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8 *Attorneys for Plaintiff*

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

05/06/2026
Clerk of the Court
BY: JEFFREY FLORES
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN FRANCISCO

CGC-26-636742

11 GABRIEL ESPINOZA,

12 Plaintiff,

13 vs.

14 VSI, INC.,

15 Defendant.

Case No.:

**COMPLAINT FOR CIVIL PENALTIES AND
INJUNCTIVE RELIEF**

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

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

18 **BACKGROUND OF THE CASE**

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

25 2. This complaint is a representative action brought by Plaintiff in the public interest
26 of the citizens of the State of California to enforce the People’s right to be informed of the health
27 hazards caused by exposure to lead, a toxic chemical found in Cazuela ceramicware products with
28 colored artwork, designs and/or marking on the exterior surface that are imported, distributed,
and/or offered for use or sale by defendant VSI, Inc. (“Vallarta” or “Defendant”) in California.

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

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

13 5. Proposition 65 allows for civil penalties of up to \$2,500.00 per day per violation
14 for up to 365 days (up to a maximum civil penalty amount per violation of \$912,000.00) to be
15 imposed upon defendants in a civil action for violations of Proposition 65. Health & Safety Code
16 § 25249.7(b). Proposition 65 also allows for any court of competent jurisdiction to enjoin the
17 actions of a defendant which “violate or threaten to violate” the statute. Health & Safety Code §
18 25249.7.

19 6. Plaintiff alleges that Defendant distributes and/or offers for sale in California,
20 without a requisite exposure warning, Cazuela ceramicware products with colored artwork,
21 designs and/or marking on the exterior surface that are imported, distributed, and/or offered for
22 use or sale by Defendant in California (collectively, the “Products” and each a “Product) that
23 expose persons to lead when used for their intended purpose.

24 7. Defendant’s failure to warn consumers and other individuals in California of the
25 health hazards associated with exposure to lead in conjunction with the sale and/or distribution of
26 the Products is a violation of Proposition 65 and subjects Defendant to the enjoinder and civil
27 penalties described herein.

28

1 of violations of Proposition 65 in any Court of competent jurisdiction; therefore, this Court has
2 jurisdiction over this lawsuit.

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

10 STATUTORY BACKGROUND

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

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

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

21 18. An exposure to a chemical in a consumer product is one “which results from a
22 person’s acquisition, purchase, storage, consumption or other reasonably foreseeable use of a
23 consumer good, or any exposure that results from receiving a consumer service.” (27 CCR §
24 25602, para (b).) H&S Code § 25603(c) states that “a person in the course of doing business ...
25 shall provide a warning to any person to whom the product is sold or transferred unless the product
26 is packaged or labeled with a clear and reasonable warning.”
27
28

1 19. 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 20. 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 (up to a maximum civil penalty amount per violation of \$912,000.00).

20 21. 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 22. On October 1, 1992, the state of California listed lead as a chemical known to cause
12 cancer and it has come under the purview of Proposition 65 regulations since that time. Cal. Code
13 Regs. Tit. 27, § 27001(c); Health & Safety Code §§ 25249.8 & 25249.10(b). On February 27,
14 1987, the State of California listed lead as a chemical known to cause birth defects or other
15 reproductive harm. In summary, lead was listed under Proposition 65 as a chemical known to the
16 State to cause cancer and birth defects or other reproductive harm.

17 23. On June 10, 2025, Plaintiff purchased the Products from Defendant. At the time of
18 the purchase, Defendant did not provide a clear and reasonable exposure warning pursuant to Cal.
19 Code Regs. Tit. 27, § 25602.

20 24. On July 16, 2025 (Cazuela mini tabletops) and August 5, 2025 (Cazuela grande
21 tabletops), Plaintiff served notice of alleged violation of Health and Safety Code § 25249.6
22 (collectively, the “Notice” and each a “Notice”) to Defendant concerning the exposure of
23 California citizens to lead from use of the Products without proper warning, subject to a private
24 action to Defendant and to the California Attorney General’s office and the offices of the County
25 District attorneys and City Attorneys for each city with a population greater than 750,000 persons
26 wherein the herein violations allegedly occurred. The exposures that are the subject of the Notices
27 result from the purchase, acquisition, handling and recommended use of the Products. The primary
28 route of exposure to the is through dermal absorption directly through the skin when consumers

1 use, touch, or handle the Products. Exposure through ingestion will occur by touching the Products
2 with subsequent touching of the user's hand to mouth. No clear and reasonable warning is provided
3 with the Products regarding the health hazards of exposure. See attached at Exhibits "A" – "B" a
4 true and correct copy of each Notice.

5 25. Defendant has actual knowledge that sales of the Product in California will result
6 in an actionable consumer product exposure pursuant to Cal. Health & Safety Code § 25249.5 et
7 seq.

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

19 27. At all times relevant to this action, Defendant has knowingly and intentionally
20 exposed users and/or consumers of the Products to lead without first giving a clear and reasonable
21 exposure warning to such individuals. More than five business days after receipt of the Notice of
22 Violation, Defendant continued to distribute, sell, and/or offer to and sell in California without the
23 requisite warning information.

24 28. On May 5, 2026, Plaintiff purchased the Products a second time from Defendant.
25 At the time of the purchase, Defendant did not provide a clear and reasonable exposure warning
26 pursuant to Cal. Code Regs. Tit. 27, § 25602.

1 action to Defendant and to the California Attorney General’s office and the offices of the County
2 District attorneys and City Attorneys for each city with a population greater than 750,000 persons
3 wherein the herein violations allegedly occurred. See attached at Exhibits “A” – “B” a true and
4 correct copy of each Notice.

5 36. The Notices complied with all procedural requirements of Proposition 65 including
6 the attachment of a Certificate of Merit affirming that Plaintiff’s counsel had consulted with at
7 least one person with relevant and appropriate expertise who reviewed relevant data regarding lead
8 exposure, and that counsel believed there was meritorious and reasonable cause for a private
9 action.

10 37. After receiving the Notices, and to Plaintiff’s best information and belief, none of
11 the noticed appropriate public enforcement agencies have commenced and diligently prosecuted a
12 cause of action against Defendant under Proposition 65 to enforce the alleged violations which are
13 the subject of the Notices.

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

16 **FIRST CAUSE OF ACTION**

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

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

20 40. Defendant has manufactured, processed, marketed, distributed, offered to sell
21 and/or sold the Products in California since at least July 16, 2025 with respect to the Cazuela mini
22 tabletops, and since at least August 5, 2025 with respect to the Cazuela grande tabletops.

23 41. On July 16, 2025 and August 5, 2025, Plaintiff served the Notices on Defendant
24 concerning the exposure of California citizens to lead from consumption of the Products without
25 proper warning, subject to a private action to Defendant and to the California Attorney General’s
26 office and the offices of the County District attorneys and City Attorneys for each city with a
27 population greater than 750,000 persons wherein the herein violations allegedly occurred.

1 42. The Notices gives Defendant actual knowledge of the potential consumer product
2 exposure requiring the warning pursuant to Cal. Code Regs, Tit. 27, § 25600.2. Use of the Products
3 will expose users and consumers thereof to lead, a hazardous chemical found on the Proposition
4 65 list of chemicals known to be hazardous to human health.

5 43. The Products do not comply with the Proposition 65 warning requirements.

6 44. Plaintiff, based on his best information and belief, avers that at all relevant times
7 herein, and since at least July 16, 2025 with respect to the Cazuela mini tabletops, and since at
8 least August 5, 2025 with respect to the Cazuela grande tabletops, continuing until the present, that
9 Defendant has continued to knowingly and intentionally expose California users and consumers
10 of the Products to lead without providing required warnings under Proposition 65.

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

22 46. On May 5, 2026, more than five business days after Defendant received the Notice,
23 Plaintiff purchased the Product from Defendant. At the time of purchase, Defendant did not
24 provide a Proposition 65 compliant exposure warning.

1 47. 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 48. 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 this known toxic chemical is removed from the Products.

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

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

16 51. 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 52. 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 (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's 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: May 6, 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

July 16, 2025

President/CEO VSI, Inc. c/o Enrique Gonzalez, Jr. 28480 Avenue Stanford Santa Clarita, CA 91355	President/CEO VSI, Inc. 12881 Bradley Ave. Sylmar, CA 91342
President/CEO VSI, Inc. dba Vallarta Supermarkets c/o Enrique Gonzalez, Jr. 28480 Avenue Stanford Santa Clarita, CA 91355	President/CEO VSI, Inc. 10147 San Fernando Road Pacoima, CA 91331

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; (Ph) 424-285-4896.
2. **Alleged Violator(s):** VSI, Inc.; VSI, Inc. dba Vallarta Supermarkets
3. **Time Period of Exposure:** Violations have been occurring since at least July 16, 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
Tabletop	Cazuela Mini Tabletop 0 00092 01400 8

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,

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

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

August 5, 2025

President/CEO VSI, Inc. c/o Enrique Gonzalez Jr. 28480 Avenue Stanford Santa Clarita, CA 91355	President/CEO VSI, Inc. dba Vallarta Supermarkets c/o Enrique Gonzalez Jr. 28480 Avenue Stanford Santa Clarita, CA 91355
President/CEO VSI, Inc. 10147 San Fernando Road Pacoima, CA 91331	

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) 310.863.2852.
2. **Alleged Violator(s):** VSI, Inc.; VSI, Inc. dba Vallarta Supermarkets
3. **Time Period of Exposure:** Violations have been occurring since at least August 5, 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
Tabletop	Cazuela Grande Tabletop UPC# 000092 01433 6

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.

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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.

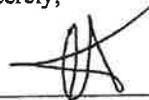
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² The specifically identified example of the Product in this Notice is to assist the recipients' investigation of, among other things, the magnitude of potential exposures to the Listed Chemical from other items within the definition of Products. This 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,

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Evan J. Smith

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Certificate of Service

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