

**NOTICE OF VIOLATION**  
**CONSUMER EXPOSURE TO ACRYLAMIDE IN POTATO CHIPS,**  
**CRISPS AND STRINGS**

60-Day Notice of Intent to Sue Under Proposition 65  
for Failure to Warn Public About Chemicals Listed Under Health and Safety Code Section 25249  
(California Safe Drinking Water and Toxic Enforcement Act)

May 24, 2006

This Notice of Violation is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d). Proposition 65 requires that notice of intent to sue be given to a violator 60 days before the suit is filed.

This Notice is provided by the Environmental Law Foundation ("ELF"), a California non-profit organization dedicated to the preservation and enhancement of human health and the environment. ELF has a long-standing interest in reducing health hazards to the public posed by toxic chemicals and protecting the public from harmful substances. Any inquiries regarding this Notice of Violation may be directed to James Wheaton, President of ELF, 1736 Franklin Street, 9th Floor, Oakland, CA 94612, (510) 208-4555. Inquiries may also be directed to the attorney representing ELF, Christopher P. Ridout, Rose, Klein & Marias LLP, 801 S. Grand Avenue, Eleventh Floor, Los Angeles, CA 90017-4645, (213) 626-0571.

This Notice constitutes notice that the entities identified in Exhibit 1 have violated and continue to violate the warning provisions of California's Safe Drinking Water and Toxic Enforcement Act of 1986, California Health and Safety Code §§ 25249.5, *et. seq.* (commonly referred to as "Proposition 65"). This Notice covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6. This Notice has been served on the entities identified in Exhibit 1 and the appropriate governmental authorities.

The businesses identified in Exhibit 1 have exposed and continue to expose consumers to Acrylamide, a chemical known to the State of California to cause cancer, without providing a clear and reasonable warning. The category of products that is the subject of this Notice is potato chips, crisps and strings that contain Acrylamide which are manufactured, distributed or sold by the entities identified in Exhibit 1 ("Products"). A non-exclusive list of examples of this category of Products is provided in Exhibit 2 of this Notice.

Consumers are exposed to Acrylamide by eating products that contain Acrylamide. The route of exposure for these violations is direct ingestion when consumers eat the Products or hand-to-mouth contact after consumers touch the products and then touch their mouths. These exposures occur in homes, schools, workplaces and everywhere else throughout California where these Products are sold and/or consumed. No clear and reasonable warning is provided with these Products regarding the carcinogenic hazards of Acrylamide. These violations have been occurring since at least January 1, 1991, and are continuing to this day.

Pursuant to Health and Safety Code § 25249.7(d)(1), ELF included the attached Certificate of Merit, to wit, that ELF has consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding exposure to Acrylamide and that, based on that information, ELF believes that there is a reasonable and meritorious case. Factual information sufficient to establish the basis of the Certificate of Merit is included with the Notice that is served on the Attorney General and is provided to that office in confidence and is not to be disclosed, except according to law.

For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, please see the attached Appendix A, entitled "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary", which was prepared by the Office of Environmental Health Hazard Assessment of the California Environmental Protection Agency. (A copy is not provided to the public enforcement agencies which receive this notice.)

## EXHIBIT 1 - LIST OF VIOLATORS

Notice of Violation  
California Safe Drinking Water and Toxic Enforcement Act

### CONSUMER EXPOSURE TO ACRYLAMIDE IN POTATO CHIPS, CRISPS AND STRINGS

Albertsons Inc.  
250 East Parkcenter Blvd.  
Boise, ID 83706

New Albertsons, Inc.  
401 2nd Avenue South  
Minneapolis, MN 55401

The Vons Companies, Inc.  
618 Michillinda Ave.  
Arcadia, CA 91007-6300

The Vons Companies, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Pavilions  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 28, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 71, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 73, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 87, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 88, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 91, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Safeway Stores 98, Inc.  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Costco Wholesale Corporation  
999 Lake Drive  
Issaquah, WA 98027

Ralph's Grocery Company  
1100 W. Artesia Blvd.  
Compton, CA 90220

The Kroger Company  
1014 Vine Street  
Cincinnati, OH 45202

Fred Meyer Stores, Inc.  
3800 SE 22nd Avenue  
Portland, OR 97202

Food 4 Less of California, Inc.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Food 4 Less Holdings, Inc.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Food 4 Less Merchandising, Inc.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Food 4 Less GM, Inc.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Food 4 Less of Southern California, Inc.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Foods Co.  
1100 W. Artesia Blvd.  
Compton, CA 90220

Stater Bros. Market  
21700 Barton Road  
Colton, CA 92324

Stater Bros. Holdings, Inc.  
21700 Barton Road  
Colton, CA 92324

Smart & Final, Inc.  
600 Citadel Drive  
City of Commerce, CA 90040

The Hain Celestial Group, Inc.  
58 South Service Road  
Melville, NY 11747

Birds Eye Foods, Inc.  
90 Linden Oaks  
Rochester, NY 14625

Vestar/Agrilink Associates Holdings, LLC  
90 Linden Oaks  
Rochester, NY 14625

Trader Joe's Company  
P.O. Box 5049  
Monrovia, CA 91017-7149

Trader Joe's Company  
800 S. Shamrock Avenue  
Monrovia, CA 91016

Trader Joe's East, Inc.  
117 Kendrick Street, Suite 700  
Needham, MA 02494

Poore Brothers, Inc.  
3500 S. La Cometa  
Goodyear, AZ 85338

Whole Foods Market California, Inc.  
550 Bowie Street  
Austin, TX 78703

Whole Foods Market, Inc.  
550 Bowie Street  
Austin, TX 78703

Raley's, Inc.  
500 West Capitol Avenue  
West Sacramento, CA 95605

Raley's TM, Inc.  
500 West Capitol Avenue  
West Sacramento, CA 95605

Raley's of New Mexico, Inc.  
500 West Capitol Avenue  
West Sacramento, CA 95605

Raley's Folsom, Inc.  
500 West Capitol Avenue  
West Sacramento, CA 95605

Pik-Nik Foods, USA  
5820 Stoneridge Mall Road, Suite 202  
Pleasanton, CA 94588

Great American Foods, Inc.  
5820 Stoneridge Mall Road, Suite 202  
Pleasanton, CA 94588

Snyder's of Hanover  
1250 York Street  
Hanover, PA 17331-4503

Snyder's of Hanover Mfg., Inc.  
1250 York Street  
Hanover, PA 17331

Snyder's of Hanover Sales Company  
1250 York Street  
Hanover, PA 17331

Zappe Endeavors, LLC  
307 E. Airline Highway (U.S. 61)  
Gramercy, LA 70052-1533

Seasons' Enterprises, Ltd.  
700 South Prospect  
Elmhurst, IL 60126

Seasons' Enterprises, Ltd.  
P.O. Box 965  
Addison, IL 60101-0965

Seasons' Enterprises, Ltd.  
44 Meadowood Drive  
Oak Brook, IL 60523-1565

**EXHIBIT 2 - Non-Exclusive Examples of Products  
NOTICE OF VIOLATION  
California Safe Drinking Water and Toxic Enforcement Act  
ACRYLAMIDE IN POTATO CHIPS, CRISPS AND STRINGS**

<b>NON-EXCLUSIVE EXAMPLE OF PRODUCT CATEGORY</b>	<b>DEFENDANTS</b>	<b>SKU</b>
Trader Joe's Hickory Barbeque Potato Chips	Trader Joe's Company; Trader Joe's East, Inc.	394239
Trader Joe's Toasted Sesame & Ginger Potato Chips	Trader Joe's Company; Trader Joe's East, Inc.	778794
Kroger Bar B-Q Flavored Potato Chips	Foods Co.	1111083832
	Food 4 Less; Food 4 Less, Southern California, Inc.; Food 4 Less GM, Inc.; Food 4 Less Merchandising, Inc.; Food 4 Less Holdings, Inc.; Food 4 Less of California, Inc.	
	Fred Meyer Stores, Inc.	
	The Kroger Company	
	Ralph's Grocery Company	
Tim's Cascade Hawaiian Kettle Style Potato Chips Luau BBQ	Birds Eye Foods, Inc.	1159410024
	Vestiar/Agrilink Associates Holdings, LLC	
	Foods Co	
	Food 4 Less; Food 4 Less, Southern California, Inc.; Food 4 Less GM, Inc.; Food 4 Less Merchandising, Inc.; Food 4 Less Holdings, Inc.; Food 4 Less of California, Inc.	
	Fred Meyer Stores, Inc.	
	The Kroger Company	
	Ralph's Grocery Company	
Tim's Cascade Hawaiian Kettle Style Potato Chips Sweet Maui Onion	Birds Eye Foods, Inc.	1159410020
	Vestiar/Agrilink Associates Holdings, LLC	
	Safeway Inc.; Safeway Stores 28, Inc.; Safeway Stores 71, Inc.; Safeway Stores 73, Inc.; Safeway Stores 87, Inc.; Safeway Stores 88, Inc.; Safeway Stores 91, Inc.; Safeway Stores 98, Inc.	
	The Vons Companies, Inc.	
	Pavilions	
Michael Season's Honey Barbeque Reduced Fat Potato Chips	Seasons' Enterprises, Ltd.	2855812124
	Whole Foods Market, Inc.; Whole Foods Market California, Inc.	
Boulder Canyon Malt Vinegar & Sea Salt Potato Chips	Poore Brothers, Inc.	816397205
	Whole Foods Market, Inc.; Whole Foods Market California, Inc.	
365 Sweet Potato Chips	Whole Foods Market, Inc.; Whole Foods Market California, Inc.	9948241273
Terra Kettles Krinkle Cut Blend Sea Salt (White, Russet & Sweet Potato Chips)	The Hain Celestial Group, Inc.	2822901292
	Raley's, Inc.; Raley's TM, Inc.; Raley's of New Mexico, Inc.; Raley's Folsom, Inc.	

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NON-EXCLUSIVE EXAMPLE OF PRODUCT CATEGORY	DEFENDANTS	SKU
Terra Sweet Potato Chips	The Hain Celestial Group, Inc.	2822934566
	Raley's, Inc.; Raley's TM, Inc.; Raley's of New Mexico, Inc.; Raley's Folsom, Inc.	
Eat Smart Veggie Crisps	Snyder's of Hanover; Snyder's of Hanover Mfg., Inc.; Snyder's of Hanover Sales Company	7797502064
	Raley's, Inc.; Raley's TM, Inc.; Raley's of New Mexico, Inc.; Raley's Folsom, Inc.	
Albertson's B.B.Q Barbecue Flavored Potato Chips	Albertson's, Inc.; New Albertsons, Inc.	4116340042
Pik Nik Original Shoestring Potatoes	Pik Nik Foods, USA	7492340527
	Great American Foods, Inc.	
	Albertson's, Inc.; New Albertsons, Inc.	
Dirty Potato Chips Mesquite BBQ	Zappe Endeavors, LLC	8583606001
Pringles Sweet Mesquite BBQ	Albertson's, Inc.; New Albertsons, Inc.	Not Available
	Ralph's Grocery Company	
	The Kroger Company	
	Stater Bros. Market; Stater Bros. Holdings, Inc.	
Pringles Original Snack Stack	The Vons Companies, Inc.	Not Available
	Safeway, Inc.	
	Costco Wholesale Corporation	
	Smart & Final, Inc.	
Pringles Pizzalicious Snack Stack	Albertson's, Inc.; New Albertsons, Inc.	Not Available
	Ralph's Grocery Company	
	The Kroger Company	
	Stater Bros. Market; Stater Bros. Holdings, Inc.	
Lay's Baked Original	Stater Bros. Market; Stater Bros. Holdings, Inc.	Not Available
	Pavilions	
	The Vons Companies, Inc.	
	Safeway Inc.	
Lay's Baked KC Masterpiece BBQ	Albertson's, Inc.; New Albertsons, Inc.	Not Available
	Pavilions	
	The Vons Companies, Inc.	
	Safeway Inc.	
Lay's Light KC Master piece BBQ	Pavilions	Not Available
	The Vons Companies, Inc.	
	Safeway Inc.	
	Ralph's Grocery Company	
	The Kroger Company	

**EXHIBIT 2 - Non-Exclusive Examples of Products  
NOTICE OF VIOLATION  
California Safe Drinking Water and Toxic Enforcement Act  
ACRYLAMIDE IN POTATO CHIPS, CRISPS AND STRINGS**

<b>NON-EXCLUSIVE EXAMPLE OF PRODUCT CATEGORY</b>	<b>DEFENDANTS</b>	<b>SKU</b>
Lay's Stax KC Masterpiece BBQ	The Vons Companies, Inc.	Not Available
	Safeway Inc.	
	Ralph's Grocery Company	
	The Kroger Company	
	Stater Bros. Market; Stater Bros. Holdings, Inc.	
Lay's Natural Country BBQ	Albertson's, Inc.; New Albertsons, Inc.	Not Available
Kettle Chips Lightly Salted	Smart & Final, Inc.	Not Available
	Pavilions	
	The Vons Companies, Inc.	
	Safeway Inc.	
	Whole Foods Market, Inc.; Whole Foods Market California, Inc.	
Kettle Chips Honey Dijon	Albertson's, Inc.; New Albertsons, Inc.	Not Available
	The Vons Companies, Inc.	
	Safeway Inc.	
	Whole Foods Market, Inc.; Whole Foods Market California, Inc.	
Cape Cod Classic	Albertson's, Inc.; New Albertsons, Inc.	Not Available
	Ralph's Grocery Company	
	The Kroger Company	
	Pavilions	
	The Vons Companies, Inc.	
Cape Cod Robust Russet	Stater Bros. Market; Stater Bros. Holdings, Inc.	Not Available



**CERTIFICATE OF MERIT**

California Health and Safety Code Section 25249.7(d)

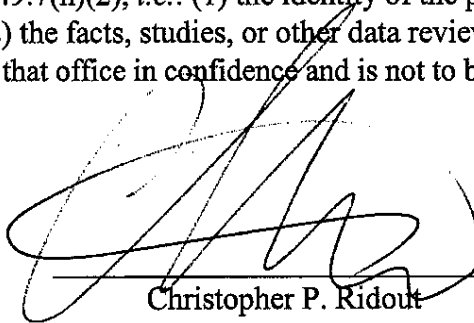
I, Christopher P. Ridout, hereby declare:

This Certificate of Merit accompanies the attached sixty-day Notice of Violation in which it is alleged that the parties identified in the Notice have violated Health and Safety Code §25249.6 by exposing individuals to a chemical known to the State of California to cause cancer without providing a clear and reasonable warning. This Certificate of Merit is submitted pursuant to and in compliance with California Health and Safety Code §25249.7(d).

I am the Attorney representing the Environmental Law Foundation (“ELF”), which is the party providing the Notice of Violation. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies or other data regarding the exposures to the listed chemical that is the subject of this Notice of Violation. Based on the information in my possession and obtained from those consultations, 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 the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

The copy of the Certificate of Merit that is served on the Attorney General includes factual information sufficient to establish the basis for this Certificate, including the information identified in 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. This information is provided to that office in confidence and is not to be disclosed, except according to law.

Dated: May 24, 2006

  
\_\_\_\_\_  
Christopher P. Ridout  
Attorney for Environmental Law Foundation

## CERTIFICATE OF SERVICE BY MAIL

I, Terri A. Keller, declare that:

I am employed in Los Angeles County, California. I am over the age of 18 years and not a party to the within cause; my business address is 801 S. Grand Avenue, Eleventh Floor, Los Angeles, CA 90017-4645.

I am readily familiar with my firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit, that correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On May 24, 2006, I served true copies of the following documents on the parties and governmental authorities listed in the attached service list by placing true and correct copies of the same in sealed envelopes with first class postage fully prepaid thereon and deposited in the United States Mail at Los Angeles, California:

**NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT;**

**EXHIBIT 1 - LIST OF VIOLATORS;**

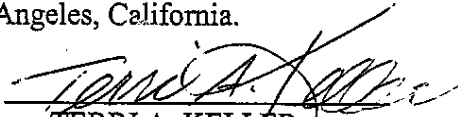
**EXHIBIT 2 - EXAMPLES OF PRODUCTS; and**

**CERTIFICATE OF MERIT;**

**APPENDIX A - THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those on service list marked with an asterisks).**

I certify under penalty of perjury that the foregoing is true and correct, and that this certification was executed on May 24, 2006, at Los Angeles, California.

Signed:

  
TERRI A. KELLER

**SERVICE LIST**

<p>The Honorable Thomas Orloff District Attorney of Alameda County 1225 Fallon Street, Room 900 Oakland, CA 94612</p>	<p>The Honorable Michael Ramsey District Attorney of Butte County 25 County Center Drive Oroville, CA 95965</p>	<p>The Honorable Robert Kochly District Attorney of Contra Costa County 725 Court Street, Room 402 Martinez, CA 94553</p>
<p>The Honorable Elizabeth Egan District Attorney of Fresno County 2220 Tulare Street, #1000 Fresno, CA 93721</p>	<p>The Honorable Gilbert Otero District Attorney of Imperial County 939 Main Street El Centro, CA 92243</p>	<p>The Honorable Ronald Calhoun District Attorney of Kings County 1400 West Lacey Hanford, CA 93230</p>
<p>The Honorable Steve Cooley District Attorney of Los Angeles County 210 W. Temple Street, Room 345 Los Angeles, CA 90012</p>	<p>The Honorable Robert Brown District Attorney of Mariposa County P.O. Box 730 Mariposa, CA 95338</p>	<p>The Honorable Jordan Funk District Attorney of Modoc County 204 S Court Street Alturas, CA 96101-4020</p>
<p>The Honorable Gary Lieberstein District Attorney of Napa County 931 Parkway Mall Napa, CA 94559</p>	<p>The Honorable William Richmond District Attorney of Alpine County P.O. Box 248 Markleeville, CA 96120</p>	<p>The Honorable Jeffrey Tuttle District Attorney of Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249</p>
<p>The Honorable Michael Riese District Attorney of Del Norte County 450 H Street, Ste 171 Crescent City, CA 95531</p>	<p>The Honorable Robert Holzapfel District Attorney of Glenn County P.O. Box 430 Willows, CA 95988</p>	<p>The Honorable Arthur Maillet District Attorney of Inyo County P.O. Drawer D Independence, CA 93526</p>
<p>The Honorable Gerhard Luck District Attorney of Lake County 255 N. Forbes Street Lakeport, CA 95453</p>	<p>The Honorable Ernest LiCalsi District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637</p>	<p>The Honorable Norman Vroman District Attorney of Mendocino County P.O. Box 1000 Ukiah, CA 95482</p>
<p>The Honorable George Booth District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93517</p>	<p>The Honorable Michael Ferguson District Attorney of Nevada County 201 Church St., Suite 8 Nevada City, CA 95959</p>	<p>The Honorable Todd Riebe District Attorney of Amador County 708 Court Street, #202 Jackson, CA 95642</p>
<p>The Honorable John Poyner District Attorney of Colusa County 547 Market Street Colusa, CA 95932</p>	<p>The Honorable Gary Lacy District Attorney of El Dorado County 515 Main Street Placerville, CA 95667</p>	<p>The Honorable Paul Gallegos District Attorney of Humboldt County 825 5th Street Eureka, CA 95501</p>
<p>The Honorable Edward Jagels District Attorney of Kern County 1215 Truxtun Avenue Bakersfield, CA 93301</p>	<p>The Honorable Robert Burns District Attorney of Lassen County 220 S. Lassen St., Ste 8 Susanville, CA 96130</p>	<p>The Honorable Edward Berberian District Attorney of Marin County 3501 Civic Center Dr., Room 183 San Rafael, CA 94903</p>

The Honorable Gordon Spencer District Attorney of Merced County 2222 "M" Street Merced, CA 95340	The Honorable Dean Flippo District Attorney of Monterey County PO Box 1131 Salinas, CA 93901	The Honorable Tony Rackauckas District Attorney of Orange County 401 Civic Ctr Drive West Santa Ana, CA 92701
The Honorable Bradford Fenocchio District Attorney of Placer County 11562 "B" Avenue Auburn, CA 95603	The Honorable Jan Scully District Attorney of Sacramento County 901 "G" Street Sacramento, CA 95814	The Honorable Bonnie Dumanis District Attorney of San Diego County 330 West Broadway, Suite 1320 San Diego, CA 92112
The Honorable Gerald Shea District Attorney of San Luis Obispo County 1050 Monterey St, Room 450 San Luis Obispo, CA 93408	The Honorable George Kennedy District Attorney of Santa Clara County 70 West Hedding Street San Jose, CA 95110	The Honorable Lawrence Allen District Attorney of Sierra County Courthouse, P.O. Box 457 Downieville, CA 95936
The Honorable Stephan Passalacqua District Attorney of Sonoma County 600 Administration Drive, Room 212J Santa Rosa, CA 95403	The Honorable Gregg Cohen District Attorney of Tehama County P.O. Box 519 Red Bluff, CA 96080	The Honorable Donald Segerstrom, Jr. District Attorney of Tuolumne County 2 South Green Sonora, CA 95370
The Honorable Patrick McGrath District Attorney of Yuba County 215 Fifth Street Marysville, CA 95901	The Honorable Jeff Cunan District Attorney of Plumas County 520 Main Street, Room 404 Quincy, CA 95971	The Honorable John Sarsfield District Attorney of San Benito County 419 Fourth Street, 2 <sup>nd</sup> Floor Hollister, CA 95023
The Honorable Kamala Harris District Attorney of San Francisco County 850 Bryant Street, Rm 325 San Francisco, CA 94103	The Honorable James Fox District Attorney of San Mateo County 400 County Ctr, 3 <sup>rd</sup> Fl Redwood City, CA 94063	The Honorable Bob Lee District Attorney of Santa Cruz County 701 Ocean Street, Room 200 Santa Cruz, CA 95061
The Honorable James Andrus District Attorney of Siskiyou County P.O. Box 986 Yreka, CA 96097	The Honorable James Brazelton District Attorney of Stanislaus County 800 11 <sup>th</sup> Street, Room 200 Modesto, CA 95353	The Honorable David Cross District Attorney of Trinity County P.O. Box 1310 Weaverville, CA 96093
The Honorable Gregory Totten District Attorney of Ventura County 800 South Victoria Ave Ventura, CA 93009	The Honorable Rockard Delgadillo Los Angeles City Attorney's Office Room 1800, City Hall East 200 N. Main Street Los Angeles, CA 90012	The Honorable Grover Trask, II District Attorney of Riverside County 4075 Main Street, 1st Floor Riverside, CA 92501
The Honorable Michael Ramos District Attorney of San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415-0004	The Honorable James Willett District Attorney of San Joaquin County P.O. Box 990 Stockton, CA 95201	The Honorable Thomas Sneddon, Jr. District Attorney of Santa Barbara County 1105 Santa Barbara Street Santa Barbara, CA 93101

The Honorable Gerald Benito District Attorney of Shasta County 1525 Court Street, Third Floor Redding, CA 96001-1632	The Honorable David Paulson District Attorney of Solano County 600 Union Avenue Fairfield, CA 94533	The Honorable Carl Adams District Attorney of Sutter County 446 Second Street Yuba City, CA 95991
The Honorable Phillip Cline District Attorney of Tulare County 221 S. Mooney Ave, Room 224 Visalia, CA 93291	The Honorable David Henderson District Attorney of Yolo County 301 Second Street Woodland, CA 95695	The Honorable Michael Aguirre San Diego City Attorney's Office 1200 3rd Avenue, 12th Floor San Diego, CA 92101 <sup>f</sup>
The Honorable Dennis Herrera San Francisco City Attorney's Office City Hall, Room 234 San Francisco, CA 94102	The Honorable Richard Doyle San Jose City Attorney's Office 151 West Mission Street San Jose, CA 95110	Ed Weil, Deputy Atty. General Office of the Attorney General Prop. 65 Enforcement Reporting Coordinator 1515 Clay Street, Ste. 2000 Oakland, CA 94612
*Lawrence R. Johnston, CEO Albertsons Inc. 250 East Parkcenter Boulevard Boise, ID 83706	*Albertsons Inc. c/o CSC-Lawyers Incorporating Service Agent for Service of Process PO Box 526036 Sacramento, CA 95852-6036	*Current CEO or President New Albertsons, Inc. 401 2nd Avenue South Minneapolis, MN 55401
*Agent for Service of Process New Albertsons, Inc. c/o CT Corporation System 818 West 7th Street Los Angeles, CA 90017	*Thomas Keller, President The Vons Companies, Inc. 618 Michillinda Ave. Arcadia, CA 91007-6300	*Current CEO or President The Vons Companies, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229
*Agent for Service of Process The Vons Companies, Inc. The Prentice-Hall Corporation System, Inc. P.O. Box 526036 Sacramento, CA 95852-6036	*Thomas Keller, President Pavilions 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229	*Steven A. Burd, CEO Safeway, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229
*Agent for Service of Process Safeway, Inc. c/o CSC-Lawyers Incorporating Service P.O. Box 526036 Sacramento, CA 95852-6036	*Current CEO or President Safeway Stores 71, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229	*Agent for Service of Process Safeway Stores 71, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036
*Current CEO or President Safeway Stores 28, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229	*Agent for Service of Process Safeway Stores 28, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036	*Current CEO or President Safeway Stores 73, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229
*Agent for Service of Process Safeway Stores 73, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036	*Current CEO or President Safeway Stores 87, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229	*Agent for Service of Process Safeway Stores 87, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036

<p>*Current CEO or President Safeway Stores 88, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229</p>	<p>*Agent for Service of Process Safeway Stores 88, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036</p>	<p>*Current CEO or President Safeway Stores 91, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229</p>
<p>*Agent for Service of Process Safeway Stores 91, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036</p>	<p>*Current CEO or President Safeway Stores 98, Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229</p>	<p>*Agent for Service of Process Safeway Stores 98, Inc. c/o United States Corporation Company P.O. Box 526036 Sacramento, CA 95852-6036</p>
<p>*James Sinegal, CEO Costco Wholesale Corporation 999 Lake Dr. Issaquah, WA 98027</p>	<p>*Agent for Service of Process Costco Wholesale Corporation c/o CT Corporation System 818 West 7th Street Los Angeles, CA 90017</p>	<p>*David Hirz, President Ralphs Grocery Company 1100 W. Artesia Blvd. Compton, CA 90220</p>
<p>*Agent for Service of Process Ralphs Grocery Company c/o CSC-Lawyers Incorporating Service P.O. Box 526036 Sacramento, CA 95852-6036</p>	<p>*David Dillon, CEO The Kroger Company 1014 Vine St. Cincinnati, OH 45202</p>	<p>*Agent for Service of Process The Kroger Company c/o CSC-Lawyers Incorporating Service P.O. Box 526036 Sacramento, CA 95852-6036</p>
<p>*Current CEO or President Fred Meyer Stores, Inc. 3800 SE 22nd Avenue Portland, OR 97202</p>	<p>*Current CEO or President Food 4 Less of California, Inc. 1100 W. Artesia Blvd. Compton, CA 90220</p>	<p>*Agent for Service of Process Food 4 Less of California, Inc. c/o CSC-Lawyers Incorporating Service P.O. Box 526036 Sacramento, CA 95852-6036</p>
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*Etienne Snollaerts, CEO Smart & Final, Inc. 600 Citadel Drive City of Commerce, CA 90040	*Agent for Service of Process Smart & Final, Inc. c/o C. T. Corporation System 828 West 7th Street Los Angeles, CA 90017	*Irwin D. Simon, CEO The Hain Celestial Group, Inc. 58 South Service Road Melville, NY 11747
*Agent for Service of Process The Hain Celestial Group, Inc. CT Corporation System 818 West 7th Street Los Angeles, CA 90017	*Neil Harrison, CEO Birds Eye Foods, Inc. 90 Linden Oaks Rochester, NY 14625	*Agent for Service of Process Birds Eye Foods, Inc. c/o CT Corporation System 818 West 7th Street Los Angeles, CA 90017
*Current CEO or President Vestar/Agrilink Associates Holdings, LLC 90 Linden Oaks Rochester, NY 14625	*Agent for Service of Process Vestar/Agrilink Associates Holdings, LLC c/o Corporation Service Company 2711 Centerville Road, Suite 400 Wilmington, DE 19808	*Dan Bane, CEO Trader Joe's Company P.O. Box 5049 Monrovia, CA 91017-7149
*Dan Bane, CEO Trader Joe's Company 800 S. Shamrock Avenue Monrovia, CA 91016	*Agent for Service of Process Trader Joe's Company c/o Mary Genest 800 S. Shamrock Avenue Monrovia, CA 91016	*Current CEO or President Trader Joe's East, Inc. 117 Kendrick Street, Suite 700 Needham, MA 02494
*Agent for Service of Process Trader Joe's East, Inc. c/o Mary Genest 800 S. Shamrock Avenue Monrovia, CA 91016	*Eric Kufel, CEO Poore Brothers, Inc. 3500 S. La Cometa Goodyear, AZ 85338	*Agent for Service of Process Poore Brothers, Inc. c/o Mariscal Weeks McIntyre 2901 N. Central Avenue Suite 200 Phoenix, AZ 85012
*Current CEO or President Whole Foods Market California, Inc. 550 Bowie Street Austin, TX 78703	*Whole Foods Market California, Inc. c/o CT Corporation System Agent for Service of Process 818 West 7th Street Los Angeles, CA 90017	*John P. Mackey, CEO Whole Foods Market, Inc. 550 Bowie Street Austin, TX 78703
*Agent for Service of Process Whole Foods Market, Inc. c/o CT Corporation System 1021 Main Street, Suite 1150 Houston, TX 77002	*Joyce Raley Teel Raley's, Inc. 500 West Capitol Avenue West Sacramento, CA 95605	*Agent for Service of Process Raley's, Inc. c/o Jennifer H. Crabb 500 West Capitol Avenue West Sacramento, CA 95605
*Current CEO or President Raley's TM, Inc. 500 West Capitol Avenue West Sacramento, CA 95605	*Agent for Service of Process Raley's TM, Inc. c/o Jennifer H. Crabb 500 West Capitol Avenue West Sacramento, CA 95605	*Current CEO or President Raley's of New Mexico, Inc. 500 West Capitol Avenue West Sacramento, CA 95605

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<p>*Current CEO or President  Pik-Nik Foods, USA  5820 Stoneridge Mall Road, Suite 202  Pleasanton, CA 94588</p>	<p>*Current CEO or President  Great American Foods, Inc.  5820 Stoneridge Mall Road, Suite 202  Pleasanton, CA 94588</p>	<p>*Agent for Service of Process  Great American Foods, Inc.  c/o Claro L. Mamaril  126 Tennessee Street  Vallejo, CA 94590</p>
<p>*Michael A. Warehime, CEO  Snyder's of Hanover  1250 York Street  Hanover, PA 17331-4503</p>	<p>*Michael Deh Stick, President  Snyder's of Hanover Mfg., Inc.  1250 York Street  Hanover, PA 17331</p>	<p>*Current CEO or President  Snyder's of Hanover Sales  Company  1250 York Street  Hanover, PA 17331</p>
<p>*Ronald J. Zappe  Zappe Endeavors, LLC  307 E. Airline Highway (U.S. 61)  Gramercy, LA 70052-1533</p>	<p>*Current CEO or President  Seasons' Enterprises, Ltd.  700 South Prospect  Elmhurst, IL 60126</p>	<p>*Agent for Service of Process  Seasons' Enterprises, Ltd.  c/o Michael Season  1790 Cortland Court  Addison, IL 60101</p>
<p>*Current CEO or President  Seasons' Enterprises, Ltd.  P.O. Box 965  Addison, IL 60101-0965</p>	<p>*Current CEO or President  Seasons' Enterprises, Ltd.  44 Meadowood Drive  Oak Brook, IL 60523-1565</p>	