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ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

08/03/2026
Clerk of the Court
BY: DAEJA ROGERS
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SAN FRANCISCO

11 EMA BELL,

12 Plaintiff,

13 vs.

14 SPROUTS FARMERS MARKETS,
15 INC.,

16 Defendant.

Case No.:

CGC-26-639572

**COMPLAINT FOR CIVIL PENALTIES AND
INJUNCTIVE RELIEF**

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

17 Plaintiff Ema Bell ("Plaintiff"), by and through her attorneys, alleges the following cause
18 of action in the public interest of the citizens of the State of California.

19 **BACKGROUND OF THE CASE**

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

26 2. This complaint is a representative action brought by Plaintiff in the public interest
27 of the citizens of the State of California to enforce the People's right to be informed of the health
28 hazards caused by exposure to lead, a toxic chemical found in products offered for sale, sold,
and/or distributed by defendant Sprouts Farmers Markets, Inc. ("Sprouts" or "Defendant") in
California.

1 3. Lead¹ is a harmful chemical known to the State of California to cause cancer and
2 birth defects or other reproductive harm.

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

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

15 6. Plaintiff alleges that Defendant distributes and/or offers for sale in California,
16 without a requisite exposure warning, (a) Fable Fish Co. wild Alaskan jerky sweet chili salmon
17 manufactured, distributed, and/or sold by Fable Fish Company, Inc., (b) Fable Fish Co. wild
18 Alaskan jerky teriyaki salmon manufactured, distributed, and/or sold by Fable Fish Company, Inc.,
19 (c) *Sprouts*® 10 mushroom blend vanilla protein manufactured, distributed, and/or sold by Chemi-
20 Source Unlimited Corp., (d) *Frozen Bean*® keto matcha green tea manufactured, distributed,
21 and/or sold by The Frozen Bean, Inc., (e) *Rookie*® peach mango Superfood Greens manufactured,
22 distributed, and/or sold by Rookie Wellness, LLC, (f) *Le Sauce & Co.*® savory mushroom gravy
23 sauce manufactured, distributed, and/or sold by Saucealicious LLC, (g) *Mi Rancho*® gluten free
24 tortillas manufactured, distributed, and/or sold by Berber Food Manufacturing LLC, and (h) *Purely*

26 ¹ On October 1, 1992, the state of California listed lead as a chemical known to cause cancer and
27 it has come under the purview of Proposition 65 regulations since that time. Cal. Code Regs. Tit.
28 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.

1 *Sprouted*TM orange ginger snack mixes manufactured, distributed, and/or sold by Pure Simple
2 Foods, LLC (collectively, the “Products” and each a “Product”) that expose persons to lead when
3 consumed for their intended purpose.

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

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

10 9. Plaintiff also seeks injunctive relief, preliminarily and permanently, requiring
11 Defendant to provide purchasers or users of the Products with required warnings related to the
12 dangers and health hazards associated with exposure to lead pursuant to Health and Safety Code §
13 25249.7(a).

14 10. Plaintiff further seeks a reasonable award of attorney’s fees and costs.

15 **PARTIES**

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

20 12. Defendant Sprouts Farmers Markets, Inc., through its business, effectively imports,
21 distributes, sells, and/or offers the Products for sale or use in the State of California, or it implies
22 by its conduct that it imports, distributes, sells, and/or offers the Products for sale or use in the
23 State of California. Plaintiff alleges that defendant Sprouts Farmers Markets, Inc. is a “person” in
24 the course of doing business within the meaning of Health & Safety Code sections 25249.6 and
25 25249.11.

26 **VENUE AND JURISDICTION**

27 13. Venue is proper in the County of San Francisco because one or more of the
28 instances of wrongful conduct occurred, and continue to occur in this county and/or because

1 Defendant conducted, and continues to conduct, business in the County of San Francisco with
2 respect to the Products. Because the Products are distributed, marketed, and sold to consumers
3 throughout San Francisco County, the alleged Proposition 65 violations necessarily occurred here.
4 Upon information and belief, the Products are consistently in the stream of commerce and available
5 to consumers for purchase in the City and County of San Francisco.

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

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

18 **STATUTORY BACKGROUND**

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

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

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

1 18. In this case, exposures are caused by consumer products. A “Consumer Product” is
2 defined as “any article, or component part thereof, including food, that is produced, distributed, or
3 sold for the personal use, consumption or enjoyment of a consumer.” (Cal. Code Regs., tit. 27, §
4 25600.1, subd. (d).) Food includes “dietary supplements” as defined in California Code of
5 Regulations, title 17, section 10200. (*Id.* at subd. (g).) An exposure to a chemical in a Consumer
6 Product is one “which results from a person’s acquisition, purchase, storage, consumption or other
7 reasonably foreseeable use of a consumer good, or any exposure that results from receiving a
8 consumer service.” (27 CCR § 25602, para (b).) H&S Code § 25603(c) states that “a person in the
9 course of doing business ... shall provide a warning to any person to whom the product is sold or
10 transferred unless the product is packaged or labeled with a clear and reasonable warning.”

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

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

26
27 ² 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.

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).

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. On May 22, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, Fable Fish Co. wild Alaskan jerky teriyaki salmon, and *Sprouts*® 10 mushroom blend vanilla protein), July 25, 2025 (*Frozen Bean*® keto matcha green tea), January 13, 2026 (*Rookie*® peach mango Superfood Greens, *Le Sauce & Co.*® savory mushroom gravy sauce, and *Mi Rancho*® gluten free tortillas), and February 10, 2026 (*Purely Sprouted*™ orange ginger snack mixes), Plaintiff purchased the Products from Defendant in California. 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 August 1, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, and Fable Fish Co. wild Alaskan jerky teriyaki salmon), August 7, 2025 (*Sprouts*® 10 mushroom blend vanilla protein), October 23, 2025 (*Frozen Bean*® keto matcha green tea), February 18, 2026 (*Rookie*® peach mango Superfood Greens), February 19, 2025 (*Le Sauce & Co.*® savory mushroom gravy sauce, and *Mi Rancho*® gluten free tortillas), and March 27, 2026 (*Purely Sprouted*™ orange ginger snack mixes), Plaintiff served notice of alleged violation of Health and Safety Code § 25249.6 (collectively, the “Notices” and each a “Notice”) to Defendant concerning the exposure of California citizens to lead from consumption of the Products without proper warning, subject to a private action to Defendant and to the California Attorney General’s office and the offices of the County District attorneys and City Attorneys for each city with a population greater than 750,000 persons wherein the herein violations allegedly occurred. The exposures that are the subject of the Notices result from the purchase, acquisition, and recommended consumption of the Products. The primary route of exposure to lead is through ingestion. When foods contaminated with lead are consumed, ingestion of lead will occur. No clear and reasonable warning is provided with the Products regarding the health hazards of exposure. See attached at Exhibits A – H a true and correct copy of each Notice.

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

26. Defendant has sold the Products under a brand or trademark that is owned or licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced lead into

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

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

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

21 **SATISFACTION OF NOTICE REQUIREMENTS**

22 29. On May 22, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, Fable
23 Fish Co. wild Alaskan jerky teriyaki salmon, and *Sprouts*® 10 mushroom blend vanilla protein),
24 July 25, 2025 (*Frozen Bean*® keto matcha green tea), January 13, 2026 (*Rookie*® peach mango
25 Superfood Greens, *Le Sauce & Co.*® savory mushroom gravy sauce, and *Mi Rancho*® gluten free
26 tortillas), and February 10, 2026 (*Purely Sprouted*™ orange ginger snack mixes), Plaintiff
27 purchased the Products from Sprouts in California. At the time of purchases, Defendant did not
28

1 provide a Proposition 65 exposure warning for lead or any other Proposition 65 listed chemical in
2 a manner consistent with H&S Code § 25603.1 as described *supra*.

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

5 31. The laboratory provided the results of its analysis. Results of these tests determined
6 the Products expose consumers to lead (collectively, the “Chemical Test Reports” and each a
7 “Chemical Test Report”).

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

13 33. On August 1, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, and
14 Fable Fish Co. wild Alaskan jerky teriyaki salmon), August 7, 2025 (*Sprouts*® 10 mushroom blend
15 vanilla protein), October 23, 2025 (*Frozen Bean*® keto matcha green tea), February 18, 2026
16 (*Rookie*® peach mango Superfood Greens), February 19, 2025 (*Le Sauce & Co.*® savory
17 mushroom gravy sauce, and *Mi Rancho*® gluten free tortillas), and March 27, 2026 (*Purely*
18 *Sprouted*™ orange ginger snack mixes), Plaintiff received from the analytical chemist exposure
19 assessment reports which concluded that persons in California who consume the Products will be
20 exposed to levels of lead that require a Proposition 65 exposure warning.

21 34. On August 1, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, and
22 Fable Fish Co. wild Alaskan jerky teriyaki salmon), August 7, 2025 (*Sprouts*® 10 mushroom blend
23 vanilla protein), October 23, 2025 (*Frozen Bean*® keto matcha green tea), February 18, 2026
24 (*Rookie*® peach mango Superfood Greens), February 19, 2025 (*Le Sauce & Co.*® savory
25 mushroom gravy sauce, and *Mi Rancho*® gluten free tortillas), and March 27, 2026 (*Purely*
26 *Sprouted*™ orange ginger snack mixes), Plaintiff served the Notices to Defendant concerning the
27 exposure of California citizens to lead contained in the Products without proper warning, subject
28 to a private action to Defendant and to the California Attorney General’s office and the offices of

1 the County District attorneys and City Attorneys for each city with a population greater than
2 750,000 persons wherein the herein violations allegedly occurred.

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

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

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

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

17 **FIRST CAUSE OF ACTION**

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

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

21 40. Defendant has manufactured, processed, marketed, distributed, offered to sell
22 and/or sold the Products in California since at least May 22, 2025 with respect to the Fable Fish
23 Co. wild Alaskan jerky sweet chili salmon, Fable Fish Co. wild Alaskan jerky teriyaki salmon, and
24 *Sprouts*® 10 mushroom blend vanilla protein; since at least July 25, 2025 with respect to the
25 *Frozen Bean*® keto matcha green tea; since at least January 13, 2026 with respect to the *Rookie*®
26 peach mango Superfood Greens, *Le Sauce & Co.*® savory mushroom gravy sauce, and *Mi*
27 *Rancho*® gluten free tortillas; and since at least February 10, 2026 with respect to the *Purely*
28 *Sprouted*™ orange ginger snack mixes.

1 41. On August 1, 2025 (Fable Fish Co. wild Alaskan jerky sweet chili salmon, and
2 Fable Fish Co. wild Alaskan jerky teriyaki salmon), August 7, 2025 (*Sprouts*® 10 mushroom blend
3 vanilla protein), October 23, 2025 (*Frozen Bean*® keto matcha green tea), February 18, 2026
4 (*Rookie*® peach mango Superfood Greens), February 19, 2025 (*Le Sauce & Co.*® savory
5 mushroom gravy sauce, and *Mi Rancho*® gluten free tortillas), and March 27, 2026 (*Purely*
6 *Sprouted*™ orange ginger snack mixes), Plaintiff served the Notices on Defendant concerning the
7 exposure of California citizens to lead contained in the Products without proper warning, subject
8 to a private action to Defendant and to the California Attorney General's office and the offices of
9 the County District attorneys and City Attorneys for each city with a population greater than
10 750,000 persons wherein the herein violations allegedly occurred.

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

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

16 44. Plaintiff, based on her best information and belief, avers that at all relevant times
17 herein, and since at least August 1, 2025 with respect to the Fable Fish Co. wild Alaskan jerky
18 sweet chili salmon, and Fable Fish Co. wild Alaskan jerky teriyaki salmon; since at least August
19 7, 2025 with respect to the *Sprouts*® 10 mushroom blend vanilla protein; since at least October
20 23, 2025 with respect to the *Frozen Bean*® keto matcha green tea; since at least February 18, 2026
21 with respect to the *Rookie*® peach mango Superfood Greens; since at least February 19, 2026 with
22 respect to the *Le Sauce & Co.*® savory mushroom gravy sauce, and *Mi Rancho*® gluten free
23 tortillas; and since at least March 27, 2026 with respect to the *Purely Sprouted*™ orange ginger
24 snack mixes, continuing until the present, that Defendant has continued to knowingly and
25 intentionally expose California users and consumers of the Products to lead without providing
26 required warnings under Proposition 65.

27 45. Defendant continues to sell the Products under a brand or trademark that is owned
28 or licensed by Defendant or an affiliated entity; and/or Defendant has knowingly introduced lead

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

10 46. More than five business days after Defendant received the Notices, Plaintiff
11 purchased the Products from Defendant. At the time of purchase, Defendant did not provide a
12 Proposition 65 compliant exposure warning.

13 47. The exposures that are the subject of the Notices result from the purchase,
14 acquisition, and recommended consumption of the Products. The primary route of exposure to lead
15 is through ingestion. When foods contaminated with lead are consumed, ingestion of lead will
16 occur. No clear and reasonable warning is provided with the Products regarding the health hazards
17 of exposure.

18 48. Plaintiff, based on her best information and belief, avers that such exposures will
19 continue every day until clear and reasonable warnings are provided to purchasers and users or
20 until these known toxic chemicals are removed from the Products.

21 49. Defendant has knowledge that the normal and reasonably foreseeable consumption
22 of the Products exposes individuals to lead, and Defendant intends that exposures to lead will occur
23 by its deliberate, non-accidental participation in the importation, distribution, sale and offering of
24 the Products to consumers in California

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

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

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

PRAYER FOR RELIEF

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

A. That the court assess civil penalties against Defendant in the amount of \$2,500 per day for each violation for up to 365 days (up to a maximum civil penalty amount per violation of \$912,000.00) in accordance with Health and Safety Code § 25249.7(b);

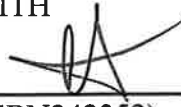
B. That the court preliminarily and permanently enjoin Defendant mandating Proposition 65 compliant warnings on the Products;

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

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

Dated: August 3, 2026

BRODSKY SMITH

By: 

Evan J. Smith (SBN242352)

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EXHIBIT “A”

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

August 1, 2025

President/CEO Fable Fish Company, Inc. c/o Meghan Luck 549 Hidden Valley Drive Glenwood Springs, CO 81601	Member/Manager SF Markets, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Market 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 Ema Bell ("Bell"), 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.¹

With respect to the Product herein, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Fable Fish Company, Inc.; SF Markets, LLC; Sprouts Farmers Market, Inc.; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least August 1, 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
Salmon	Fable Fish Co. Wild Alaskan Salmon Jerky Sweet Chili UPC# 8 50069 01703 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 Bell 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 Bell'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, Bell is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

Bell 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

August 1, 2025

President/CEO Fable Fish Company, Inc. c/o Meghan Luck 549 Hidden Valley Drive Glenwood Springs, CO 81601	Member/Manager SF Markets, LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Market 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 Ema Bell ("Bell"), 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, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Fable Fish Company, Inc.; SF Markets, LLC; Sprouts Farmers Market, Inc.; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least August 1, 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
Salmon	Fable Fish Co. Wild Alaskan Salmon Jerky Teriyaki UPC# 8 50069 017026

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 Bell 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 Bell'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, Bell is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

Bell 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 “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

August 7, 2025

President/CEO WFM- WO, Inc. c/o CT Corporation System 330 N. Brand Blvd., Suite 700 Glendale, CA 91202	President/CEO WFM- WO, Inc. aka Wild Oats Markets 550 Bowie Street Austin, TX 78703
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Markets Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SF Markets, 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 Ema Bell ("Bell"), 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, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** WFM-WO, Inc.; WFM-WO, Inc. aka Wild Oats Markets; SF Markets, LLC; Sprouts Farmers Market, Inc.; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least August 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
Dietary Supplement	Sprouts 10 Mushroom Blend Protein Vanilla UPC#6 46670 68187 5

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 Bell 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 Bell'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, Bell is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

Bell 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 “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

October 23, 2025

President/CEO The Frozen Bean Inc. c/o John Bae 9238 Bally Court Rancho Cucamonga, CA 91730	Member/Manager SF Markets, LLC c/o CC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Markets 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 Ema Bell ("Bell"), 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, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** The Frozen Bean Inc.; SF Markets, LLC; Sprouts Farmers Market, Inc.; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least October 23, 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
Matcha Green Tea	Frozen Bean Keto Matcha Green Tea UPC# 8 14879 02774 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 Bell 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 Bell'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, Bell is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation.

Bell 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

February 18, 2026

Member/Manager Rookie Wellness, LLC c/o Roxanne Wise 995 West 750 North, American Fork, UT 84111	President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808
Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103	Member/Manager Sprouts Farmers Markets Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808
Member/Manager SF Markets, 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 Ema Bell ("Bell"), 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, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Rookie Wellness, LLC; Sprouts Farmers Market, Inc.; SF Markets, LLC; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least February 18, 2026 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
Rookie® greens powders that are offered for sale and/or sold in California by Sprouts Farmers Market, Inc.	Rookie Superfood Peach Mango Greens UPC# 8 50024 06742 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 Bell 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 Bell'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 the claims in this Notice without engaging in costly and protracted litigation.

Bell 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 “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

February 19, 2026

Member/Manager Saucealicious, LLC c/o Patrick Cohoon 179 S. Main Street, Suite 102 Boerne, TX 78006	Member/Manager Saucealicious, LLC 7704 Windchime Way Fair Oaks Ranch, TX 78015-4566
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Markets Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SF Markets, 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 Ema Bell ("Bell"), 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, Bell 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

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.

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:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Saucealicious LLC; Sprouts Farmers Market, Inc.; SF Markets, LLC; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least February 19, 2026 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
<i>Le Sauce & Co</i> ® mushroom gravies that are offered for sale and/or sold in California by Sprouts Farmers Market, Inc.	Gourmet Gravy Savory Mushroom Sauce UPC# 8 56781 00847 2

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 Bell 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 Bell'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 the claims in this Notice without engaging in costly and protracted litigation.

Bell 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 “G”

LAW OFFICES
BRODSKY SMITH

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

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

NEW YORK OFFICE
240 MINEOLA BOULEVARD
MINEOLA, NY 11501
516.741.4977

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

February 19, 2026

Member/Manager Berber Food Manufacturing LLC c/o Corporate Creations Network Inc. 7801 Folsom Blvd., 202 Sacramento, CA 95826	Member/Manager Berber Food Manufacturing LLC 2201 Broadway Street San Antonio, TX 78215
President/CEO Berber Food Manufacturing Inc. c/o Carol Berber 10115 Iron Rock Way Elk Grove, CA 95624	President/CEO Berber Food Manufacturing Inc. dba Mi Rancho 10115 Iron Rock Way Elk Grove, CA 95624
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Markets Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SF Markets, 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 Ema Bell ("Bell"), 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, Bell 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

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.

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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Berber Food Manufacturing LLC; Berber Food Manufacturing Inc.; Berber Food Manufacturing Inc. dba Mi Rancho; Sprouts Farmers Market, Inc.; SF Markets, LLC; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least February 19, 2026 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
<i>Mi Rancho</i> ® gluten free tortillas that are offered for sale and/or sold in California by Sprouts Farmers Market, Inc.	Mi Rancho Gluten Free Tortillas UPC# 7 27888 40344 9

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.

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 Bell’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.

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 Bell 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 the claims in this Notice without engaging in costly and protracted litigation.

Bell 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 “H”

LAW OFFICES
BRODSKY SMITH

9465 WILSHIRE BLVD., STE. 300
BEVERLY HILLS, CA 90212
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MINEOLA, NY 11501
516.741.4977

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

March 27, 2026

Member/Manager Pure Simple Foods, LLC c/o Capitol Corporate Services, Inc. 455 Capitol Mall Complex, Suite 217 Sacramento CA, 95814	Member/Manager Pure Simple Foods, LLC c/o Capitol Services, Inc. 108 Lakeland Avenue Dover, DE 19901
Member/Manager Pure Simple Foods, LLC dba Purely Sprouted c/o Capitol Corporate Services, Inc. 455 Capitol Mall Complex, Suite 217 Sacramento CA, 95814	President/CEO Lark Ellen Farms c/o Kelley Dangelo 420 Bryant Circle, Suite B Ojai, CA 93023
President/CEO Sprouts Farmers Market, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SFM, LLC c/o Corporation Service Company Goodwin Square 225 Asylum Street, 20 th Floor Hartford, CT 06103
Member/Manager Sprouts Farmers Markets Holdings, LLC c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Member/Manager SF Markets, 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

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Brodsky Smith represents Ema Bell ("Bell"), 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, Bell 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

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.

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.

I. DESCRIPTION OF THE VIOLATION

1. **Enforcer:** Ema Bell, 222 S. Figueroa St. Apt. 1212, Los Angeles, CA 90012-2581; (Ph) 424-332-3817.
2. **Alleged Violator(s):** Pure Simple Foods, LLC; Pure Simple Foods, LLC dba Purely Sprouted; Lark Ellen Farms; Sprouts Farmers Market, Inc.; SF Markets, LLC; SFM, LLC; Sprouts Farmers Markets Holdings, LLC
3. **Time Period of Exposure:** Violations have been occurring since at least March 27, 2026 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
<i>Purely Sprouted</i> ® snack mixes that are offered for sale and/or sold in California by Sprouts Farmers Market, Inc.	Purely Sprouted Orange Ginger Snack Mix UPC# 8 50048 87500 5

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.

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Sincerely,



Evan J. Smith

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