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David W. Staylor, Executive Officer / Clerk of Court

By: F. Estrada Deputy

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9 CONSUMER ADVOCACY GROUP, INC.

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

11 **COUNTY OF LOS ANGELES**

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

14 Plaintiff,

15 v.

16 WALMART, INC, a Delaware Corporation;
17 AMAZON.COM SERVICES LLC,
18 a Delaware Limited Liability Company;
19 AMAZON.COM, INC., a Delaware
20 Corporation;
21 VIGO IMPORTING COMPANY, a Florida
22 Company;
23 SEA VALUE PLC, a Thai Private Limited
24 Company;
25 and DOES 1-30,

26 Defendants.

CASE NO. 24STCV28443

FIRST AMENDED 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)

27 Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges three causes of action
28 against defendants WALMART, INC.; AMAZON.COM SERVICES LLC; AMAZON.COM
SERVICES, INC.; VIGO IMPORTING COMPANY; SEA VALUE PLC; and DOES 1-30 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 WALMART, INC. (“WALMART”) 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 AMAZON.COM SERVICES LLC (“AMAZON.COM LLC”) is a Delaware Limited Liability Company, qualified to do business in California, and doing business in the State of California at all relevant times herein.
4. Defendant AMAZON.COM, INC. (“AMAZON.COM, INC.”) is a Delaware Corporation, qualified to do business in Delaware, and doing business in the State of California at all relevant times herein.
5. Defendant VIGO IMPORTING COMPANY (“VIGO”) is a Florida Company, qualified to do business in Florida, and doing business in the State of California at all relevant times herein.
6. Defendant SEA VALUE PLC (“SEA VALUE”) is a Thai Private Limited Company and doing business in the State of California at all relevant times herein.
7. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-30, 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.

1 8. At all times mentioned herein, the term "Defendants" includes WALMART,
2 AMAZON.COM LLC, AMAZON.COM, INC., VIGO, SEA VALUE, and DOES 1-30.

3 9. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all
4 times mentioned herein have conducted business within the State of California.

5 10. Upon information and belief, at all times relevant to this action, each of the Defendants,
6 including DOES 1-30, was an agent, servant, or employee of each of the other
7 Defendants. In conducting the activities alleged in this Complaint, each of the
8 Defendants was acting within the course and scope of this agency, service, or
9 employment, and was acting with the consent, permission, and authorization of each of
10 the other Defendants. All actions of each of the Defendants alleged in this Complaint
11 were ratified and approved by every other Defendant or their officers or managing
12 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated the
13 alleged wrongful conduct of each of the other Defendants.

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

18 **JURISDICTION**

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

24 13. This Court has jurisdiction over Defendants named herein because Defendants either
25 reside or are located in this State or are foreign corporations authorized to do business in
26 California, are registered with the California Secretary of State, or who do sufficient
27 business in California, have sufficient minimum contacts with California, or otherwise
28

1 intentionally avail themselves of the markets within California through their
2 manufacture, distribution, promotion, marketing, or sale of their products within
3 California to render the exercise of jurisdiction by the California courts permissible
4 under traditional notions of fair play and substantial justice.

- 5 14. Venue is proper in the County of Los Angeles because one or more of the instances of
6 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or
7 because Defendants conducted, and continue to conduct, business in the County of Los
8 Angeles with respect to the consumer product that is the subject of this action.

9 **BACKGROUND AND PRELIMINARY FACTS**

- 10 15. In 1986, California voters approved an initiative to address growing concerns about
11 exposure to toxic chemicals and declared their right “[t]o be informed about exposures to
12 chemicals that cause cancer, birth defects, or other reproductive harm.” Ballot Pamp.,
13 Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking
14 Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code Sections
15 25249.5, *et seq.* (“Proposition 65”), helps to protect California’s drinking water sources
16 from contamination, to allow consumers to make informed choices about the products
17 they buy, and to enable persons to protect themselves from toxic chemicals as they see
18 fit.

- 19 16. Proposition 65 requires the Governor of California to publish a list of chemicals known
20 to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety*
21 *Code* § 25249.8. The list, which the Governor updates at least once a year, contains over
22 700 chemicals and chemical families. Proposition 65 imposes warning requirements and
23 other controls that apply to Proposition 65-listed chemicals.

- 24 17. All businesses with ten (10) or more employees that operate or sell products in California
25 must comply with Proposition 65. Under Proposition 65, businesses are: (1) prohibited
26 from knowingly discharging Proposition 65-listed chemicals into sources of drinking
27 water (*Health & Safety Code* § 25249.5), and (2) required to provide “clear and
28

reasonable” warnings before exposing a person, knowingly and intentionally, to a Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).

18. 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).

19. Plaintiff identified certain practices of manufacturers and distributors of Squid, Jumbo Squid, and Sardines of exposing, knowingly and intentionally, persons in California to Cadmium and Cadmium Compounds of such products without first providing clear and reasonable warnings of such to the exposed persons prior to the time of exposure. Plaintiff later discerned that Defendants engaged in such practice.

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

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

SATISFACTION OF PRIOR NOTICE

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

- a. On or about April 19, 2023, Plaintiff gave notice of alleged violations of Health and Safety Code Section 25249.6, concerning consumer products exposures subject to a private action to AMAZON.COM LLC, AMAZON.COM, INC, VIGO, and to the California Attorney General, County District Attorneys, and City Attorneys for each city containing a population of at least 750,000 people in whose jurisdictions the violations allegedly occurred, concerning the Squid.
- b. On or about November 20, 2023, Plaintiff gave notice of alleged violations of Health and Safety Code Section 25249.6, concerning consumer products exposures subject to a private action to WALMART, VIGO, and to the California Attorney General, County District Attorneys, and City Attorneys for each city containing a population of at least 750,000 people in whose jurisdictions the violations allegedly occurred, concerning the Jumbo Squid.
- c. On or about December 22, 2023, Plaintiff gave notice of alleged violations of Health and Safety Code Section 25249.6, concerning consumer products exposures subject to a private action to WALMART and to the California Attorney General, County District Attorneys, and City Attorneys for each city containing a population of at least 750,000 people in whose jurisdictions the violations allegedly occurred, concerning the Sardines.
 - i. On or about November 4, 2024, Plaintiff gave notice of alleged violations of Health and Safety Code Section 25249.6, concerning consumer products exposures subject to a private action to SEA VALUE and to the California Attorney General, County District Attorneys, and City Attorneys for each city containing a population of at least 750,000 people in whose jurisdictions the violations allegedly occurred, concerning the Sardines.

- 1 23. Before sending the notice of alleged violations, Plaintiff investigated the consumer
2 products involved, the likelihood that such products would cause users to suffer
3 significant exposures to Cadmium, and the corporate structure of each of the Defendants.
- 4 24. Plaintiff's notice of alleged violation included a Certificate of Merit executed by the
5 attorney for the noticing party, CAG. The Certificate of Merit stated that the attorney for
6 Plaintiff who executed the certificate had consulted with at least one person with relevant
7 and appropriate expertise who reviewed data regarding the exposures to Cadmium, the
8 subject Proposition 65-listed chemical of this action. Based on that information, the
9 attorney for Plaintiff who executed the Certificate of Merit believed there was a
10 reasonable and meritorious case for this private action. The attorney for Plaintiff
11 attached to the Certificate of Merit served on the Attorney General the confidential
12 factual information sufficient to establish the basis of the Certificate of Merit.
- 13 25. Plaintiff's notice of alleged violations also included a Certificate of Service and a
14 document entitled "The Safe Drinking Water & Toxic Enforcement Act of 1986
15 (Proposition 65) A Summary." *Health & Safety Code* § 25249.7(d).
- 16 26. Plaintiff is commencing this action more than sixty (60) days from the dates that Plaintiff
17 gave notice of the alleged violations to WALMART, AMAZON.COM LLC,
18 AMAZON.COM, INC., VIGO, SEA VALUE, and the public prosecutors referenced in
19 Paragraph 22.
- 20 27. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor
21 any applicable district attorney or city attorney has commenced and is diligently
22 prosecuting an action against the Defendants.

FIRST CAUSE OF ACTION

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

Seafood Products I

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

3 29. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,
4 distributor, promoter, or retailer of Squid, including but not limited to: “Vigo”;
5 “Imported Squid”; “In Ink Sauce”; “Calamares”; “Wild Caught”; “Net Wt. 4 oz (113 g)”;
6 “Product of Spain”; “Imported By: Vigo Importing Co.”; “Best By: Nov. 24 2025”;
7 “Lot: 47DC”; “UPC 071072012093”.

8 30. Squid contains Cadmium.

9 31. Defendants knew or should have known that Cadmium has been identified by the State
10 of California as a chemical known to cause cancer, and reproductive toxicity and
11 therefore was subject to Proposition 65 warning requirements. Defendants were also
12 informed of the presence of Cadmium in Squid within Plaintiff’s notice of alleged
13 violations further discussed above at Paragraph 22a.

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

20 33. Plaintiff is informed, believes, and thereon alleges that between April 19, 2020, and the
21 present, each of the Defendants knowingly and intentionally exposed California
22 consumers and users of Squid, which Defendants manufactured, distributed, or sold as
23 mentioned above, to Cadmium, without first providing any type of clear and reasonable
24 warning of such to the exposed persons before the time of exposure. Defendants have
25 distributed and sold Squid in California. Defendants know and intend that California
26 consumers will use and consume Squid, thereby exposing them to Cadmium. Further,
27 Plaintiff is informed, believes, and thereon alleges that Defendants are selling Squid
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1 under a brand or trademark that is owned or licensed by the Defendants or an entity
2 affiliated thereto; have knowingly introduced Cadmium into Squid or knowingly caused
3 Cadmium to be created in Squid; have covered, obscured or altered a warning label that
4 has been affixed to Squid by the manufacturer, producer, packager, importer, supplier or
5 distributor of Squid; have received a notice and warning materials for exposure from
6 Squid without conspicuously posting or displaying the warning materials; and/or have
7 actual knowledge of potential exposure to Cadmium from Squid. Defendants thereby
8 violated Proposition 65.

9 34. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.
10 Persons sustain exposures by eating and consuming Squid.

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

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

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

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

25 **SECOND CAUSE OF ACTION**

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

Seafood Products II

39. Plaintiff repeats and incorporates by reference paragraphs 1 through 38 of this complaint as though fully set forth herein.

40. Each of the Defendants is, and at all times mentioned herein was, a manufacturer, distributor, promoter, or retailer of Jumbo Squid, including but not limited to: “VIGO”; IMPORTED JUMBO SQUID”; “Wild Caught”; “IN SUNFLOWER AND OLIVE OIL”; “NET WT. 4 OZ. (113g)”; “PRODUCT OF SPAIN”; “IMPORTED BY: VIGO IMPORTING CO., TAMPLA, FL 33614 U.S.A.”; “UPC 071072012116”

41. Jumbo Squid contains Cadmium.

42. Defendants knew or should have known that Cadmium has been identified by the State of California as a chemical known to cause cancer and reproductive toxicity, and therefore was subject to Proposition 65 warning requirements. Defendants were also informed of the presence of Cadmium in Jumbo Squid within Plaintiff's notice of alleged violations further discussed above at Paragraph 22b.

43. Plaintiff's allegations regarding Jumbo Squid concerns “[c]onsumer products exposure[s],” which “is an exposure that results from a person's acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or any exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, § 25602(b). Jumbo Squid are consumer products, and, as mentioned herein, exposures to Cadmium took place as a result of such normal and foreseeable consumption and use.

44. Plaintiff is informed, believes, and thereon alleges that between November 1, 2020, and the present, each of the Defendants knowingly and intentionally exposed California consumers and users of Jumbo Squid, which Defendants manufactured, distributed, or sold as mentioned above, to Cadmium, without first providing any type of clear and reasonable warning of such to the exposed persons before the time of exposure. Defendants have distributed and sold Jumbo Squid in California. Defendants know and intend that California consumers will use and consume Jumbo Squid, thereby exposing

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

11 45. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.
12 Persons sustain exposures by eating and consuming Jumbo Squid.

13 46. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
14 Proposition 65 as to Jumbo Squid 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 Jumbo
17 Squid, so that a separate and distinct violation of Proposition 65 occurred each and every
18 time a person was exposed to Cadmium by Jumbo Squid as mentioned herein.

19 47. 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 48. Based on the allegations herein, Defendants are liable for civil penalties of up to
23 \$2,500.00 per day per individual exposure to Cadmium from Jumbo Squid, pursuant to
24 Health and Safety Code Section 25249.7(b).

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

1 **THIRD CAUSE OF ACTION**

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

6 **Seafood Products III**

7 50. Plaintiff repeats and incorporates by reference paragraphs 1 through 49 of this complaint
8 as though fully set forth herein.

9 51. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,
10 distributor, promoter, or retailer of Sardines, including but not limited to:

11 a. "Great Value"; "Sardines in Water"; "WILD CAUGHT"; "NET WT 3.75 OZ
12 (106g)"; "UD4EOTBNN 1XSCE"; "BEST If Used By MAR 14 2026"; "UPC
13 078742237855".

14 b. "Great Value"; "Sardines in Oil"; "WILD CAUGHT"; "NET WT 3.75 OZ
15 (106g)"; "UD4EOTOKW 1XSGD"; "BEST If Used By JUL 13 2026"; "UPC
16 078742236995".

17 c. "Great Value"; "Sardines in Louisiana Hot Sauce"; "WILD CAUGHT"; "NET
18 WT 3.75 OZ (106g)"; "UD4EOTSUW 1XSCR"; "BEST If Used By MAR 25
19 2026"; "UPC 078742237862".

20 52. Sardines contain Cadmium.

21 53. Defendants knew or should have known that Cadmium has been identified by the State
22 of California as a chemical known to cause cancer and reproductive toxicity, and
23 therefore was subject to Proposition 65 warning requirements. Defendants were also
24 informed of the presence of Cadmium in Sardines within Plaintiff's notice of alleged
25 violations further discussed above at Paragraph 22c.

26 54. Plaintiff's allegations regarding Sardines concerns "[c]onsumer products exposure[s],"
27 which "is an exposure that results from a person's acquisition, purchase, storage,
28 consumption, or other reasonably foreseeable use of a consumer good, or any exposure
that results from receiving a consumer service." *Cal. Code Regs. tit. 27, § 25602(b).*

1 Sardines are consumer products, and, as mentioned herein, exposures to Cadmium took
2 place as a result of such normal and foreseeable consumption and use.

3 55. Plaintiff is informed, believes, and thereon alleges that between December 22, 2020, and
4 the present, each of the Defendants knowingly and intentionally exposed California
5 consumers and users of Sardines, which Defendants manufactured, distributed, or sold as
6 mentioned above, to Cadmium, without first providing any type of clear and reasonable
7 warning of such to the exposed persons before the time of exposure. Defendants have
8 distributed and sold Sardines in California. Defendants know and intend that California
9 consumers will use and consume Sardines, thereby exposing them to Cadmium. Further,
10 Plaintiff is informed, believes, and thereon alleges that Defendants are selling Sardines
11 under a brand or trademark that is owned or licensed by the Defendants or an entity
12 affiliated thereto; have knowingly introduced Cadmium into Sardines or knowingly
13 caused Cadmium to be created in Sardines; have covered, obscured or altered a warning
14 label that has been affixed to Sardines by the manufacturer, producer, packager,
15 importer, supplier or distributor of Sardines; have received a notice and warning
16 materials for exposure from Sardines without conspicuously posting or displaying the
17 warning materials; and/or have actual knowledge of potential exposure to Cadmium
18 from Sardines. Defendants thereby violated Proposition 65.

19 56. The principal routes of exposure are through ingestion, especially direct (oral) ingestion.
20 Persons sustain exposures by eating and consuming Sardines.

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

1 58. 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 59. Based on the allegations herein, Defendants are liable for civil penalties of up to
5 \$2,500.00 per day per individual exposure to Cadmium from Sardines, pursuant to
6 Health and Safety Code Section 25249.7(b).

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

9 **PRAYER FOR RELIEF**

10 Plaintiff demands against each of the Defendants as follows:

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

16
17 Dated: April 15, 2025

YEROUSHALMI & YEROUSHALMI*

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19
20 /s/ Reuben Yeroushalmi
21 Reuben Yeroushalmi
22 Attorneys for Plaintiff,
23 CONSUMER ADVOCACY GROUP, INC.
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