

Evan J. Smith, Esquire (SBN 242352)
Ryan P. Cardona, Esquire (SBN 302113)
BRODSKY SMITH
9465 Wilshire Blvd., Ste. 300
Beverly Hills, CA 90212
Telephone: (877) 534-2590
Facsimile: (310) 247-0160

Attorneys for Plaintiff

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

06/22/2026
Clerk of the Court
BY: MARK UDAN
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

CGC-26-638385

GABRIEL ESPINOZA,

Plaintiff,

vs.

BRISTOL FARMS,

Defendant.

Case No.:

**COMPLAINT FOR CIVIL PENALTIES AND
INJUNCTIVE RELIEF**

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

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

BACKGROUND OF THE CASE

1. Plaintiff brings this representative action on behalf of all California citizens to enforce relevant portions of Safe Drinking Water and Toxic Enforcement Act of 1986, codified at the Health and Safety Code § 25249.5 et seq ("Proposition 65"), which reads, in relevant part, "[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 giving clear and reasonable warning to such individual ...". Health & Safety Code § 25249.6.

2. This complaint is a representative action brought by Plaintiff in the public interest of the citizens of the State of California to enforce the People's right to be informed of the health hazards caused by exposure to lead, a toxic chemical found in products manufactured, sold, and/or distributed by defendant Bristol Farms ("Defendant") in California.

3. Lead is a harmful chemical known to the State of California to cause cancer and birth defects or other reproductive harm. On October 1, 1992, the state of California listed lead as

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

5 4. Proposition 65 requires all businesses with ten (10) or more employees that operate
6 within California or sell products therein to comply with Proposition 65 regulations. Included in
7 such regulations is the requirement that businesses must label any product containing a Proposition
8 65-listed chemical that will create an exposure above safe harbor levels with a “clear and
9 reasonable” warning before “knowingly and intentionally” exposing any person to any such listed
10 chemical.

11 5. Proposition 65 allows for civil penalties of up to \$2,500.00 per day per violation
12 for up to 365 days (up to a maximum civil penalty amount per violation of \$912,000.00) to be
13 imposed upon defendants in a civil action for violations of Proposition 65. Health & Safety Code
14 § 25249.7(b). Proposition 65 also allows for any court of competent jurisdiction to enjoin the
15 actions of a defendant which “violate or threaten to violate” the statute. Health & Safety Code §
16 25249.7.

17 6. Plaintiff alleges that Defendant distributes and/or offers for sale in California,
18 without a requisite exposure warning, (a) Solely organic mango halves manufactured, distributed,
19 and/or sold by Solely, Inc., (b) Lolo Yum original furikake seaweed snack mixes manufactured,
20 distributed, and/or sold by One Organic LLC, (c) Seed to Surf plant based mushroom snow crab
21 manufactured, distributed, and/or sold by Seed to Surf, (d) Hello I’m Ugly dried sliced kiwis
22 manufactured, distributed, and/or sold by The Ugly Company, Inc., (e) Orgain protein peanut
23 butter snack bars manufactured, distributed, and/or sold by Orgain, LLC, and (f) Lolo Yum
24 Japanese seven spice furikake seaweed manufactured, distributed, and/or sold by One Organic
25 LLC (collectively, the “Products” and each a “Product”) that expose persons to lead when
26 consumed for their intended purpose.

27 7. Defendant’s failure to warn consumers and other individuals in California of the
28 health hazards associated with exposure to lead in conjunction with the sale and/or distribution of

1 the Products is a violation of Proposition 65 and subjects Defendant to the enjoinder and civil
2 penalties described herein.

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

5 9. Plaintiff also seeks injunctive relief, preliminarily and permanently, requiring
6 Defendant to provide purchasers or users of the Products with required warnings related to the
7 dangers and health hazards associated with exposure to lead pursuant to Health and Safety Code §
8 25249.7(a).

9 10. Plaintiff further seeks a reasonable award of attorney's fees and costs.

10 **PARTIES**

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

15 12. Defendant Bristol Farms, through its business, effectively imports, distributes,
16 sells, and/or offers the Products for sale or use in the State of California, or it implies by its conduct
17 that it imports, distributes, sells, and/or offers the Products for sale or use in the State of California.
18 Plaintiff alleges that defendant Bristol Farms is a "person" in the course of doing business within
19 the meaning of Health & Safety Code sections 25249.6 and 25249.11.

20 **VENUE AND JURISDICTION**

21 13. Venue is proper in the County of San Francisco because one or more of the
22 instances of wrongful conduct occurred, and continue to occur in this county and/or because
23 Defendant conducted, and continues to conduct, business in the County of San Francisco with
24 respect to the Products. Because the Products are distributed, marketed, and sold to consumers
25 throughout San Francisco County, the alleged Proposition 65 violations necessarily occurred here.
26 Upon information and belief, the Products are consistently in the stream of commerce and available
27 to consumers for purchase in the City and County of San Francisco.

1 14. This Court has jurisdiction over this action pursuant to California Constitution
2 Article VI, § 10, which grants the Superior Court original jurisdiction in all causes except those
3 given by statute to other trial courts. Health and Safety Code § 25249.7 allows for the enforcement
4 of violations of Proposition 65 in any Court of competent jurisdiction; therefore, this Court has
5 jurisdiction over this lawsuit.

6 15. This Court has jurisdiction over Defendant because Defendant is either a citizen of
7 the State of California, has sufficient minimum contacts with the State of California, is registered
8 with the California Secretary of State as foreign corporations authorized to do business in the State
9 of California, and/or has otherwise purposefully availed itself of the California market. Such
10 purposeful availment has rendered the exercise of jurisdiction by California courts consistent and
11 permissible with traditional notions of fair play and substantial justice. Public policy further
12 supports this conclusion.

13 STATUTORY BACKGROUND

14 16. The people of the State of California declared in Proposition 65 their right “[t]o be
15 informed about exposures to chemicals that cause cancer, birth defects, or other reproductive
16 harm.” (Section 1(b) of Initiative Measure, Proposition 65.)

17 17. To effect this goal, Proposition 65 requires that individuals be provided with a
18 “clear and reasonable warning” before being exposed to substances listed by the State of California
19 as causing cancer and birth defects or other reproductive harm. H&S Code § 25249.6 states, in
20 pertinent part:

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

23 18. In this case, exposures are caused by consumer products. A “Consumer Product” is
24 defined as “any article, or component part thereof, including food, that is produced, distributed, or
25 sold for the personal use, consumption or enjoyment of a consumer.” (Cal. Code Regs., tit. 27, §
26 25600.1, subd. (d).) Food includes “dietary supplements” as defined in California Code of
27 Regulations, title 17, section 10200. (*Id.* at subd. (g).) An exposure to a chemical in a Consumer
28

Product is one “which 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.” (27 CCR § 25602, para (b).) H&S Code § 25603(c) states that “a person in the course of doing business ... shall provide a warning to any person to whom the product is sold or transferred unless the product is packaged or labeled with a clear and reasonable warning.”

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

- a. A warning that appears on a product’s label or other labeling.
- b. Identification of the product at the retail outlet in a manner which provides a warning. Identification may be through shelf labeling, signs, menus, or a combination thereof.
- c. The warnings provided pursuant to subparagraphs (a) and (b) shall be prominently placed upon a product’s labels or other labeling or displayed at the retail outlet with such conspicuousness, as compared with other words, statements, designs, or devices in the label, labeling or display as to render it likely to be read and understood by an ordinary individual under customary conditions of purchase or use.
- d. A system of signs, public advertising identifying the system and toll-free information services, or any other system that provides clear and reasonable warnings.

20. Proposition 65 provides that any “person who violates or threatens to violate” the statute may be enjoined in a court of competent jurisdiction. (H&S Code § 25249.7.) The phrase “threaten to violate” is defined to mean creating “a condition in which there is a substantial probability that a violation will occur.” (H&S Code § 25249.11(e).) Violators are liable for civil penalties of up to \$2,500.00 per day for each violation of the Act (H&S Code § 25249.7) for up to 365 days (up to a maximum civil penalty amount per violation of \$912,000.00).

¹ Alternatively, a person in the course of doing business may elect to comply with the warning 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.

21. Pursuant to Cal. Code Regs. Tit. 27, § 25600.2(e), a retail seller is responsible for providing the warning required by § 25249.6 of the Act for a consumer product exposure when one or more of the following circumstances exist: (a) the retailer seller is selling the product under a brand or trademark that is owned or licensed by the retail seller or an affiliated entity; (b) the retailer seller has knowingly introduced a listed chemical into the product, or knowingly caused the listed chemical to be created in the product; (c) the retail seller has covered, obscured or altered a warning label that has been affixed to the product pursuant to § 25600.2(b); (d) the retail seller has received a notice and warning materials for the exposure pursuant to § 25600.2(b)-(c) and the retail seller has sold the product without conspicuously posting or displaying the warning; or (e) the retailer seller has actual knowledge of the potential consumer product exposure requiring the warning, and there is no manufacturer, producer, packager, importer, supplier, or distributor of the product who: (i) is a “person in the course of doing business under § 25249.11(b) of the Act, and (ii) has designated an agent for service of process in California, or has a place of business in California.

FACTUAL BACKGROUND

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

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

24. On June 20, 2025 (Solely Organic mango halves), June 24, 2025 (Lolo Yum original furikake seaweed snack mix), June 27, 2025 (Seed to Surf plant based mushroom snow crab), July 7, 2025 (Hello I'm Ugly dried sliced kiwis), July 7, 2025 (Orgain protein peanut butter snack bar), and July 14, 2025 (Lolo Yum Japanese seven spice furikake seaweed), Plaintiff gave

1 notice of alleged violation of Health and Safety Code § 25249.6 (collectively, the “Notices” and
2 each a “Notice”) to Defendant concerning the exposure of California citizens to lead contained in
3 the Products without proper warning, subject to a private action to Defendant and to the California
4 Attorney General’s office and the offices of the County District attorneys and City Attorneys for
5 each city with a population greater than 750,000 persons wherein the herein violations allegedly
6 occurred. The exposures that are the subject of the Notices result from the purchase, acquisition,
7 and recommended consumption of the Products. The primary route of exposure to lead is through
8 ingestion. When foods contaminated with lead are consumed, ingestion of lead will occur which
9 will increase blood lead levels. No clear and reasonable warning is provided with the Products
10 regarding the health hazards of exposure. See attached at Exhibits “A” – “F” a true and correct
11 copy of each Notice.

12 25. Defendant has processed, marketed, distributed, offered to sell and/or sold the
13 Products in California since at least April 15, 2025 with respect to the Lolo Yum original furikake
14 seaweed snack mix, Hello I’m Ugly dried sliced kiwis, and Orgain protein peanut butter snack bar;
15 since at least May 8, 2025 with respect to the Solely Organic mango halves; since at least May 14,
16 2025 with respect to the Seed to Surf plant based mushroom snow crab and the Lolo Yum Japanese
17 seven spice furikake seaweed. Upon information and belief, the Products are consistently in the
18 stream of commerce and available to consumers for purchase in the City and County of San
19 Francisco and the alleged Proposition 65 violations necessarily occurred here. The Products
20 continue to be distributed, offered for sale and/or sold in California without the requisite warning
21 information.

22 26. Defendant has actual knowledge that sales of the Products in California will result
23 in an actionable consumer product exposure pursuant to Cal. Health & Safety Code § 25249.5 et
24 seq.

25 27. Defendant has sold the Products under a brand or trademark that is owned or
26 licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced lead into
27 the Products, or knowingly caused lead to be created in the Products; and/or Defendant has
28 covered, obscured or altered a warning label that has been affixed to the Products pursuant to §

1 25600.2(b); and/or Defendant has received a notice and warning materials for the exposure
2 pursuant to § 25600.2(b)-(c) and Defendant has sold the product without conspicuously posting or
3 displaying the warning; and/or Defendant has actual knowledge of the potential consumer product
4 exposure requiring the warning, and there is no manufacturer, producer, packager, importer,
5 supplier, or distributor of the Products who: (i) is a “person in the course of doing business under
6 § 25249.11(b) of the Act, and (ii) has designated an agent for service of process in California, or
7 has a place of business in California.

8 28. At all times relevant to this action, Defendant has knowingly and intentionally
9 exposed consumers of the Products to lead without first giving a clear and reasonable exposure
10 warning to such individuals. More than five business days after receipt of the Notice of Violation,
11 Defendant continued to distribute, sell, and/or offer to and sell in California without the requisite
12 warning information.

13 29. More than five business days after receipt of the Notice of Violation, Plaintiff
14 purchased the Products a second time from Defendant. At the time of the purchase, Defendant did
15 not provide a clear and reasonable exposure warning pursuant to Cal. Code Regs. Tit. 27, § 25602.

16 30. As a proximate result of acts by Defendant, as a person in the course of doing
17 business within the meaning of H&S Code § 25249.11, individuals throughout the State of
18 California, including in San Francisco County, have been exposed to lead without a clear and
19 reasonable warning on the Products. The individuals subject to the violative exposures include
20 normal and foreseeable users and consumers that consume the Products, as well as all others
21 exposed to the Products.

22 **SATISFACTION OF NOTICE REQUIREMENTS**

23 31. Plaintiff purchased the Products from Bristol Farms in California. At the time of
24 purchases, Defendant did not provide a Proposition 65 exposure warning for lead or any other
25 Proposition 65 listed chemical in a manner consistent with H&S Code § 25603.1 as described
26 *supra*.

27 32. The Products were sent to a testing laboratory to determine if, and what amount of,
28 lead a consumer would be exposed to per serving size.

1 33. The laboratory provided the results of its analysis. Results of these tests determined
2 the Products expose consumers to lead (collectively, the “Chemical Test Reports” and each a
3 “Chemical Test Report”).

4 34. Plaintiff provided the Chemical Test Reports and Products to an analytical chemist
5 to determine if, based on the findings of the Chemical Test Reports and the reasonable and
6 foreseeable consumption of the Products, exposure to lead will occur at levels that require
7 Proposition 65 warnings under the Clear and Reasonable Warnings section 25601 of Title 27 of
8 the California Code of Regulations.

9 35. On June 20, 2025 (Solely Organic mango halves), June 24, 2025 (Lolo Yum
10 original furikake seaweed snack mix), June 27, 2025 (Seed to Surf plant based mushroom snow
11 crab), July 7, 2025 (Hello I’m Ugly dried sliced kiwis and Orgain protein peanut butter snack bar),
12 and July 14, 2025 (Lolo Yum Japanese seven spice furikake seaweed), Plaintiff received from the
13 analytical chemist exposure assessment reports which concluded that persons in California who
14 consume the Products will be exposed to levels of lead that require a Proposition 65 exposure
15 warning.

16 36. On June 20, 2025 (Solely Organic mango halves), June 24, 2025 (Lolo Yum
17 original furikake seaweed snack mix), June 27, 2025 (Seed to Surf plant based mushroom snow
18 crab), July 7, 2025 (Hello I’m Ugly dried sliced kiwis and Orgain protein peanut butter snack bar),
19 and July 14, 2025 (Lolo Yum Japanese seven spice furikake seaweed), Plaintiff gave notice of
20 alleged violation of Health and Safety Code § 25249.6 (collectively, the “Notices” and each a
21 “Notice”) to Defendant concerning the exposure of California citizens to lead contained in the
22 Products without proper warning, subject to a private action to Defendant and to the California
23 Attorney General’s office and the offices of the County District attorneys and City Attorneys for
24 each city with a population greater than 750,000 persons wherein the herein violations allegedly
25 occurred.

26 37. The Notices complied with all procedural requirements of Proposition 65 including
27 the attachment of a Certificate of Merit affirming that Plaintiff’s counsel had consulted with at
28 least one person with relevant and appropriate expertise who reviewed relevant data regarding lead

1 exposure, and that counsel believed there was meritorious and reasonable cause for a private
2 action.

3 38. After receiving the Notices, and to Plaintiff's best information and belief, none of
4 the noticed appropriate public enforcement agencies have commenced and diligently prosecuted a
5 cause of action against Defendant under Proposition 65 to enforce the alleged violations which are
6 the subject of the Notice.

7 39. More than five business days after Defendant received the Notices, Plaintiff
8 purchased the Products a second time from Defendant in California. At the time of purchase,
9 Defendant did not provide a Proposition 65 compliant exposure warning.

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

12 **FIRST CAUSE OF ACTION**

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

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

16 42. Defendant has, at all times mentioned herein, acted as distributor, and/or retailer of
17 the Products.

18 43. Consumption of the Products will expose consumers to lead, a hazardous chemical
19 found on the Proposition 65 list of chemicals known to be hazardous to human health.

20 44. The Products do not comply with the Proposition 65 warning requirements.

21 45. Plaintiff, based on his best information and belief, avers that at all relevant times
22 herein, and since at least June 20, 2025 with respect to the Solely Organic mango halves; since at
23 least June 24, 2025 with respect to the Lolo Yum original furikake seaweed snack mix; since at
24 least June 27, 2025 with respect to the Seed to Surf plant based mushroom snow crab; since at
25 least July 7, 2025 with respect to the Hello I'm Ugly dried sliced kiwis and the Orgain protein
26 peanut butter snack bar; and since at least July 14, 2025 with respect to the Lolo Yum Japanese
27 seven spice furikake seaweed, continuing until the present, that Defendant has continued to
28

1 knowingly and intentionally expose California users and consumers of the Products to lead without
2 providing required warnings under Proposition 65.

3 46. The Notices give Defendant actual knowledge of the potential consumer product
4 exposure requiring the warning pursuant to Cal. Code Regs, Tit. 27, § 25600.2. Consumption of
5 the Products will expose users and consumers thereof to lead hazardous chemicals found on the
6 Proposition 65 list of chemicals known to be hazardous to human health.

7 47. Defendant continues to sell the Products under a brand or trademark that is owned
8 or licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced lead
9 into the Products, or knowingly caused lead to be created in the Products; and/or Defendant has
10 covered, obscured or altered a warning label that has been affixed to the Products pursuant to §
11 25600.2(b); and/or Defendant has received a notice and warning materials for the exposure
12 pursuant to § 25600.2(b)-(c) and Defendant has sold the product without conspicuously posting or
13 displaying the warning; and/or Defendant has actual knowledge of the potential consumer product
14 exposure requiring the warning, and there is no manufacturer, producer, packager, importer,
15 supplier, or distributor of the Products who: (i) is a “person in the course of doing business under
16 § 25249.11(b) of the Act, and (ii) has designated an agent for service of process in California, or
17 has a place of business in California

18 48. The exposures that are the subject of the Notices result from the purchase,
19 acquisition, and recommended consumption of the Products. The primary route of exposure to lead
20 is through ingestion. When foods contaminated with lead are consumed, ingestion of lead will
21 occur which will increase blood lead levels. No clear and reasonable warning is provided with the
22 Products regarding the health hazards of exposure.

23 49. Plaintiff, based on his best information and belief, avers that such exposures will
24 continue every day until clear and reasonable warnings are provided to purchasers and users or
25 until this known toxic chemical is removed from the Products.

26 50. Defendant has knowledge that the normal and reasonably foreseeable consumption
27 of the Products exposes individuals to lead, and Defendant intends that exposures to lead will occur
28

1 by its deliberate, non-accidental participation in the importation, distribution, sale and offering of
2 the Products to consumers in California

3 51. Plaintiff has engaged in good faith efforts to resolve the herein claims prior to this
4 Complaint.

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

7 53. Pursuant to Health and Safety Code § 25249.7(a), this Court is specifically
8 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 (up to a maximum civil penalty amount per
6 violation of \$912,000.00) in accordance with Health and Safety Code § 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: June 22, 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

20 *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

June 20, 2025

President/CEO Solely, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	President/CEO Solely, Inc. c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business In California As CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	President/CEO Bristol Farms 915 E. 230 th Street Carson, CA 90745
Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager Good Food Holdings, LLC 915 W. 230 th Street Carson, CA 90745

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

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.

...” 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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave., Lynwood, CA 90262-5204; (Ph) 310.863.2852.
2. **Alleged Violator(s):** Solely, Inc.; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least June 20, 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:**

Product ²	Non- Exclusive Examples of the Product
Mango	Solely Organic Mango Halves UPC# 856261006615

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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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

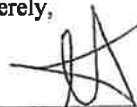
Based on the allegations set forth in this Notice, Brodsky Smith intends to file a citizen enforcement lawsuit on behalf of Espinoza against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to: (1) recall Products already sold; (2) provide Proposition 65 compliant 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

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.

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.

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,

A handwritten signature in black ink, appearing to be 'EJ Smith', written over a horizontal line.

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

June 24, 2025

Member/Manager One Organic LLC Jerry Chiu 1399 Lowrie Ave., Suite 3 South San Francisco, CA 94080	President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business In California As CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
President/CEO Bristol Farms 915 E 230 th Street Carson, CA 90745	Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
Member/Manager Good Food Holdings, LLC 915 W. 230 th Street Carson, CA 90745	

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

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.

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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave. Lynwood, CA 90262; (Ph) 424-285-4896.
2. **Alleged Violator(s):** One Organic LLC; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least June 24, 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:**

Product ²	Non- Exclusive Examples of the Product
Snack Mix	Lolo Yum Original Furikake Seaweed Snack Mix UPC# 8 52885 00525 6

1. **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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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 “C”

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

June 27, 2025

President/CEO 12599821 Canada Inc. 58 Concord Ave. Toronto, Ontario CANADA M6H2P1	President/CEO/Owner Seed to Surf 58 Concord Avenue, Ground Floor Unit Toronto, ON M6H 2P1 CANADA
President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business in California As CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	President/CEO Bristol Farms 915 E. 230 th Street Carson, CA 90745
Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager Good Food Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808

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

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.

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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave. Lynwood, CA 90262; (Ph) 424-285-4896.
2. **Alleged Violator(s):** 12599821 Canada Inc.; Seed to Surf; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least June 27, 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:**

Product ²	Non- Exclusive Examples of the Product
Plant Based Crab	Seed to Surf Plant Based Mushroom Snow Crab UPC# 6 27987 92009 3

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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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

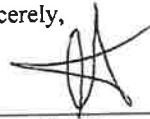
Based on the allegations set forth in this Notice, Brodsky Smith intends to file a citizen enforcement lawsuit on behalf of Espinoza against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to: (1) recall Products already sold; (2) provide Proposition 65 compliant 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 &

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.

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.

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,

A handwritten signature in black ink, appearing to be 'EJ Smith', written over a horizontal line.

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 “D”

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

July 7, 2025

President/CEO The Ugly Company, Inc. c/o Benjamin Moore 3165 Avenue, #393 Kingsburg, CA 93631	President/CEO The Ugly Company, Inc. c/o Capitol Services, Inc. 108 Lakeland Ave. Dover, DE 19901
Member/Manager Good Food Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	President/CEO Bristol Farms 915 E. 230 th Street Carson, CA 90745
President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business in California As CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833

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

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.

...” 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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave. Lynwood, CA 90262; (Ph) 424-285-4896.
2. **Alleged Violator(s):** The Ugly Company, Inc.; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least July 7, 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:**

Product ²	Non- Exclusive Examples of the Product
Kiwi	Hello I'm Ugly Dried Sliced Kiwis UPC# 8 60002 29342 4

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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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

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.

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.

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,

A handwritten signature in black ink, appearing to be 'EJ Smith', written over a horizontal line.

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 “E”

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

July 7, 2025

Member/Manager Orgain, LLC c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	Member/Manager Orgain, LLC 16851 Hale Ave. Irvine, CA 92606
Member/Manager Good Food Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	President/CEO Bristol Farms 915 E. 230 th Street Carson, CA 90745
President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business in California As CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833

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

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.

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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave. Lynwood, CA 90262; (Ph) 424-285-4896.
2. **Alleged Violator(s):** Orgain, LLC.; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least July 7, 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:**

Product ²	Non- Exclusive Examples of the Product
Snack Bar	Orgain Protein Snack Bar Peanut Butter UPC# 8 51770 00635 4

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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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

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.

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.

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,

A handwritten signature in black ink, appearing to be 'EJ Smith', written over a horizontal line.

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 “F”

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

July 14, 2025

Member/Manager One Organic LLC c/o Jerry Chiu 1399 Lowrie Ave., Suite 3 South San Francisco, CA 94080	President/CEO Bristol Farms c/o Corporation Service Company Which Will Do Business in California as CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
Member/Manager Good Food Holdings, LLC c/o Corporation Service Company 251 Little falls Drive Wilmington, DE 19808	President/CEO Bristol Farms 915 E. 230 th Street Carson, CA 90745
Member/Manager Good Food Holdings, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833	

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

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.

...” 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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Gabriel Espinoza, 3924 Carlin Ave. Lynwood, CA 90262; (Ph) 424-285-4896.
2. **Alleged Violator(s):** One Organic LLC; Bristol Farms; Good Food Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least July 14, 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:**

Product ²	Non- Exclusive Examples of the Product
Snack Mix	Lolo Yum Japanese Seven Spice Furikake Seaweed UPC# 8 52885 00527 0

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 ingestion. When foods contaminated with the Listed Chemical are consumed, ingestion of the Listed Chemical will occur which will increase BLLs. 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

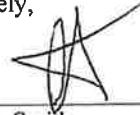
Based on the allegations set forth in this Notice, Brodsky Smith intends to file a citizen enforcement lawsuit on behalf of Espinoza against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to: (1) recall Products already sold; (2) provide Proposition 65 compliant 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

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.

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.

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,

A handwritten signature in black ink, appearing to be 'Evan J. Smith', written over a horizontal line.

Evan J. Smith

Attachments

Certificate of Merit

Certificate of Service

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