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10 KEEP AMERICA SAFE AND BEAUTIFUL

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**01/30/2025**  
Clerk of the Court  
BY: SAHAR ENAYATI  
Deputy Clerk

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 COUNTY OF SAN FRANCISCO - UNLIMITED CIVIL JURISDICTION  
13 **CGC-25-621965**

14 KEEP AMERICA SAFE AND BEAUTIFUL,  
15 Plaintiff,  
16 v.  
17 JIFFY STEAMER COMPANY, LLC; and  
18 DOES 1-30, inclusive,  
19 Defendants.

Case No.

**COMPLAINT FOR CIVIL PENALTIES  
AND INJUNCTIVE RELIEF**

Violations of Health & Safety Code  
§ 25249.5, *et seq.* (Proposition 65)

20 Plaintiff KEEP AMERICA SAFE AND BEAUTIFUL (“KASB” or “Plaintiff”), acting in the  
21 public interest, alleges a cause of action against defendants JIFFY STEAMER COMPANY, LLC and  
22 DOES 1-30 (“Defendants”) for their alleged violations of Health & Safety Code § 25249.6, *et seq.*, as  
23 follows:

**INTRODUCTION AND NATURE OF THE ACTION**

24 1. KASB brings this representative action in the public interest on behalf of the citizens of  
25 the State of California. By this action, KASB seeks to enforce the People’s right to be informed of the  
26 health hazards caused by exposures to Lead, a heavy metal found in and on the accessories with brass  
27 components manufactured, imported, distributed, sold and offered for sale by Defendants in the State  
28 of California.

2. By this Complaint, plaintiff seeks to remedy Defendants’ failure to warn individuals not  
covered by California’s Occupational Safety Health Act, Labor Code § 6300 *et seq.* (“consumers”)

1 exposed to substances known to cause birth defects or other reproductive harm through exposures to  
2 Lead when they purchase, use and handle Defendants’ accessories with brass components.

3 3. Detectable levels of Lead are found in and on the accessories with brass components  
4 Defendants manufacture, import, sell and distribute for sale in California.

5 4. Pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986, codified at  
6 Health and Safety Code § 25249.6 *et seq.* (“Proposition 65”), it is unlawful for a person in the course  
7 of doing business to knowingly and intentionally expose consumers and end-users in California to  
8 chemicals known to the State to cause cancer, birth defects or other reproductive harm, without first  
9 providing a “clear and reasonable warning” regarding the presence of these chemicals in Defendants’  
10 products and the harms associated with exposures to such chemicals.

11 5. Defendants manufacture, distribute, import, sell, and offer for sale, in and into  
12 California accessories with brass components (“PRODUCTS”) containing Lead, without providing a  
13 warning regarding the presence of and the harms associated with exposures to Lead in Defendants’  
14 PRODUCTS. Such PRODUCTS include, without limitation, the *Jiffy Steamer Plastic Head, Hose*  
15 *and Handle, SKU 2136*. Defendants’ violations subject them to civil penalties, enjoinder,  
16 preliminary and permanent injunctive relief. Health & Safety Code § 25249.7(a) and (b).

17 **PARTIES**

18 6. KASB is a non-profit corporation organized under the laws of California and acting in  
19 the public interest to reduce the presence of toxic chemicals found in consumer products and to  
20 enforce California citizens’ right to be informed about the presence of toxic chemicals in the products  
21 they purchase and use and the harms associated with exposures to such chemicals. KASB is a  
22 “person” within the meaning of Health & Safety Code § 25249.11(a). It brings this action in the  
23 public interest, pursuant to Health and Safety Code § 25249.7(d).

24 7. At all relevant times, defendant JIFFY STEAMER COMPANY, LLC (“JIFFY  
25 STEAMER”) operates as a “person in the course of doing business” with ten (10) or more employees  
26 within the meaning of and as defined by Health and Safety Code §§ 25249.6 and 25249.11.

1           8.     JIFFY STEAMER manufactures, imports, distributes, sells, and offers the PRODUCTS  
2 for sale or use in California, or implies by its conduct that it manufactures, imports, distributes, sells,  
3 and/or offers the PRODUCTS for sale or use to consumers and other individuals in California.

4           9.     Doe Defendants 1-10 (“MANUFACTURER DEFENDANTS”) are each a “person in the  
5 course of doing business” within the meaning of and as defined by Health and Safety Code  
6 §§ 25249.6 and 25249.11. MANUFACTURER DEFENDANTS, and each of them, assemble,  
7 fabricate, and manufacture, or they each imply by their conduct they do so for one or more of the  
8 PRODUCTS sold and/or offered for sale or use to consumers and other individuals in California.

9           10.    Doe Defendants 11-20 (“DISTRIBUTOR DEFENDANTS”) are each a person in the  
10 course of doing business within the meaning of Health and Safety Code §§ 25249.6 and 25249.11.  
11 DISTRIBUTOR DEFENDANTS, and each of them, distribute, transfer, and transport the  
12 PRODUCTS sold and offered for sale to consumers and other individuals in California, or they each  
13 imply by their conduct they distribute, transfer, and transport one or more of the PRODUCTS to  
14 individuals, businesses, and retailers for sale or use in California.

15           11.    Doe Defendants 21-30 (“RETAILER DEFENDANTS”) are each a person in the course  
16 of doing business within the meaning of and as defined by Health and Safety Code §§ 25249.6 and  
17 25249.11. RETAILER DEFENDANTS, and each of them, offer the PRODUCTS for sale to  
18 consumers and other individuals in California.

19           12.    At this time, the true names of Defendants DOES 1 through 30, inclusive, are unknown  
20 to KASB, who therefore, sues these Doe Defendants by their fictitious names, pursuant to Code of  
21 Civil Procedure § 474. Each of the fictitiously named Defendants is responsible in some manner for  
22 the acts and occurrences alleged herein and the violations and harms caused thereby. When  
23 ascertained, KASB will identify these Doe Defendants by their true names in an amendment to this  
24 Complaint.

25           13.    JIFFY STEAMER, MANUFACTURER DEFENDANTS, DISTRIBUTOR  
26 DEFENDANTS, and RETAILER DEFENDANTS shall be referred to collectively herein as the  
27 “DEFENDANTS.”  
28

1 **JURISDICTION AND VENUE**

2 14. This Court has jurisdiction pursuant to Health & Safety Code § 25249.7, which allows  
3 enforcement by any court of competent jurisdiction. The Superior Courts of the State of California  
4 have jurisdiction pursuant to California Constitution Article VI, section 10, which grants the Superior  
5 Courts “original jurisdiction in all causes except those given by statute to other trial courts.” The  
6 statute under which this action is brought does not specify any other basis of subject matter  
7 jurisdiction.

8 15. This Court has jurisdiction over DEFENDANTS because DEFENDANTS, and each of  
9 them are a person, firm, corporation or association that is a citizen of the State of California, does  
10 sufficient business in California, has sufficient minimum contacts in California, and/or otherwise  
11 purposefully and intentionally avail themselves of the California market through their manufacture,  
12 importation, distribution, promotion, marketing and sale of PRODUCTS in California.  
13 DEFENDANTS’ purposeful availment renders the exercise of personal jurisdiction by this Court  
14 consistent with traditional notions of fair play and substantial justice.

15 16. Venue is proper in the Superior Court for the County of San Francisco, pursuant to Code  
16 of Civil Procedure §§ 393, 395, and 395.5, because this Court is a court of competent jurisdiction,  
17 because KASB seeks civil penalties against DEFENDANTS, because one or more instances of  
18 wrongful conduct occurred, and continue to occur, in this county, and/or because DEFENDANTS  
19 conducted, and continue to conduct, business in the County of San Francisco with respect to the  
20 PRODUCTS.

21 **REGULATORY BACKGROUND AND LAW**

22 17. Formally known as the Safe Drinking Water and Toxic Enforcement Act of 1986 and  
23 codified at Health & Safety Code § 25249.6 *et seq.*, Proposition 65 states, in relevant part, “[n]o  
24 person in the course of doing business shall knowingly and intentionally expose any individual to a  
25 chemical known to cause cancer or reproductive toxicity without first giving a clear and reasonable  
26 warning to such individual . . .”





1 Lead occur through DEFENDANTS deliberate and non-accidental participation in the California  
2 market.

3 34. The exposures to Lead caused by DEFENDANTS and endured by consumers and other  
4 individuals in California are not exempt from the “clear and reasonable warning” requirements of  
5 Proposition 65.

6 35. DEFENDANTS failed to provide a “clear and reasonable warning” to consumers and  
7 other individuals in California exposed to Lead through dermal contact and/or ingestion during their  
8 reasonably foreseeable use of the PRODUCTS. Defendants continue to fail to provide such warning.

9 36. Contrary to the express policy and statutory prohibition of Proposition 65, consumers  
10 are exposed to Lead through dermal contact and ingestion during their use of PRODUCTS  
11 DEFENDANTS sold, sell and offer for sale without a “clear and reasonable warning.” Such  
12 consumers and other individuals in California suffer irreparable harms for which they have no plain,  
13 speedy, or adequate remedy at law.

14 37. DEFENDANTS manufacture, import, distribute, sell, and offer the PRODUCTS for sale  
15 or use in violation of Health and Safety Code § 25249.6. DEFENDANTS’ violations continue beyond  
16 their receipt of KASB’s Notices. As such, DEFENDANTS’ violations are ongoing and continuous in  
17 nature and, unless enjoined, will continue in the future.

18 38. Pursuant to Health and Safety Code § 25249.7(b), and as a consequence their acts and  
19 omissions, DEFENDANTS, and each of them, are liable for a maximum civil penalty of \$2,500 per  
20 violation.

21 39. As a consequence of DEFENDANTS’ acts and omissions, Health and Safety Code  
22 § 25249.7(a) specifically authorizes the Court to grant the relief prayed for herein.

23 **PRAYER FOR RELIEF**

24 Wherefore, KASB prays for relief and judgment against DEFENDANTS, and each of them,  
25 as follows:

26 1. That the Court, pursuant to Health and Safety Code § 25249.7(a), preliminarily and  
27 permanently enjoin DEFENDANTS from manufacturing, distributing, importing, marketing or  
28

1 otherwise offering the PRODUCTS for sale or use in California without first providing a “clear and  
2 reasonable warning” to consumers regarding the presence of, and the harms associated with,  
3 exposures to Lead;

4 2. That the Court, pursuant to Health and Safety Code § 25249.7(a), issue preliminary and  
5 permanent injunctions mandating DEFENDANTS recall PRODUCTS intended for sale in or into  
6 California that do not bear a clear and reasonable warning;

7 3. That the Court assess civil penalties against DEFENDANTS, and each of them, in the  
8 amount of \$2,500 per violation, according to proof at trial;

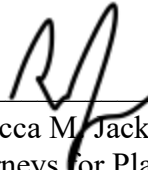
9 4. That the Court award plaintiff its reasonable attorneys’ fees and costs of suit; and

10 5. That the Court grant such further relief as it deems just and equitable.

11  
12 Dated: January 30, 2025

Respectfully submitted,

SEVEN HILLS LLP

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15 By:  \_\_\_\_\_  
16 Rebecca M. Jackson  
17 Attorneys for Plaintiff  
18 KEEP AMERICA SAFE AND  
19 BEAUTIFUL  
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