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ELECTRONICALLY FILED
Superior Court of California,
County of Alameda
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By: Andrel Gospel,
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

CENTER FOR CONSUMER SAFETY, LLC, a California limited liability company, Plaintiff, vs. JOHNNY'S FINE FOODS, INC., a Washington corporation, and NORTHWEST GOURMET FOOD PRODUCTS, INC., a Washington corporation, Defendants,	CASE NO. 26CV217498 COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES

Plaintiff Center for Consumer Safety, LLC brings this action in the interests of the general public and, on information and belief, hereby alleges:

INTRODUCTION

1. This action seeks to remedy the continuing failure of Defendants Johnny's Fine Foods, Inc. and Northwest Gourmet Food Products, Inc. to warn consumers in California that they are being exposed to lead, a substance known to the State of California to cause cancer, birth defects, and other reproductive harm. Defendants manufacture, package, distribute, market, and/or sell in California the following product, which contains lead (the "Salad Dressing"):

- Johnny's Great Caesar Dressing

2. Lead is a chemical known to the State of California to cause cancer, birth defects, and other reproductive harm.

3. Ingestion of the Salad Dressing causes exposures to the chemical lead at levels requiring a "clear and reasonable warning" under California's Safe Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code §25249.5*, et seq.* (also known as "Proposition 65"). Defendants failed to provide the health hazard warnings required by Proposition 65.

4. Defendants' past sales and continued manufacturing, packaging, distributing, marketing and/or sales of the Salad Dressing without the required health hazard warnings, causes or threatens to cause individuals to be involuntarily and unwittingly exposed to levels of the chemical lead, which violates or threatens to violate Proposition 65.

5. Plaintiff seeks injunctive relief enjoining Defendants from the continued manufacturing, packaging, distributing, marketing and/or sales of the Salad Dressing in California without provision of clear and reasonable warnings regarding the risks of cancer, birth defects, and other reproductive harm posed by exposure to the chemical lead through the ingestion of the Salad Dressing. Plaintiff seeks an injunctive order compelling Defendants to bring its business practices into compliance with Proposition 65 by providing a clear and reasonable warning to each individual who has been and who in the future may be exposed to the chemical lead from ingestion of the Salad Dressing. Plaintiff also seeks an order compelling Defendants to identify and locate each individual person who in the past has purchased the Salad Dressing, and to provide to each such purchaser a clear and reasonable warning that ingestion of the Salad Dressing will cause exposures to the chemical lead.

6. In addition to injunctive relief, Plaintiff seeks an assessment of civil penalties up to the maximum civil penalty of $2,500 per day per exposure, authorized by Proposition 65, to remedy Defendants' failure to provide clear and reasonable warnings regarding exposures to the chemical lead.

PARTIES

7. Plaintiff Center for Consumer Safety, LLC is a California limited liability company dedicated to safeguarding the public from harmful and toxic chemicals found in everyday products, ensuring that consumers are informed of and protected from exposure to such chemicals, and holding businesses accountable for violations of Proposition 65.

8. Plaintiff brings this enforcement action in the public interest pursuant to Health & Safety Code §25249.7(d).

9. Defendant Johnny's Fine Foods, Inc. is a Washington corporation and is a person doing business within the meaning of Health & Safety Code §25249.11.

10. Defendant Northwest Gourmet Food Products, Inc. is a Washington corporation and is a person doing business within the meaning of Health & Safety Code §25249.11.

11. Defendants manufactured, marketed, distributed, and/or sold the Salad Dressing for use in California and the County of Alameda. Plaintiff is informed and believes, and thereupon alleges, that Defendants continue to manufacture, package, distribute, market and/or sell the Salad Dressing for sale or use in California and in Alameda County.

JURISDICTION AND VENUE

12. This Court has jurisdiction pursuant to California Constitution Article VI, Section 10, which grants the Superior Court "original jurisdiction in all causes except those given by statute to other trial courts." The statute under which this action is brought does not specify any other basis for jurisdiction.

13. This Court has jurisdiction over Defendants because Defendants have sufficient minimum contacts with California, and otherwise intentionally avail themselves of the California market through the marketing, distribution, and/or sale of the Salad Dressing in the State of California so as to render the exercise of jurisdiction over them by the California courts consistent with traditional notions of fair play and substantial justice.

14. Venue in this action is proper in the Alameda Superior Court because the Defendants have violated or threaten to violate California law in the County of Alameda.

15. On August 3, 2026, Plaintiff sent a 60-Day Notice of Proposition 65 Violations

("Notice") to the requisite public enforcement agencies, and to Defendants. A true and correct copy of the Notice is attached hereto as **Exhibit A**. The Notice was issued pursuant to, and in compliance with, the requirements of Health & Safety Code §25249.7(d) and the statute's implementing regulations regarding the notice of the violations to be given to certain public enforcement agencies and to the violators. The Notice included, *inter alia,* the following information: the name, address, and telephone number of the noticing individuals; the name of the alleged violators; the statute violated; the approximate time period during which violations occurred; and descriptions of the violations, including the chemical involved, the routes of toxic exposure, and the specific product or type of product causing the violations, and was issued as follows:

a. Defendants were provided a copy of the Notice by Certified Mail.

b. Defendants were provided a copy of a document entitled "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary," which is also known as Appendix A to Title 27 of CCR §25903.

c. The California Attorney General was provided a copy of the Notice via online submission.

d. The California Attorney General was provided with a Certificate of Merit by the attorney for the noticing party, stating that there is a reasonable and meritorious case for this action, and attaching factual information sufficient to establish a basis for the certificate, including the identity of the persons consulted with and relied on by the certifier, and the facts, studies, or other data reviewed by those persons, pursuant to Health & Safety Code §25249.7(h)(2).

e. The district attorneys, city attorneys or prosecutors of each jurisdiction within which the Salad Dressing are offered for sale within California were provided with a copy of the Notice pursuant to Health & Safety Code § 25249.7(d)(1).

16. More than 60 days have passed since Plaintiff sent the Notice to Defendants. The appropriate public enforcement agencies have failed to commence and diligently prosecute a cause of action under Health & Safety Code §25249.5, *et seq.* against Defendants based on the

allegations herein.

STATUTORY BACKGROUND

17. The People of the State of California have declared in Proposition 65 their right "[t]o be informed about exposures to chemicals that cause cancer, birth defects, or other reproductive harm." (Section 1(b) of Initiative Measure, Proposition 65).

18. To effect this goal, Proposition 65 requires that individuals be provided with a "clear and reasonable warning" before being exposed to substances listed by the State of California as causing cancer or reproductive toxicity. Health & Safety Code §25249.6 states:

> No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual, except as provided in Section 25249.10.

19. "'Knowingly' refers only to knowledge of the fact that a discharge of, release of, or exposure to a chemical listed pursuant to Section 25249.8(a) of the Act is occurring. No knowledge that the discharge, release or exposure is unlawful is required." (27 California Code of Regulations ("CCR") § 25102(n).)

20. An exposure under Proposition 65 means "to cause to ingest, inhale, contact via body surfaces or otherwise come into contact with a listed chemical. An individual may come into contact with a listed chemical through water, air, food, consumer products and any other environmental exposure as well as occupational exposures." (Cal. Code Regs., tit. 27, § 25102, subd. (i).)

21. Proposition 65 provides that any "person who violates or threatens to violate" the statute may be enjoined in a court of competent jurisdiction. (Health & Safety 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." (Health & Safety Code §25249.11(e).) Violators are liable for civil penalties of up to $2,500 per day for each violation of the Act. (Health & Safety Code §25249.7.)

STATEMENT OF FACTS

22. On February 27, 1987, the State of California officially listed the chemical lead as a chemical known to cause reproductive toxicity. Lead became subject to the warning requirement one year later and was therefore subject to the "clear and reasonable" warning requirements of Proposition 65 beginning on February 27, 1988. (27 CCR § 25000, *et seq.;* Health & Safety Code §25249.5, *et seq.*) Due to the high toxicity of lead, the maximum allowable dose level for lead is 0.5 µg/day (micrograms per day) for reproductive toxicity. (27 CCR § 25805(b).)

23. On October 1, 1992, the State of California officially listed the chemicals lead and lead compounds as chemicals known to cause cancer. Lead and lead compounds became subject to the warning requirement one year later and were therefore subject to the "clear and reasonable" warning requirements of Proposition 65 beginning on October 1, 1993. (27 CCR § 25000, *et seq*.; Health & Safety Code §25249.6 *et seq*.) Due to the carcinogenicity of lead, the no significant risk level for lead is 15 µg/day (micrograms per day). (27 CCR § 25705(b)(1).)

24. To test Defendants' Salad Dressing for lead, Plaintiff hired a well-respected and accredited testing laboratory. The results of testing undertaken by Plaintiff show that ingestion of the Salad Dressing causes consumers to be exposed to lead via at levels that exceed the 0.5 µg/day and the 15 µg/day "safe harbor" daily dose limits set forth in Proposition 65's regulations.

25. At all times relevant to this action, Defendants knowingly and intentionally exposed the users of the Salad Dressing to the chemical lead without first giving a clear and reasonable warning to such individuals that they have been exposed to a chemical known to the State of California to cause cancer, birth defects, and other reproductive harm.

26. On information and belief, Plaintiff alleges the Salad Dressing has been sold by Defendants for use in California since at least August 3, 2023. On information and belief, the Salad Dressing continues to be distributed and sold in California without the requisite warning information. Consumers have been ingesting the Salad Dressing for many years, without any knowledge of their exposure to this very dangerous chemical.

27. On August 3, 2026, Plaintiff served Defendants and each of the appropriate public enforcement agencies with a Proposition 65 Notice, a document entitled "Notice of Violations of California Health & Safety Code Section 25249.5," that provided Defendants and the public enforcement agencies with notice that Defendants were in violation of Proposition 65 for failing to warn purchasers and individuals ingesting the Salad Dressing that doing so exposes them to lead, a chemical known to the State of California to cause cancer and/or reproductive toxicity.

28. As a proximate result of acts by Defendants, as persons in the course of doing business within the meaning of Health & Safety Code §25249.11, individuals throughout the State of California, including in the County of Alameda, have been exposed to lead without a clear and reasonable warning. The individuals subject to the illegal exposures include normal and foreseeable users of the Salad Dressing, as well as all other persons exposed to the Salad Dressing.

FIRST CAUSE OF ACTION
(Violation of Section 25249.6 of the Health and Safety Code, Failure to Provide Clear and Reasonable Warning under Proposition 65)

29. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 28, inclusive, as if specifically set forth herein.

30. By committing the acts alleged above, Defendants have, at all times relevant to this action, and continuing through the present, violated or threatened to violate Health & Safety Code §25249.6 by, in the course of doing business, knowingly and intentionally exposing individuals who ingest the Salad Dressing described in the Notice to the chemical lead, without first providing a clear and reasonable warning to such individuals pursuant to Health & Safety Code §§ 25249.6 and 25249.11(f).

31. In doing so, Defendants have violated Health & Safety Code section 25249.6 and continue to violate the statute with each successive sale of the Salad Dressing.

32. These violations render Defendants liable for civil penalties, up to $2,500 per day for each violation, and subject Defendants to an injunction ordering Defendants to stop

violating Proposition 65, to provide warnings to all present and future customers, and to provide warnings to Defendants' past customers who purchased or ingested the Salad Dressing without receiving a clear and reasonable warning.

33. Continuing commission by Defendants of the acts alleged above will irreparably harm the citizens of the State of California, for which harm they have no plain, speedy, or adequate remedy at law.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for the following relief:

1. A preliminary and permanent injunction, pursuant to Health & Safety Code §25249.7(b), enjoining Defendants, their agents, employees, assigns and all persons acting in concert or participating with Defendants, from distributing or selling the Salad Dressing in California without first providing a clear and reasonable warning, within the meaning of Proposition 65, that people who ingest the Salad Dressing are exposed to the chemical lead;

2. An injunctive order, pursuant to Health & Safety Code §25249.7(b), compelling Defendants to identify and locate each individual who has purchased the Salad Dressing since August 3, 2023, and to provide a warning to such persons that ingestion of the Salad Dressing will expose the users to chemicals known to cause cancer, birth defects, and other reproductive harm;

3. An assessment of civil penalties pursuant to Health & Safety Code §25249.7(b), against Defendants in the amount of $2,500 per day for each violation of Proposition 65;

4. An award to Plaintiff of its reasonable attorney's fees and costs of suit pursuant to California Code of Civil Procedure §1021.5, as Plaintiff shall specify in further application to the Court; and,

5. Such other and further relief as may be just and proper.

DATED: October 21, 2026 LOZEAU | DRURY LLP

Rebecca Davis
Attorneys for Plaintiff
Center for Consumer Safety LLC

EXHIBIT A

LOZEAU DRURY LLP
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August 3, 2026

To: President or CEO – Johnny's Fine Foods, Inc.
President or CEO – Northwest Gourmet Food Products, Inc.
California Attorney General's Office
District Attorney's Office for 58 counties
City Attorney's for San Francisco, San Diego, San Jose, and Los Angeles
(See attached Certificate of Service)

From: Center for Consumer Safety, LLC

Re: Notice of Violations of California Health & Safety Code Section 25249.5 *et seq*.

Dear Addressees:

This firm represents Center for Consumer Safety, LLC ("CCS") in connection with this Notice of Violations of California's Safe Drinking Water and Toxic Enforcement Act, which is codified at California Health & Safety Code Section 25249.5 *et seq*. ("Proposition 65").

CCS is a California limited liability company dedicated to safeguarding the public from harmful and toxic chemicals found in everyday projects. This letter serves to provide notification of these violations to you and to the public enforcement agencies of Proposition 65.

This letter constitutes notice that the entity listed below has violated and continues to violate provisions of Proposition 65. Specifically, the entity listed below has violated and continues to violate the warning requirement at § 25249.6 of the California Health & Safety Code, which 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 giving clear and reasonable warning to such individual…" A summary of Proposition 65, prepared by the California Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter sent to the Violators.

Alleged Violators: The name of the violators covered by this notice that violated Proposition 65 (hereinafter collectively referred to as the "Violators") are Johnny's Fine Foods, Inc. and Northwest Gourmet Food Products, Inc.

Listed Chemicals: These violations involve exposure to the listed chemical lead. On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause cancer.

Consumer Products: The following specific product that is causing exposures in violation of Proposition 65 and is the subject of this notice is Johnny's Great Caesar Dressing.

Violation: The alleged Violators knowingly and intentionally exposed and continue to expose consumers within the State of California to lead without providing a Proposition 65 warning. The Violators have manufactured, marketed, distributed, and/or sold the listed product, which has exposed and continues to expose numerous individuals within California to the identified chemical, lead.

Route of Exposure: The consumer exposures that are the subject of this notice result from the recommended use of these products by consumers. The route of exposure to lead is through ingestion.

Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead. The listed product was purchased online. A Proposition 65-compliant warning should have appeared on the listed product's packaging and on the product display page and/or point of sale. The Violators violated Proposition 65 because they failed to provide an appropriate warning to persons using these products that they are being exposed to lead. Each of these ongoing violations has occurred on every day since August 3, 2023, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to California Health & Safety Code § 25249.7(d), CCS intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violators agree in an enforceable written agreement to: (1) reformulate the listed products so as to eliminate further exposures to the identified chemicals; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above products in the last three years. Consistent with the public interest goals of Proposition 65 and my client's objectives in pursuing this notice, CCS is interested in seeking a constructive resolution to this matter. Such resolution will avoid both further unwarned consumer exposures to the identified chemical and expensive and time-consuming litigation.

CCS is located at 2001 Addison St., Suite 300, #834, Berkeley, CA 94704. Its responsible person for the purposes of this notice letter is Mike White, who can be reached at mike@centerforconsumersafety.com, phone: (510) 636-5051. CCS has retained my firm in connection with this matter. Please direct all questions concerning this notice to me, Rebecca Davis, at rebecca@lozeaudrury.com, (510) 836-4200, Lozeau Drury LLP, 1939 Harrison St., Suite 150, Oakland, CA 94612.

Sincerely,

Rebecca L. Davis

Attachments:

Certificate of Merit
Certificate of Service
OEHHA Summary (to Violators and their Registered Agents for Service of Process only)
Additional Supporting Information for Certificate of Merit (to AG only)

CERTIFICATE OF MERIT

Re: Center for Consumer Safety, LLC 's Notice of Proposition 65 Violations by Johnny's Fine Foods, Inc., Northwest Gourmet Food Products, Inc.

I, Rebecca L. Davis, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.

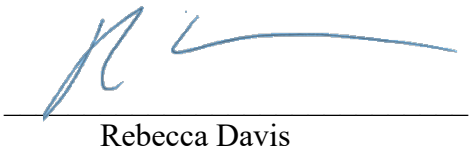
2. I am an attorney for the noticing party, Center for Consumer Safety, LLC.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemicals that are the subject of the notice.

4. Based on the information obtained through those consultants, and other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and that the information did not prove that the alleged violator(s) will be able to establish any of the affirmative defenses set forth in the statute.

5. Along with the copy of this Certificate of Merit, additional factual information sufficient to establish the basis for this certificate has been served on the Attorney General, including the information identified in California Health & Safety Code §25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: August 3, 2026



Rebecca Davis

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and OEHHA implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: http://oehha.ca.gov/prop65/law/P65law72003.html. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001.[1] These implementing regulations are available online at: http://oehha.ca.gov/prop65/law/P65Regs.html.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Proposition 65 List." Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to

[1] All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: http://www.oehha.ca.gov/prop65/law/index.html.

female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

Clear and reasonable warnings. A business is required to warn a person before "knowingly and intentionally" exposing that person to a listed chemical unless an exemption applies. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. You should consult the current version of the statute and regulations (http://www.oehha.ca.gov/prop65/law/index.html) to determine all applicable exemptions, the most common of which are the following:

Grace Period. Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

Governmental agencies and public water utilities. All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all employees, not just those present in California.

Exposures that pose no significant risk of cancer. For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses "no significant risk." This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific "No Significant Risk Levels" (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA's website at: http://www.oehha.ca.gov/prop65/getNSRLs.html for a list of NSRLs, and Section 25701 *et seq*. of the regulations for information concerning how these levels are calculated.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the "no observable effect level" divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL). See OEHHA's website at: http://www.oehha.ca.gov/prop65/getNSRLs.html for a list of MADLs, and Section 25801 *et seq*. of the regulations for information concerning how these levels are calculated.

Exposures to Naturally Occurring Chemicals in Food. Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant[2] it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

Discharges that do not result in a "significant amount" of the listed chemical entering any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a "significant amount" of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount, except an amount that would meet the "no significant risk" level for chemicals that cause cancer or that is 1,000 times below the "no observable effect" level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

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[2] See Section 25501(a)(4).

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27 and sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to $2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;

- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;

- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;

- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form.

A copy of the notice of special compliance procedure and proof of compliance form is included in Appendix B and can be downloaded from OEHHA's website at: http://oehha.ca.gov/prop65/law/p65law72003.html.

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS...

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at P65Public.Comments@oehha.ca.gov.

Revised: May 2017

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States and over the age of 18 years of age. My business address is 1939 Harrison St., Suite 150, Oakland, California. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Oakland, California.

On August 3, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; (2) CERTIFICATE OF MERIT; and (3) "THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY"** on the following parties by placing a true and correct copy thereof in a sealed envelope with postage fully prepaid for delivery by Certified Mail, addressed to the entity listed below, and placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

Benjamin Grimaldi, Governor
William Szybura, President,
or Current President or CEO
Johnny's Fine Foods, Inc.
980 N Michigan Ave., Suite 1310
Chicago, IL 60611

Jeff Hansen
(Registered Agent for Johnny's Fine Foods, Inc.)
319 E 25th St.
Tacoma, WA 98421

Debbie Gilroy, Governor
or Current President or CEO
Northwest Gourmet Food Products, Inc.
600 SW 7th St.
Renton, WA 98057

BAJ Services, Inc
(Registered Agent for Northwest Gourmet Food Products, Inc.)
2200 Rimland Dr., Suite 230
Bellingham, WA 98226

On August 3, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; (2) CERTIFICATE OF MERIT; and (3) ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at https://oag.ca.gov/prop65/add-60-day-notice :

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

On August 3, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; and (2) CERTIFICATE OF MERIT** on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

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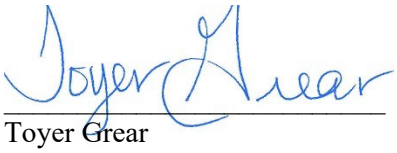
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On August 3, 2026, I served the following documents: I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; and (2) CERTIFICATE OF MERIT** on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope with postage fully prepaid for delivery by First Class Mail, addressed to each of the entities on the Service List attached hereto, and placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

Executed on August 3, 2026 in Oakland, California.



Toyer Grear

Service List

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