAMIBUY, HC FOODS, and to the  
4 California Attorney General, County District Attorneys, and City Attorneys for  
5 each city containing a population of at least 750,000 people in whose  
6 jurisdictions the violations allegedly occurred, concerning the Fried Anchovy.
- 7 f. On or about December 16, 2024, Plaintiff gave notice of alleged violations of  
8 Health and Safety Code Section 25249.6, concerning consumer products  
9 exposures subject to a private action to YAMIBUY, HC FOODS, and to the  
10 California Attorney General, County District Attorneys, and City Attorneys for  
11 each city containing a population of at least 750,000 people in whose  
12 jurisdictions the violations allegedly occurred, concerning the Fried Anchovy.
- 13 g. On or about February 13, 2025, Plaintiff gave notice of alleged violations of  
14 Health and Safety Code Section 25249.6, concerning consumer products  
15 exposures subject to a private action to YAMIBUY, and to the California  
16 Attorney General, County District Attorneys, and City Attorneys for each city  
17 containing a population of at least 750,000 people in whose jurisdictions the  
18 violations allegedly occurred, concerning the Dried Seaweed Knots.
- 19 h. On or about February 20, 2025, Plaintiff gave notice of alleged violations of  
20 Health and Safety Code Section 25249.6, concerning consumer products  
21 exposures subject to a private action to YAMIBUY, and to the California  
22 Attorney General, County District Attorneys, and City Attorneys for each city  
23 containing a population of at least 750,000 people in whose jurisdictions the  
24 violations allegedly occurred, concerning the Dried Seaweed Knots.

25 21. Before sending the notice of alleged violations, Plaintiff investigated the consumer  
26 products involved, the likelihood that such products would cause users to suffer  
27  
28

significant exposures to Lead and Cadmium, and the corporate structure of each of the Defendants.

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

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

24. Plaintiff is commencing this action more than sixty (60) days from the dates that Plaintiff gave notice of the alleged violations to YAMIBUY, HC FOODS, and the public prosecutors referenced in Paragraph 20.

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

### **FIRST CAUSE OF ACTION**

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

### **Seaweed I**

26. Plaintiff repeats and incorporates by reference paragraphs 1 through 25 of this complaint as though fully set forth herein.



1 27. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
2 distributor, promoter, or retailer of Kelp Slices (“Kelp Slices I”).

3 28. Kelp Slices I contains Lead and Cadmium.

4 29. Defendants knew or should have known that the State of California has identified Lead  
5 as a chemical known to cause cancer, developmental and reproductive toxicity, and  
6 Cadmium as a chemical known to cause developmental and reproductive toxicity, and  
7 therefore was subject to Proposition 65 warning requirements. Defendants were also  
8 informed of the presence of Lead and Cadmium in Kelp Slices I within Plaintiff’s notice  
9 of alleged violations further discussed above at Paragraph 20b.

10 30. Plaintiff’s allegations regarding Kelp Slices I 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). Kelp Slices I are consumer products, and, as mentioned herein, exposures to  
15 Lead and Cadmium took place as a result of such normal and foreseeable consumption  
16 and use.

17 31. Plaintiff is informed, believes, and thereon alleges that between September 23, 2021, and  
18 the present, each of the Defendants knowingly and intentionally exposed California  
19 consumers and users of Kelp Slices I, which Defendants manufactured, distributed, or  
20 sold as mentioned above, to Lead and Cadmium, 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 Kelp Slices I in California. Defendants know and  
23 intend that California consumers will use and consume Kelp Slices I, thereby exposing  
24 them to Lead and Cadmium. Further, Plaintiff is informed, believes, and thereon alleges  
25 that Defendants are selling Kelp Slices I under a brand or trademark that is owned or  
26 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
27 Lead and Cadmium into Kelp Slices I or knowingly caused Lead and Cadmium to be  
28

1 created in Kelp Slices I; have covered, obscured or altered a warning label that has been  
2 affixed to Kelp Slices I by the manufacturer, producer, packager, importer, supplier or  
3 distributor of Kelp Slices I; have received a notice and warning materials for exposure  
4 from Kelp Slices I without conspicuously posting or displaying the warning materials;  
5 and/or have actual knowledge of potential exposure to Lead and Cadmium from Kelp  
6 Slices I. Defendants thereby violated Proposition 65.

7 32. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
8 Persons sustain exposures by eating and consuming the Kelp Slices I.

9 33. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
10 Proposition 65 as to Kelp Slices I have been ongoing and continuous, as Defendants  
11 engaged and continue to engage in conduct which violates Health and Safety Code  
12 Section 25249.6, including the manufacture, distribution, promotion, and sale of Kelp  
13 Slices I, so that a separate and distinct violation of Proposition 65 occurred each and  
14 every time a person was exposed to Lead and Cadmium by Kelp Slices I as mentioned  
15 herein.

16 34. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
17 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
18 violations alleged herein will continue to occur into the future.

19 35. Based on the allegations herein, Defendants are liable for civil penalties of up to  
20 \$2,500.00 per day per individual exposure to Lead and Cadmium from Kelp Slices I,  
21 pursuant to Health and Safety Code Section 25249.7(b).

22 36. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
23 filing this Complaint.

## 24 **SECOND CAUSE OF ACTION**

25 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY and DOES**  
26 **11-20 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
27 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

## 28 **Seaweed II**

1 37. Plaintiff repeats and incorporates by reference paragraphs 1 through 36 of this complaint  
2 as though fully set forth herein.

3 38. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
4 distributor, promoter, or retailer of Kelp Slices (“Kelp Slices II”) identified as:  
5 “FUZHOU HAILIN FOOD CO., LTD.”; “PROPHASE KELP SLICES”; “PRO: 03-06-  
6 2024”; “UPC 6922738598045”; “EXP: 09-05-2024”.

7 39. Kelp Slices II contains Lead and Cadmium.

8 40. Defendants knew or should have known that the State of California has identified Lead  
9 as a chemical known to cause cancer, developmental and reproductive toxicity, and  
10 Cadmium as a chemical known to cause developmental and reproductive toxicity, and  
11 therefore was subject to Proposition 65 warning requirements. Defendants were also  
12 informed of the presence of Lead and Cadmium in Kelp Slices II within Plaintiff's notice  
13 of alleged violations further discussed above at Paragraph 20a.

14 41. Plaintiff’s allegations regarding Kelp Slices II concerns “[c]onsumer products  
15 exposure[s],” which “is an exposure that results from a person’s acquisition, purchase,  
16 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
17 exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, §  
18 25602(b). Kelp Slices II are consumer products, and, as mentioned herein, exposures to  
19 Lead and Cadmium took place as a result of such normal and foreseeable consumption  
20 and use.

21 42. Plaintiff is informed, believes, and thereon alleges that between September 16, 2021, and  
22 the present, each of the Defendants knowingly and intentionally exposed California  
23 consumers and users of Kelp Slices II, which Defendants manufactured, distributed, or  
24 sold as mentioned above, to Lead and Cadmium, without first providing any type of clear  
25 and reasonable warning of such to the exposed persons before the time of exposure.  
26 Defendants have distributed and sold Kelp Slices II in California. Defendants know and  
27 intend that California consumers will use and consume Kelp Slices II, thereby exposing  
28

1       them to Lead and Cadmium. Further, Plaintiff is informed, believes, and thereon alleges  
2       that Defendants are selling Kelp Slices II under a brand or trademark that is owned or  
3       licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
4       Lead and Cadmium into Kelp Slices II or knowingly caused Lead and Cadmium to be  
5       created in Kelp Slices II; have covered, obscured or altered a warning label that has been  
6       affixed to Kelp Slices II by the manufacturer, producer, packager, importer, supplier or  
7       distributor of Kelp Slices II; have received a notice and warning materials for exposure  
8       from Kelp without conspicuously posting or displaying the warning materials; and/or  
9       have actual knowledge of potential exposure to Lead and Cadmium from Kelp Slices II.  
10      Defendants thereby violated Proposition 65.

11     43. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
12       Persons sustain exposures by eating and consuming the Kelp Slices II.

13     44. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
14       Proposition 65 as to Kelp Slices II have been ongoing and continuous, as Defendants  
15       engaged and continue to engage in conduct which violates Health and Safety Code  
16       Section 25249.6, including the manufacture, distribution, promotion, and sale of Kelp  
17       Slices II, so that a separate and distinct violation of Proposition 65 occurred each and  
18       every time a person was exposed to Lead and Cadmium by Kelp Slices II as mentioned  
19       herein.

20     45. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
21       mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
22       violations alleged herein will continue to occur into the future.

23     46. Based on the allegations herein, Defendants are liable for civil penalties of up to  
24       \$2,500.00 per day per individual exposure to Lead and Cadmium from Kelp Slices II,  
25       pursuant to Health and Safety Code Section 25249.7(b).

26     47. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
27       filing this Complaint.

1 **THIRD CAUSE OF ACTION**

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

5 **Sprouts I**

6 48. Plaintiff repeats and incorporates by reference paragraphs 1 through 47 of this complaint  
7 as though fully set forth herein.

8 49. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
9 distributor, promoter, or retailer of Salted Sprouts (“Salted Sprouts I”).

10 50. Salted Sprouts I contains Lead.

11 51. Defendants knew or should have known that Lead has been identified by the State of  
12 California as a chemical known to cause cancer, developmental and reproductive toxicity  
13 and therefore was subject to Proposition 65 warning requirements. Defendants were also  
14 informed of the presence of Lead in Salted Sprouts I within Plaintiff's notice of alleged  
15 violations further discussed above at Paragraph 20c.

16 52. Plaintiff’s allegations regarding Salted Sprouts I concerns “[c]onsumer products  
17 exposure[s],” which “is an exposure that results from a person’s acquisition, purchase,  
18 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
19 exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, §  
20 25602(b). Salted Sprouts I are consumer products, and, as mentioned herein, exposures  
21 to Lead took place as a result of such normal and foreseeable consumption and use.

22 53. Plaintiff is informed, believes, and thereon alleges that between November 12, 2021, and  
23 the present, each of the Defendants knowingly and intentionally exposed California  
24 consumers and users of Salted Sprouts I, which Defendants manufactured, distributed, or  
25 sold as mentioned above, to Lead, without first providing any type of clear and  
26 reasonable warning of such to the exposed persons before the time of exposure.  
27 Defendants have distributed and sold Salted Sprouts I in California. Defendants know  
28 and intend that California consumers will use and consume Salted Sprouts I, thereby

1 exposing them to Lead. Further, Plaintiff is informed, believes, and thereon alleges that  
2 Defendants are selling Salted Sprouts I under a brand or trademark that is owned or  
3 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
4 Lead into Salted Sprouts I or knowingly caused Lead to be created in Salted Sprouts I;  
5 have covered, obscured or altered a warning label that has been affixed to Salted Sprouts  
6 I by the manufacturer, producer, packager, importer, supplier or distributor of Salted  
7 Sprouts I; have received a notice and warning materials for exposure from Salted Sprouts  
8 I without conspicuously posting or displaying the warning materials; and/or have actual  
9 knowledge of potential exposure to Lead from Salted Sprouts I. Defendants thereby  
10 violated Proposition 65.

11 54. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
12 Persons sustain exposures by eating and consuming the Salted Sprouts I.

13 55. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
14 Proposition 65 as to Salted Sprouts I have been ongoing and continuous, as Defendants  
15 engaged and continue to engage in conduct which violates Health and Safety Code  
16 Section 25249.6, including the manufacture, distribution, promotion, and sale of Salted  
17 Sprouts I, so that a separate and distinct violation of Proposition 65 occurred each and  
18 every time a person was exposed to Lead by Salted Sprouts I as mentioned herein.

19 56. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
20 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
21 violations alleged herein will continue to occur into the future.

22 57. Based on the allegations herein, Defendants are liable for civil penalties of up to  
23 \$2,500.00 per day per individual exposure to Lead from Salted Sprouts I, pursuant to  
24 Health and Safety Code Section 25249.7(b).

25 58. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
26 filing this Complaint.

1 **FOURTH CAUSE OF ACTION**

2 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY, and**  
3 **DOES 31-40 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
4 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

5 **Sprouts II**

6 59. Plaintiff repeats and incorporates by reference paragraphs 1 through 58 of this complaint  
7 as though fully set forth herein.

8 60. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
9 distributor, promoter, or retailer of Salted Sprouts (“Salted Sprouts II”) identified as:  
10 “Salted Xiangchun Sprout”; “Panda Trading & Manufacturing Inc.”; “Best Before  
11 05/26/2025”; “Net Wt. 12.33 oz (350 g)”; “UPC 695589203906”.

12 61. Salted Sprouts II contains Lead.

13 62. Defendants knew or should have known that Lead has been identified by the State of  
14 California as a chemical known to cause cancer, developmental and reproductive toxicity  
15 and therefore was subject to Proposition 65 warning requirements. Defendants were also  
16 informed of the presence of Lead in Salted Sprouts II within Plaintiff’s notice of alleged  
17 violations further discussed above at Paragraph 20c.

18 63. Plaintiff’s allegations regarding Salted Sprouts II concerns “[c]onsumer products  
19 exposure[s],” which “is an exposure that results from a person’s acquisition, purchase,  
20 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
21 exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, §  
22 25602(b). Salted Sprouts II are consumer products, and, as mentioned herein, exposures  
23 to Lead took place as a result of such normal and foreseeable consumption and use.

24 64. Plaintiff is informed, believes, and thereon alleges that between November 4, 2021, and  
25 the present, each of the Defendants knowingly and intentionally exposed California  
26 consumers and users of Salted Sprouts II, which Defendants manufactured, distributed,  
27 or sold as mentioned above, to Lead, without first providing any type of clear and  
28 reasonable warning of such to the exposed persons before the time of exposure.

1 Defendants have distributed and sold Salted Sprouts II in California. Defendants know  
2 and intend that California consumers will use and consume Salted Sprouts II, thereby  
3 exposing them to Lead. Further, Plaintiff is informed, believes, and thereon alleges that  
4 Defendants are selling Salted Sprouts II under a brand or trademark that is owned or  
5 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
6 Lead into Salted Sprouts II or knowingly caused Lead to be created in Salted Sprouts II;  
7 have covered, obscured or altered a warning label that has been affixed to Salted Sprouts  
8 II by the manufacturer, producer, packager, importer, supplier or distributor of Salted  
9 Sprouts II; have received a notice and warning materials for exposure from Salted  
10 Sprouts II without conspicuously posting or displaying the warning materials; and/or  
11 have actual knowledge of potential exposure to Lead from Salted Sprouts II. Defendants  
12 thereby violated Proposition 65.

13 65. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
14 Persons sustain exposures by eating and consuming the Salted Sprouts II.

15 66. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
16 Proposition 65 as to Salted Sprouts II have been ongoing and continuous, as Defendants  
17 engaged and continue to engage in conduct which violates Health and Safety Code  
18 Section 25249.6, including the manufacture, distribution, promotion, and sale of Salted  
19 Sprouts II, so that a separate and distinct violation of Proposition 65 occurred each and  
20 every time a person was exposed to Lead by Salted Sprouts II as mentioned herein.

21 67. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
22 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
23 violations alleged herein will continue to occur into the future.

24 68. Based on the allegations herein, Defendants are liable for civil penalties of up to  
25 \$2,500.00 per day per individual exposure to Lead from Salted Sprouts II, pursuant to  
26 Health and Safety Code Section 25249.7(b).



1 69. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
2 filing this Complaint.

3  
4 **FIFTH CAUSE OF ACTION**

5 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY, HC**  
6 **FOODS, and DOES 41-50 for Violations of Proposition 65, The Safe Drinking**  
7 **Water and Toxic Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et***  
8 ***seq.*))**

9 **Seafood Products I**

10 70. Plaintiff repeats and incorporates by reference paragraphs 1 through 69 of this complaint  
11 as though fully set forth herein.

12 71. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
13 distributor, promoter, or retailer of Fried Anchovy ("Fried Anchovy I").

14 72. Fried Anchovy I contains Lead and Cadmium.

15 73. Defendants knew or should have known that the State of California has identified Lead  
16 as a chemical known to cause cancer, developmental and reproductive toxicity, and  
17 Cadmium as a chemical known to cause developmental and reproductive toxicity, and  
18 therefore was subject to Proposition 65 warning requirements. Defendants were also  
19 informed of the presence of Lead and Cadmium in Fried Anchovy I within Plaintiff's  
20 notice of alleged violations further discussed above at Paragraph 20f.

21 74. Plaintiff's allegations regarding Fried Anchovy I concerns "[c]onsumer products  
22 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,  
23 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
24 exposure that results from receiving a consumer service." *Cal. Code Regs.* tit. 27, §  
25 25602(b). Fried Anchovy I are consumer products, and, as mentioned herein, exposures  
26 to Lead and Cadmium took place as a result of such normal and foreseeable consumption  
27 and use.

28 75. Plaintiff is informed, believes, and thereon alleges that between December 16, 2021, and  
the present, each of the Defendants knowingly and intentionally exposed California

1 consumers and users of Fried Anchovy I, which Defendants manufactured, distributed,  
2 or sold as mentioned above, to Lead and Cadmium, without first providing any type of  
3 clear and reasonable warning of such to the exposed persons before the time of exposure.  
4 Defendants have distributed and sold Fried Anchovy I in California. Defendants know  
5 and intend that California consumers will use and consume Fried Anchovy I, thereby  
6 exposing them to Lead and Cadmium. Further, Plaintiff is informed, believes, and  
7 thereon alleges that Defendants are selling Fried Anchovy I under a brand or trademark  
8 that is owned or licensed by the Defendants or an entity affiliated thereto; have  
9 knowingly introduced Lead and Cadmium into Fried Anchovy I or knowingly caused  
10 Lead and Cadmium to be created in Fried Anchovy I; have covered, obscured or altered  
11 a warning label that has been affixed to Fried Anchovy I by the manufacturer, producer,  
12 packager, importer, supplier or distributor of Fried Anchovy I; have received a notice  
13 and warning materials for exposure from Fried Anchovy I without conspicuously posting  
14 or displaying the warning materials; and/or have actual knowledge of potential exposure  
15 to Lead and Cadmium from Fried Anchovy I. Defendants thereby violated Proposition  
16 65.

17 76. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
18 Persons sustain exposures by eating and consuming the Fried Anchovy I.

19 77. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
20 Proposition 65 as to Fried Anchovy I have been ongoing and continuous, as Defendants  
21 engaged and continue to engage in conduct which violates Health and Safety Code  
22 Section 25249.6, including the manufacture, distribution, promotion, and sale of Fried  
23 Anchovy I, so that a separate and distinct violation of Proposition 65 occurred each and  
24 every time a person was exposed to Lead and Cadmium by Fried Anchovy I as  
25 mentioned herein.  
26  
27  
28

1 78. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
2 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
3 violations alleged herein will continue to occur into the future.

4 79. Based on the allegations herein, Defendants are liable for civil penalties of up to  
5 \$2,500.00 per day per individual exposure to Lead and Cadmium from Fried Anchovy I,  
6 pursuant to Health and Safety Code Section 25249.7(b).

7 80. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
8 filing this Complaint.

9  
10 **SIXTH CAUSE OF ACTION**

11 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY, HC**  
12 **FOODS, and DOES 51-60 for Violations of Proposition 65, The Safe Drinking**  
13 **Water and Toxic Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et***  
14 ***seq.*))**

15 **Seafood Products II**

16 81. Plaintiff repeats and incorporates by reference paragraphs 1 through 80 of this complaint  
17 as though fully set forth herein.

18 82. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
19 distributor, promoter, or retailer of Fried Anchovy ("Fried Anchovy II") identified as:  
20 "Bell & Flower Brand"; "Fried Anchovy"; "Distributed by: H.C. Foods Co., Ltd.";   
21 "UPC 095916004150".

22 83. Fried Anchovy II contains Lead and Cadmium.

23 84. Defendants knew or should have known that the State of California has identified Lead  
24 as a chemical known to cause cancer, developmental and reproductive toxicity, and  
25 Cadmium as a chemical known to cause developmental and reproductive toxicity, and  
26 therefore was subject to Proposition 65 warning requirements. Defendants were also  
27 informed of the presence of Lead and Cadmium in Fried Anchovy II within Plaintiff's  
28 notice of alleged violations further discussed above at Paragraph 20e.

1 85. Plaintiff's allegations regarding Fried Anchovy II concerns "[c]onsumer products  
2 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,  
3 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
4 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*  
5 *25602(b)*. Fried Anchovy II are consumer products, and, as mentioned herein, exposures  
6 to Lead and Cadmium took place as a result of such normal and foreseeable consumption  
7 and use.

8 86. Plaintiff is informed, believes, and thereon alleges that between December 10, 2021, and  
9 the present, each of the Defendants knowingly and intentionally exposed California  
10 consumers and users of Fried Anchovy II, which Defendants manufactured, distributed,  
11 or sold as mentioned above, to Lead and Cadmium, without first providing any type of  
12 clear and reasonable warning of such to the exposed persons before the time of exposure.  
13 Defendants have distributed and sold Fried Anchovy II in California. Defendants know  
14 and intend that California consumers will use and consume Fried Anchovy II, thereby  
15 exposing them to Lead and Cadmium. Further, Plaintiff is informed, believes, and  
16 thereon alleges that Defendants are selling Fried Anchovy II under a brand or trademark  
17 that is owned or licensed by the Defendants or an entity affiliated thereto; have  
18 knowingly introduced Lead and Cadmium into Fried Anchovy II or knowingly caused  
19 Lead and Cadmium to be created in Fried Anchovy II; have covered, obscured or altered  
20 a warning label that has been affixed to Fried Anchovy II by the manufacturer, producer,  
21 packager, importer, supplier or distributor of Fried Anchovy II; have received a notice  
22 and warning materials for exposure from Fried Anchovy II without conspicuously  
23 posting or displaying the warning materials; and/or have actual knowledge of potential  
24 exposure to Lead and Cadmium from Fried Anchovy II. Defendants thereby violated  
25 Proposition 65.

26 87. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
27 Persons sustain exposures by eating and consuming the Fried Anchovy II.  
28

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

8 89. 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 90. Based on the allegations herein, Defendants are liable for civil penalties of up to  
12 \$2,500.00 per day per individual exposure to Lead and Cadmium from Fried Anchovy II,  
13 pursuant to Health and Safety Code Section 25249.7(b).

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

#### 16 **SEVENTH CAUSE OF ACTION**

17 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY, and**  
18 **DOES 61-70 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
19 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

#### 20 **Seaweed III**

21 92. Plaintiff repeats and incorporates by reference paragraphs 1 through 91 of this complaint  
22 as though fully set forth herein.

23 93. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
24 distributor, promoter, or retailer of Dried Seaweed Knots ("Dried Seaweed I").

25 94. Dried Seaweed I contains Lead.

26 95. Defendants knew or should have known that Lead has been identified by the State of  
27 California as a chemical known to cause cancer, developmental and reproductive toxicity  
28 and therefore was subject to Proposition 65 warning requirements. Defendants were also

1 informed of the presence of Lead in Dried Seaweed I within Plaintiff's notice of alleged  
2 violations further discussed above at Paragraph 20h.

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

9 97. Plaintiff is informed, believes, and thereon alleges that between February 20, 2022, and  
10 the present, each of the Defendants knowingly and intentionally exposed California  
11 consumers and users of Dried Seaweed I, which Defendants manufactured, distributed,  
12 or sold as mentioned above, to Lead, without first providing any type of clear and  
13 reasonable warning of such to the exposed persons before the time of exposure.

14 Defendants have distributed and sold Dried Seaweed I in California. Defendants know  
15 and intend that California consumers will use and consume Dried Seaweed I thereby  
16 exposing them to Lead. Further, Plaintiff is informed, believes, and thereon alleges that  
17 Defendants are selling Dried Seaweed I under a brand or trademark that is owned or  
18 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
19 Lead into Dried Seaweed I or knowingly caused Lead to be created in Dried Seaweed I;  
20 have covered, obscured or altered a warning label that has been affixed to Dried  
21 Seaweed I by the manufacturer, producer, packager, importer, supplier or distributor of  
22 Dried Seaweed I; have received a notice and warning materials for exposure from Dried  
23 Seaweed I without conspicuously posting or displaying the warning materials; and/or  
24 have actual knowledge of potential exposure to Lead from Dried Seaweed I. Defendants  
25 thereby violated Proposition 65.

26 98. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.  
27 Persons sustain exposures by eating and consuming the Dried Seaweed I.

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

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

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

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

15 **EIGHTH CAUSE OF ACTION**

16 **(By CONSUMER ADVOCACY GROUP, INC. and against YAMIBUY, and**  
17 **DOES 71-80 for Violations of Proposition 65, The Safe Drinking Water and Toxic**  
18 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

19 **Seaweed IV**

20 103. Plaintiff repeats and incorporates by reference paragraphs 1 through 102 of this  
21 complaint as though fully set forth herein.

22 104. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
23 distributor, promoter, or retailer of Dried Seaweed Knots ("Dried Seaweed II") identified  
24 as: "HANHENG TASTE"; "DRIED SEAWEEED knots"; "UPC 6 930248 687128".

25 105. Dried Seaweed II contains Lead.

26 106. Defendants knew or should have known that Lead has been identified by the State of  
27 California as a chemical known to cause cancer, developmental and reproductive toxicity  
28 and therefore was subject to Proposition 65 warning requirements. Defendants were also

1 informed of the presence of Lead in Dried Seaweed II within Plaintiff's notice of alleged  
2 violations further discussed above at Paragraph 20g.

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

9 108. Plaintiff is informed, believes, and thereon alleges that between February 13, 2022, and  
10 the present, each of the Defendants knowingly and intentionally exposed California  
11 consumers and users of Dried Seaweed II, which Defendants manufactured, distributed,  
12 or sold as mentioned above, to Lead, without first providing any type of clear and  
13 reasonable warning of such to the exposed persons before the time of exposure.

14 Defendants have distributed and sold Dried Seaweed II in California. Defendants know  
15 and intend that California consumers will use and consume Dried Seaweed II, thereby  
16 exposing them to Lead. Further, Plaintiff is informed, believes, and thereon alleges that  
17 Defendants are selling Dried Seaweed II under a brand or trademark that is owned or  
18 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced  
19 Lead into Dried Seaweed II or knowingly caused Lead to be created in Dried Seaweed  
20 II; have covered, obscured or altered a warning label that has been affixed to Dried  
21 Seaweed II by the manufacturer, producer, packager, importer, supplier or distributor of  
22 Dried Seaweed II; have received a notice and warning materials for exposure from Dried  
23 Seaweed II without conspicuously posting or displaying the warning materials; and/or  
24 have actual knowledge of potential exposure to Lead from Dried Seaweed II. Defendants  
25 thereby violated Proposition 65.

26 109. The principal routes of exposure are through ingestion, especially direct (oral)  
27 ingestion. Persons sustain exposures by eating and consuming the Dried Seaweed II.



1 110. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations  
2 of Proposition 65 as to Dried Seaweed II 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 II, so that a separate and distinct violation of Proposition 65 occurred  
6 each and every time a person was exposed to Lead by Dried Seaweed II as mentioned  
7 herein.

8 111. 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.

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

14 113. 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  
24 Dated: April 25, 2025

YEROUSHALMI & YEROUSHALMI\*

25 /s/ Reuben Yeroushalmi

26 Reuben Yeroushalmi  
27 Attorneys for Plaintiff,  
28 CONSUMER ADVOCACY GROUP, INC.