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8 *Attorneys for Plaintiff*

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

01/29/2026
Clerk of the Court
BY: AUSTIN LAM
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN FRANCISCO

11 **CGC-26-633395**

12 GABRIEL ESPINOZA,

13 Plaintiff,

14 vs.

15 WORLD MARKET, LLC,

16 Defendant.

Case No.:

**COMPLAINT FOR CIVIL PENALTIES AND
INJUNCTIVE RELIEF**

**(Violation of Health & Safety Code § 25249.5 et
seq.)**

17 Plaintiff Gabriel Espinoza (“Plaintiff”), by and through his attorneys, alleges the following
18 cause of action in the public interest of the citizens of the State of California.

19 **BACKGROUND OF THE CASE**

20 1. Plaintiff brings this representative action on behalf of all California citizens to
21 enforce relevant portions of Safe Drinking Water and Toxic Enforcement Act of 1986, codified at
22 the Health and Safety Code § 25249.5 et seq (“Proposition 65”), which reads, in relevant part,
23 “[n]o person in the course of doing business shall knowingly and intentionally expose any
24 individual to a chemical known to the state to cause cancer or reproductive toxicity without first
25 giving clear and reasonable warning to such individual ...”. Health & Safety Code § 25249.6.

26 2. This complaint is a representative action brought by Plaintiff in the public interest
27 of the citizens of the State of California to enforce the People’s right to be informed of the health
28 hazards caused by exposure to di(2-ethylhexyl) phthalate (DEHP) and/or lead, toxic chemicals
found in (a) white figural cat vases, #26392820 (lead), and (b) World Market bags, #25267174

1 (DEHP) sold and/or distributed by defendant World Market, LLC (“World Market” or
2 “Defendant”) in California.

3 3. Lead is a harmful chemical known to the State of California to cause cancer and
4 birth defects or other reproductive harm. On October 1, 1992, the state of California listed lead as
5 a chemical known to cause cancer and it has come under the purview of Proposition 65 regulations
6 since that time. Cal. Code Regs. Tit. 27, § 27001(c); Health & Safety Code §§ 25249.8 &
7 25249.10(b). On February 27, 1987, the State of California listed lead as a chemical known to
8 cause birth defects or other reproductive harm.

9 4. DEHP is a harmful chemical known to the State of California to cause cancer and
10 birth defects or other reproductive harm. On January 1, 1988, the State of California listed DEHP
11 as a chemical known to the State to cause cancer and it has come under the purview of Proposition
12 65 regulations since that time. Cal. Code Regs. Tit. 27, § 27001(c); Health & Safety Code §§
13 25249.8 & 25249.10(b). On October 24, 2003, the State of California listed DEHP as a chemical
14 known to cause birth defects or other reproductive harm.

15 5. Proposition 65 requires all businesses with ten (10) or more employees that operate
16 within California or sell products therein to comply with Proposition 65 regulations. Included in
17 such regulations is the requirement that businesses must label any product containing a Proposition
18 65-listed chemical that will create an exposure above safe harbor levels with a “clear and
19 reasonable” warning before “knowingly and intentionally” exposing any person to any such listed
20 chemical.

21 6. Proposition 65 allows for civil penalties of up to \$2,500.00 per day per violation
22 for up to 365 days to be imposed upon defendants in a civil action for violations of Proposition 65.
23 Health & Safety Code § 25249.7(b). Proposition 65 also allows for any court of competent
24 jurisdiction to enjoin the actions of a defendant which “violate or threaten to violate” the statute.
25 Health & Safety Code § 25249.7.

26 7. Plaintiff alleges that Defendant distributes and/or offers for sale in California,
27 without a requisite exposure warning, (a) white figural cat vases, #26392820 (lead), and (b) World
28

1 Market bags, #25267174 (DEHP) (collectively, the “Products” and each a “Product”) that expose
2 persons to DEHP and/or lead when used for their intended purpose.

3 8. Defendant’s failure to warn consumers and other individuals in California of the
4 health hazards associated with exposure to DEHP and/or lead in conjunction with the sale and/or
5 distribution of the Products is a violation of Proposition 65 and subjects Defendant to the
6 enjoinder and civil penalties described herein.

7 9. Plaintiff seeks civil penalties against Defendant for its violations of Proposition 65
8 in accordance with Health and Safety Code § 25249.7(b).

9 10. Plaintiff also seeks injunctive relief, preliminarily and permanently, requiring
10 Defendant to provide purchasers or users of the Products with required warnings related to the
11 dangers and health hazards associated with exposure to lead pursuant to Health and Safety Code §
12 25249.7(a).

13 11. Plaintiff further seeks a reasonable award of attorney’s fees and costs.

14 **PARTIES**

15 12. Plaintiff is a citizen of the State of California acting in the interest of the general
16 public to promote awareness of exposures to toxic chemicals in products sold in California and to
17 improve human health by reducing hazardous substances contained in such items. He brings this
18 action in the public interest pursuant to Health and Safety Code § 25249.7(d).

19 13. Defendant World Market, LLC, through its business, effectively imports,
20 distributes, sells, and/or offers the Products for sale or use in the State of California, or it implies
21 by its conduct that it imports, distributes, sells, and/or offers the Products for sale or use in the
22 State of California. Plaintiff alleges that defendant World Market, LLC is a “person” in the course
23 of doing business within the meaning of Health & Safety Code sections 25249.6 and 25249.11.

24 **VENUE AND JURISDICTION**

25 14. Venue is proper in the County of San Francisco because one or more of the
26 instances of wrongful conduct occurred and continue to occur in this county and/or because
27 Defendant conducted, and continues to conduct, business in the County of San Francisco with
28 respect to the Products.

1 20. Pursuant to H&S Code § 25603.1, the warning may be provided by using one or
2 more of the following methods individually or in combination:¹

3 a. A warning that appears on a product’s label or other labeling.

4 b. Identification of the product at the retail outlet in a manner which provides
5 a warning. Identification may be through shelf labeling, signs, menus, or a combination
6 thereof.

7 c. The warnings provided pursuant to subparagraphs (a) and (b) shall be
8 prominently placed upon a product’s labels or other labeling or displayed at the retail outlet
9 with such conspicuousness, as compared with other words, statements, designs, or devices
10 in the label, labeling or display as to render it likely to be read and understood by an
11 ordinary individual under customary conditions of purchase or use.

12 d. A system of signs, public advertising identifying the system and toll-free
13 information services, or any other system that provides clear and reasonable warnings.

14 21. Proposition 65 provides that any “person who violates or threatens to violate” the
15 statute may be enjoined in a court of competent jurisdiction. (H&S Code § 25249.7.) The phrase
16 “threaten to violate” is defined to mean creating “a condition in which there is a substantial
17 probability that a violation will occur.” (H&S Code § 25249.11(e).) Violators are liable for civil
18 penalties of up to \$2,500.00 per day for each violation of the Act (H&S Code § 25249.7) for up to
19 365 days.

20 22. Pursuant to Cal. Code Regs. Tit. 27, § 25600.2(e), a retail seller is responsible for
21 providing the warning required by § 25249.6 of the Act for a consumer product exposure when
22 one or more of the following circumstances exist: (a) the retailer seller is selling the product under
23 a brand or trademark that is owned or licensed by the retail seller or an affiliated entity; (b) the
24 retailer seller has knowingly introduced a listed chemical into the product, or knowingly caused
25

26
27 ¹ Alternatively, a person in the course of doing business may elect to comply with the warning
28 requirements set out in the amended version of 27 CCR 25601, *et.seq.* as amended on August 30,
2016, and operative on August 30, 2018.

1 the listed chemical to be created in the product; (c) the retail seller has covered, obscured or altered
2 a warning label that has been affixed to the product pursuant to § 25600.2(b); (d) the retail seller
3 has received a notice and warning materials for the exposure pursuant to § 25600.2(b)-(c) and the
4 retail seller has sold the product without conspicuously posting or displaying the warning; or (e)
5 the retailer seller has actual knowledge of the potential consumer product exposure requiring the
6 warning, and there is no manufacturer, producer, packager, importer, supplier, or distributor of the
7 product who: (i) is a “person in the course of doing business under § 25249.11(b) of the Act, and
8 (ii) has designated an agent for service of process in California, or has a place of business in
9 California.

10 **FACTUAL BACKGROUND**

11 23. Lead is a harmful chemical known to the State of California to cause cancer and
12 birth defects or other reproductive harm. On October 1, 1992, the state of California listed lead as
13 a chemical known to cause cancer and it has come under the purview of Proposition 65 regulations
14 since that time. Cal. Code Regs. Tit. 27, § 27001(c); Health & Safety Code §§ 25249.8 &
15 25249.10(b). On February 27, 1987, the State of California listed lead as a chemical known to
16 cause birth defects or other reproductive harm.

17 24. DEHP is a harmful chemical known to the State of California to cause cancer and
18 birth defects or other reproductive harm. On January 1, 1988, the State of California listed DEHP
19 as a chemical known to the State to cause cancer and it has come under the purview of Proposition
20 65 regulations since that time. Cal. Code Regs. Tit. 27, § 27001(c); Health & Safety Code §§
21 25249.8 & 25249.10(b). On October 24, 2003, the State of California listed DEHP as a chemical
22 known to cause birth defects or other reproductive harm.

23 25. On December 14, 2024, Plaintiff purchased the Products from Defendant. At the
24 time of the purchase, Defendant did not provide a clear and reasonable exposure warning pursuant
25 to Cal. Code Regs. Tit. 27, § 25602.

26 26. On January 30, 2025 (white figural cat vases) and February 26, 2025 (World Market
27 bags), Plaintiff served notice of alleged violation of Health and Safety Code § 25249.6
28 (collectively, the “Notices” and each a “Notice”) to Defendant concerning the exposure of

1 California citizens to DEHP and/or lead from use of the Products without proper warning, subject
2 to a private action to Defendant and to the California Attorney General's office and the offices of
3 the County District attorneys and City Attorneys for each city with a population greater than
4 750,000 persons wherein the herein violations allegedly occurred. The exposures that are the
5 subject of the Notices result from the purchase, acquisition, handling and recommended use of the
6 Product. The primary route of exposure to the chemicals is through dermal absorption directly
7 through the skin when consumers use, touch, or handle the Products. Exposure through ingestion
8 will occur by touching the Product with subsequent touching of the user's hand to mouth. No clear
9 and reasonable warning is provided with the Products regarding the health hazards of exposure.

10 27. Defendant has actual knowledge that sales of the Products in California will result
11 in an actionable consumer product exposure pursuant to Cal. Health & Safety Code § 25249.5 et
12 seq.

13 28. Defendant has sold the Products under a brand or trademark that is owned or
14 licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced DEHP
15 and/or lead into the Products, or knowingly caused lead to be created in the Products; and/or
16 Defendant has covered, obscured or altered a warning label that has been affixed to the Products
17 pursuant to § 25600.2(b); and/or Defendant has received a notice and warning materials for the
18 exposure pursuant to § 25600.2(b)-(c) and Defendant has sold the Products without conspicuously
19 posting or displaying the warning; and/or Defendant has actual knowledge of the potential
20 consumer product exposure requiring the warning, and there is no manufacturer, producer,
21 packager, importer, supplier, or distributor of the Product who: (i) is a "person in the course of
22 doing business under § 25249.11(b) of the Act, and (ii) has designated an agent for service of
23 process in California, or has a place of business in California.

24 29. At all times relevant to this action, Defendant has knowingly and intentionally
25 exposed users of the Products to DEHP and/or lead without first giving a clear and reasonable
26 exposure warning to such individuals. More than five business days after receipt of the Notices,
27 Defendant continued to distribute, sell, and/or offer to and sell in California without the requisite
28 warning information.

1 that persons in California who use the Products will be exposed to levels of DEHP and/or lead that
2 require a Proposition 65 exposure warning.

3 37. On January 30, 2025 (white figural cat vase) and February 26, 2025 (World Market
4 bag), Plaintiff served each Notice on Defendant concerning the exposure of California citizens to
5 lead and/or DEHP from use of the Products without proper warning, subject to a private action to
6 Defendant and to the California Attorney General's office and the offices of the County District
7 attorneys and City Attorneys for each city with a population greater than 750,000 persons wherein
8 the herein violations allegedly occurred. See attached at Exhibits A – B a true and correct copy of
9 each Notice.

10 38. The Notices complied with all procedural requirements of Proposition 65 including
11 the attachment of a Certificate of Merit affirming that Plaintiff's counsel had consulted with at
12 least one person with relevant and appropriate expertise who reviewed relevant data regarding lead
13 and/or DEHP exposure, and that counsel believed there was meritorious and reasonable cause for
14 a private action.

15 39. After receiving the Notices, and to Plaintiff's best information and belief, none of
16 the noticed appropriate public enforcement agencies have commenced and diligently prosecuted a
17 cause of action against Defendant under Proposition 65 to enforce the alleged violations which are
18 the subject of the Notices.

19 40. Plaintiff is commencing this action more than sixty (60) days from the date of each
20 Notice to Defendant, as required by law.

21 **FIRST CAUSE OF ACTION**

22 **(By Plaintiff against Defendant for the Violation of Proposition 65)**

23 41. Plaintiff hereby repeats and incorporates by reference paragraphs 1 through 40 of
24 this Complaint as though fully set forth herein.

25 42. Defendant has manufactured, processed, marketed, distributed, offered to sell
26 and/or sold the Products in California since at least December 14, 2024.

27 43. On January 30, 2025 (white figural cat vase) and February 26, 2025 (World Market
28 bag), Plaintiff served each Notice on Defendant concerning the exposure of California citizens to

1 lead and/or DEHP from use of the Products without proper warning, subject to a private action to
2 Defendant and to the California Attorney General’s office and the offices of the County District
3 attorneys and City Attorneys for each city with a population greater than 750,000 persons wherein
4 the herein violations allegedly occurred.

5 44. The Notices gives Defendant actual knowledge of the potential consumer product
6 exposure requiring the warning pursuant to Cal. Code Regs, Tit. 27, § 25600.2. Use of the Products
7 will expose users and consumers thereof to lead and/or DEHP, hazardous chemicals found on the
8 Proposition 65 list of chemicals known to be hazardous to human health.

9 45. The Products do not comply with the Proposition 65 warning requirements.

10 46. Plaintiff, based on his best information and belief, avers that at all relevant times
11 herein, and at least since January 30, 2025 with respect to the white figural cat vase, and since at
12 least February 26, 2025 with respect to the World Market bag, continuing until the present, that
13 Defendant has continued to knowingly and intentionally expose California users and consumers
14 of the Products to lead and/or DEHP without providing required warnings under Proposition 65.

15 47. Defendant continues to sell the Products under a brand or trademark that is owned
16 or licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced lead
17 into the Product, or knowingly caused lead and/or DEHP to be created in the Products; and/or
18 Defendant has covered, obscured or altered a warning label that has been affixed to the Product
19 pursuant to § 25600.2(b); and/or Defendant has received a notice and warning materials for the
20 exposure pursuant to § 25600.2(b)-(c) and Defendant has sold the product without conspicuously
21 posting or displaying the warning; and/or Defendant has actual knowledge of the potential
22 consumer product exposure requiring the warning, and there is no manufacturer, producer,
23 packager, importer, supplier, or distributor of the Products who: (i) is a “person in the course of
24 doing business under § 25249.11(b) of the Act, and (ii) has designated an agent for service of
25 process in California, or has a place of business in California

26 48. On April 30, 2025, more than five business days after Defendant received the
27 Notices, Plaintiff purchased the Product from Defendant. At the time of purchase, Defendant did
28 not provide a Proposition 65 compliant exposure warning.

1 49. The exposures that are the subject of the Notices result from the purchase,
2 acquisition, handling and recommended use of the Products. The primary route of exposure to the
3 is through dermal absorption directly through the skin when consumers use, touch, or handle the
4 Products. Exposure through ingestion will occur by touching the Products with subsequent
5 touching of the user's hand to mouth. No clear and reasonable warning is provided with the
6 Products regarding the health hazards of exposure.

7 50. Plaintiff, based on his best information and belief, avers that such exposures will
8 continue every day until clear and reasonable warnings are provided to purchasers and users or
9 until these known toxic chemicals are removed from the Products.

10 51. Defendant has knowledge that the normal and reasonably foreseeable use of the
11 Products exposes individuals to lead and/or DEHP, and Defendant intends that exposures to lead
12 and/or DEHP will occur by their deliberate, non-accidental participation in the importation,
13 distribution, sale and offering of the Products to consumers in California.

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

16 53. Pursuant to Health and Safety Code § 25249.7(b), as a consequence of the above
17 described acts, Defendant is liable for a maximum civil penalty of \$2,500 per day per violation.

18 54. Pursuant to Health and Safety Code § 25249.7(a), this Court is specifically
19 authorized to grant injunctive relief in favor of Plaintiff and against Defendant.

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff demands judgment against Defendant and requests the following
3 relief:

4 A. That the court assess civil penalties against Defendant in the amount of \$2,500 per
5 day for each violation for up to 365 days in accordance with Health and Safety Code §
6 25249.7(b);

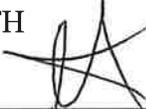
7 B. That the court preliminarily and permanently enjoin Defendant mandating
8 Proposition 65 compliant warnings on the Products;

9 C. That the court grant Plaintiff reasonable attorney's fees and costs of suit, in the
10 amount of \$50,000.00.

11 D. That the court grant any further relief as may be just and proper.

12 Dated: January 29, 2026

BRODSKY SMITH

13 By: 

14 Evan J. Smith (SBN242352)
15 Ryan P. Cardona (SBN302113)
16 9465 Wilshire Boulevard, Suite 300
17 Beverly Hills, CA 90212
18 Telephone: (877) 534-2590
19 Facsimile: (310) 247-0160

Attorneys for Plaintiff

EXHIBIT “A”

LAW OFFICES
BRODSKY SMITH

9465 WILSHIRE BLVD., STE. 300
BEVERLY HILLS, CA 90212
877.534.2590
www.brodskysmith.com

NEW JERSEY OFFICE
20 BRACE RD., STE. 350
CHERRY HILL, NJ 08034
856.795.7250

NEW YORK OFFICE
240 MINEOLA BOULEVARD
MINEOLA, NY 11501
516.741.4977

PENNSYLVANIA OFFICE
TWO BALA PLAZA, STE. 805
BALA CYNWYD, PA 19004
610.667.6200

January 30, 2025

Member/Manager World Market, LLC c/o The Prentice-Hall Corporation System, Inc. 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager World Market, LLC 1201 Marina Village Parkway Alameda, CA 94501
Member/Manager World Market Management Services, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager World Market Management Services, LLC 1201 Marina Village Pkwy. Alameda, CA 94501

60-Day Notice of Violation of California Safe Drinking Water and Toxic Enforcement Act¹

To Whom It May Concern:

This Notice of Violation (the "Notice") is provided to you pursuant to and in compliance with California Health & Safety Code § 25249.7(d).

Brodsky Smith represents Gabriel Espinoza ("Espinoza"), a citizen of the State of California acting in the interest of the general public to promote awareness of exposures to toxic chemicals from use of consumer products sold in California and to improve human health and the environment by reducing hazardous substances.

With respect to the Product herein, Espinoza has identified a violation of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65") codified at Cal. Health & Safety Code § 25249.5, et seq. This violation has occurred and continues to occur because the alleged Violator(s) failed to provide a clear and reasonable health hazard warning in connection with the sale or use of the Product in California. Health & Safety Code § 25249.6 provides that "[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the State to cause cancer or reproductive toxicity without first providing a clear and reasonable warning to such individual ..." Without proper warnings regarding the toxic effects of exposures to the Listed Chemical resulting from use of the Product, California citizens lack the information necessary to make informed decisions on whether and/or how to eliminate (or reduce) the risk of exposure to the Listed Chemical from the reasonably foreseeable use of the Product.

¹ The public enforcement agencies that have been served with copies of this Notice are identified in the attached distribution list accompanying the Certificate of Service.

I. DESCRIPTION OF THE VIOLATION

- 1. Enforcer:** Gabriel Espinoza, 3924 Carlin Ave., Lynwood, CA 90262-5204; (Ph) 310.863.2852.
- 2. Alleged Violator(s):** World Market, LLC; World Market Management Services, LLC
- 3. Time Period of Exposure:** Violations have been occurring since at least January 30, 2025 and are continuing to this day.
- 4. Listed Chemical:** Lead. Lead is listed under Proposition 65 as a chemical known to the State to cause cancer and birth defects or other reproductive harm.
- 5. Product:**

Product²	Non- Exclusive Examples of the Product
Vase	White Figural Cat Vase 26392820

- 6. Description of Exposure:** The exposures that are the subject of this Notice result from the purchase and recommended use of the Product. The primary route of exposure to the Listed Chemical is through dermal absorption directly through the skin when consumers use, touch, or handle the Products. Some amount of exposure through ingestion can occur by touching the Product with subsequent touching of the user's hand to mouth. No clear and reasonable warning is provided with the Products regarding the health hazards of exposure to the Listed Chemical.

II. PROPOSITION 65 INFORMATION

For the Violators' reference, enclosed is a copy of "Proposition 65: A Summary" that has been prepared by the Office of Environmental Health Hazard Assessment ("OEHHA"). For more information concerning the provisions of Proposition 65, contact OEHHA at 916.445.6900.

III. RESOLUTION OF THE CLAIMS

Based on the allegations set forth in this Notice, Brodsky Smith intends to file a citizen enforcement lawsuit on behalf of Espinoza against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to: (1) recall Products already sold; (2) provide Proposition 65 compliant exposure warnings for Products sold in the future or reformulate the Products to eliminate exposures to the Listed Chemical; and (3) pay an appropriate civil penalty based on the factors enumerated in Health & Safety Code § 25249.7(b). Consistent with the public interest goals of Proposition 65 and the desire to have these violations of California law quickly rectified, Espinoza is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

² The specifically identified example of the Product in this Notice is to assist the recipients' investigation of, among other things, the magnitude of potential exposures to the Listed Chemical from other items within the definition of Products. This example is not intended to be an exhaustive or comprehensive identification of each specific offending Product. It is Espinoza's position that the alleged Violators are obligated to conduct a good faith investigation into other Products that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the alleged Violators' custody or control) during the relevant period to ensure that requisite health hazard warnings were and are provided to California citizens prior to purchase and use.

Espinoza has retained me as legal counsel in connection with this Notice. **Please direct all communications regarding this Notice to my attention at Brodsky Smith, 9465 Wilshire Blvd., Ste. 300, Beverly Hills, CA 90212, (877) 534-2590, esmith@brodskysmith.com.**

Sincerely,



Evan J. Smith

Attachments

Certificate of Merit

Certificate of Service

The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary

EXHIBIT “B”

LAW OFFICES
BRODSKY SMITH

9465 WILSHIRE BLVD., STE. 300
BEVERLY HILLS, CA 90212
877.534.2590
www.brodskysmith.com

NEW JERSEY OFFICE
20 BRACE RD., STE. 350
CHERRY HILL, NJ 08034
856.795.7250

NEW YORK OFFICE
240 MINEOLA BOULEVARD
MINEOLA, NY 11501
516.741.4977

PENNSYLVANIA OFFICE
TWO BALA PLAZA, STE. 805
BALA CYNWYD, PA 19004
610.667.6200

February 26, 2025

Member/Manager World Market, LLC c/o The Prentice-Hall Corporation System, Inc. 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager World Market, LLC 1201 Marina Village Parkway Alameda, CA 94501
Member/Manager World Market Management Services, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager World Market Management Services, LLC 1201 Marina Village Parkway Alameda, CA 94501

60-Day Notice of Violation of California Safe Drinking Water and Toxic Enforcement Act¹

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Brodsky Smith represents Gabriel Espinoza ("Espinoza"), a citizen of the State of California acting in the interest of the general public to promote awareness of exposures to toxic chemicals from use of consumer products sold in California and to improve human health and the environment by reducing hazardous substances.

With respect to the Product herein, Espinoza has identified a violation of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65") codified at Cal. Health & Safety Code § 25249.5, et seq. This violation has occurred and continues to occur because the alleged Violator(s) failed to provide a clear and reasonable health hazard warning in connection with the sale or use of the Product in California. Health & Safety Code § 25249.6 provides that "[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the State to cause cancer or reproductive toxicity without first providing a clear and reasonable warning to such individual ..." Without proper warnings regarding the toxic effects of exposures to the Listed Chemical resulting from use of the Product, California citizens lack the information necessary to make informed decisions on whether and/or how to eliminate (or reduce) the risk of exposure to the Listed Chemical from the reasonably foreseeable use of the Product.

¹ The public enforcement agencies that have been served with copies of this Notice are identified in the attached distribution list accompanying the Certificate of Service.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave., Lynwood, CA 90262-5204; (Ph) 424-285-4896.
2. **Alleged Violator(s):** World Market, LLC; World Market Management Services, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least February 26, 2025 and are continuing to this day.
4. **Listed Chemical:** Di(2-ethylhexyl) phthalate (DEHP). DEHP is listed under Proposition 65 as a chemical known to the State to cause cancer and birth defect or other reproductive harm.
5. **Product:**

Product ²	Non- Exclusive Examples of the Product
Bag	World Market Bag 2526 7174

6. **Description of Exposure:** The exposures that are the subject of this Notice result from the purchase, acquisition, handling and recommended use of the Product. The primary route of exposure to the Listed Chemical is through dermal absorption directly through the skin when consumers use, touch, or handle the Products. Some amount of exposure through ingestion can occur by touching the Product with subsequent touching of the user's hand to mouth. No clear and reasonable warning is provided with the Products regarding the health hazards of exposure to the Listed Chemical.

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Based on the allegations set forth in this Notice, Brodsky Smith intends to file a citizen enforcement lawsuit on behalf of Espinoza against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to: (1) recall Products already sold; (2) provide Proposition 65 compliant exposure warnings for Products sold in the future or reformulate the Products to eliminate exposures to the Listed Chemical; and (3) pay an appropriate civil penalty based on the factors enumerated in Health & Safety Code § 25249.7(b). Consistent with the public interest goals of Proposition 65 and the desire to have these violations of California law quickly rectified, Espinoza is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

² The specifically identified example of the Product in this Notice is to assist the recipients' investigation of, among other things, the magnitude of potential exposures to the Listed Chemical from other items within the definition of Products. This example is not intended to be an exhaustive or comprehensive identification of each specific offending Product. It is Espinoza's position that the alleged Violators are obligated to conduct a good faith investigation into other Products that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the alleged Violators' custody or control) during the relevant period to ensure that requisite health hazard warnings were and are provided to California citizens prior to purchase and use.

Espinoza has retained me as legal counsel in connection with this Notice. Please direct all communications regarding this Notice to my attention at Brodsky Smith, 9465 Wilshire Blvd., Ste. 300, Beverly Hills, CA 90212, (877) 534-2590, esmith@brodskysmith.com.

Sincerely,



Evan J. Smith

Attachments

Certificate of Merit

Certificate of Service

The Safe Drinking Water and Toxic Enforcement Action of 1986 (Proposition 65): A Summary