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First Class Mail-Return Receipt Requested
TO THE PARTIES LISTED ON THE
ATTACHED DISTRIBUTION LIST

March 21, 2003

To: Wendy's International, Inc
RE: French Fries

NOTICE OF ENVIRONMENTAL VIOLATIONS (PROPOSITION 65 NOTICE)

Dear Mr. President,
Mr. Tom Mueller:

NOTICE IS HEREBY GIVEN that we, the Noticing Party/Complainant, **Environmental World Watch** (hereinafter "EWW"), believe that the Noticed Party and Alleged Violators: **Wendy's International, Inc** (hereinafter "**Wendy's**") is in violation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (hereinafter "The Act"); and more specifically Health and Safety Code § 25249.5 et seq. and Business and Professions Code § 17200, et seq. (Unfair Business Practices). P&G, we believe, is also in violation of the requirements to warn as expressed at 22 C.C.R. 12601 (b) et seq. It is our further belief that absent an action by any governmental agency as defined at Health and Safety (hereinafter "H&S") Code § 25249.7(c), at the expiration of 60 days, that EWW may proceed in a court of competent jurisdiction with an action on behalf of the People of the State of California to remedy all the violations delineated herein.

I. BACKGROUND AND ALLEGATIONS

EWW believes and so alleges Wendy's manufactures and distributes in California various consumer food products, namely French Fries, See Appendix A, containing carcinogens that are dangerous to the person who ingests this product. Wendy's packages these products absent the warnings required by title 22 C.C.R. 12601 (b) (1)-(4) which would supply the end user with important health information required by the Act.

EWW possess Wendy's products test results from the Food and Drug Administration that demonstrate that Wendy's has in the past, and is currently, exposing persons in the state of California to carcinogens.

These exposures have gone on from 1991 until 2003 as EWW believes and so alleges that Wendy's has tolled the statute of limitations by fraudulent concealment of the constituents of the ingredients in their products from those persons that required warning in the stores where Wendy's products are sold for consumer consumption in California. The labels on these products are further absent any warning that would meet the definition delineated at title 22 CCR 12601 (b) (1) (A) nor do they comply with section (b) (3) and (b) (4) (B) of that regulation.

The carcinogen, contained in the ingredients of the products, and subject to the warning requirements of H&S Code § 25249.6 and more specifically 22 C.C.R. 12601(b) et seq. is listed below:

1. Acrylamide

The aforementioned carcinogen is on the Governor's list (Prop 65 List) as expressed at 22 C.C.R. 12000. These chemicals are known to the State of California to cause carcinogenic harm to humans requiring special warning labels and care in handling and use. The concentrations of these toxins in the subject consumer food product exceed the No Significant Risk Level threshold of .2 microgram per day and require a warning of the existence of this chemical danger by the manufacture.

The principal route of exposure is through a "consumer products exposure" via ingestion and inhalation. There is a further danger of contacting these carcinogens via a dermal exposure while using the food product as intended by the manufacture. This exposure has gone on since January 1, 1991 and through March 19, 2003 at every place in California that the products listed in Appendix A are offered for sale and consumption. All references to "exposure" in this notice shall be understood to be exposures to the specific product lines in said Appendix and the ingredients of those products. The sale of these products constitutes a transfer of a known carcinogenic chemical into the populous and the normal consumption of the product by the purchaser or others will cause the exposure without a clear and reasonable warning.

The location of these alleged exposures are many and varied while occurring within the 58 counties of the state of California as evidenced by the District Attorneys and City Attorney address's in the enclosed distribution list as Exhibit B. EWW believes and so alleges that at least one of the jurisdictions identified had Wendy's products sold within that county by Wendy's retail distributor and that sale caused the utilization of the consumer food product and subsequent exposure. Further, that usage caused exposures in that jurisdiction to the constituents of the consumer food product as identified herein, and those exposures by Wendy's were allowed to take place without the prerequisite warnings as delineated by the applicable statutes specified in

this notice.

The aforementioned carcinogens remain in the blood stream, tissues and cells after usage of the consumer food product and later cause other chronic damage by further consumption of the same carcinogen.

Proposition 65 was passed in 1986 and the chemical addressed in this Notice were added to the Prop. 65 list on January 1, 1990 and were subject to the waning requirements 12 months after their listing.

These exposures without proper warning have occurred off the Alleged Violator's property and away from any source of conspicuous warning such as a sign at the point of sale.

Enclosed please find a summary of "the Act" to help facilitate a better understanding of it's requirements. Also please find a Certificate of Merit now required in all 60 day notices.

Robert J. Mandell of the law firm of Weinreb, Weinreb and Mandell has been designated as the contact person for the noticing entity. However, for informational purposes and as a requirement of the statute, the responsible individual within the noticing entity is:

William Dunlap
Environmental World Watch, Inc.
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Suite 102
Northridge, California 91324-3504
1(818) 886 6600

Weinreb, Weinreb & Mandell
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Northridge, California 91324-3504
1 (818) 886-6600

DISTRIBUTION LIST

Wendy's International, Inc.
Attn. President Mr. Tom Mueller
Dublin, Ohio 43017

Agent for Service in California:
C.T Corp. Systems
818 West 7th Street
Los Angeles, Ca 90017

Proposition 65 Offices
Los Angeles City Attorney
200 North Main Street
1800 City Hall East
Los Angeles, Ca 90012-4110

Proposition 65 Enforcement Reporting
Office of The Attorney General
Attention: Prop 65 Coordinator
1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, California 94612-0550

Proposition 65 Offices
Los Angeles County District Attorney
210 West Temple Street
Los Angeles, Ca 90012-3210

See Further Distribution at Exhibit "B" attached hereto:

APPENDIX A

Wendy's International, Inc
Product lines:

French Fries, Biggie
French Fries

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.7(d)

I, Robert J. Mandell, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged (that) the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

2. I am the attorney for the noticing party.

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 exposure to the listed chemical(s) that is the subject of this action.

4. Based upon the information obtained through those consultations, and all 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 private action" means that the information provides a credible basis that all the elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and safety Code section 24249.7(h)(2) .i.e.(1) the identity of the person consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Date: MARCH 20, 2003