

August 14, 2006

Steven A. Burd
Chairman, President and CEO
Safeway Inc.
5918 Stoneridge Mall Rd.
Pleasanton, CA 94588-322

Thomas C. Keller, President
The Vons Companies, Inc.
618 Michillinda Ave.
Arcadia, CA 91007-6300

Re: Sixty Day Notice of Intent to Sue Safeway Inc and The Vons Companies For Violating California Health & Safety Code § 25249.6

Dear sirs:

I am sending you this letter to give you sixty days notice of my intent to sue your company for violating the "Safe Drinking Water and Toxic Enforcement Act" (Health & Safety Code Section 25249.6), which is known as Proposition 65. for This product which Your companies manufacture and sell "Safeway Summit Fresh Bleach", which contains sodium hypochlorite/chlorine. This product, along with others like it, is sold in the Vons Pavillions store located at 16860 Beach Blvd., Huntington Beach, CA 92647. When used in the normal manner (that is, when added to hot water in laundry) this product creates chloroform, a chemical known to the State of California to cause cancer. You have not provided any warning let alone post a clear and reasonable warning either on the aisle where the product is sold, or on the product itself, warning consumers like myself of this fact.

Under Title 22 section 12903 the following is the required information for this notice:

1. My name is Jaqueline Vaca, my address is 2012 Cherokee, Tustin, CA 92782 and my telephone number is (714) 209-5640.
 2. Your company names are Safeway Inc. and The Vons Companies, Inc.
 3. The incident which led to this letter occurred on July 28, 2006 when I purchased the product and used it in my laundry that day. There was no warning on the product nor on the aisle where it was sold nor anywhere in the store that I could see. I have since returned to the store on August 10, 2006 and you still do not have the required Proposition 65 warning.
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4. The name of the listed chemical involved in the alleged violation is chloroform, which has been designated by the State of California as a chemical known to the state to cause cancer.
5. The route of exposure for this chemical is by inhalation, the breathing of the chemical in the air.
6. You manufacture, market, distribute and sell at your stores, including the store in Huntington Beach, "Safeway" branded bleach products (including "Safeway Summit Fresh Bleach") which contain sodium hypochlorite/chlorine, as well as other manufacturers' bleach products. As recently as this year, the California Air Resources Board and California Environmental Protection Agency released a study on various products and concluded that use of chlorine bleach results in the emission of chloroform gas under normal use conditions. In other words, normal use of your product (that is, when added to hot water in laundry) results in chloroform gas which is then breathed in both by the user of the product or anyone else who enters the area where laundry is being done. Of course, this is usually, as in my case, in the smallest and most poorly ventilated part of any house or apartment.
7. As required, with this letter I have provided a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."
8. As required, with this letter I have provided a "Certificate of Merit".
9. This letter and supporting information has been served on the Office of the Attorney General and the Orange County District Attorney. If you wish to talk about this matter please contact me at the above address.

Yours,



Jaqueline Vaca

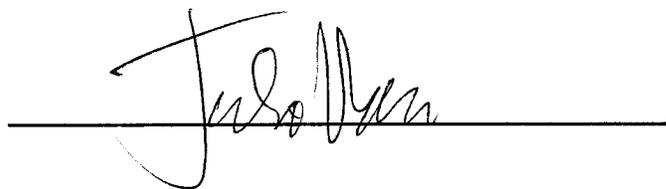
CERTIFICATE OF MERIT

I, Jackie Vaca, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that The Vons Companies and Safeway, Inc. have violated Health and Safety Code section 25249.6 by failing to provide a clear and reasonable warning for exposure to paint fumes.
2. I am the person who prepared and sent the 60 Day Notice. 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 alleged exposures to the listed chemicals that are the subject of the action.
3. Based on the information obtained through those consultations, and on 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 the private action” means that the information provides a credible basis that all 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.
4. 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

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.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Tustin, California on August 14, 2006.

A handwritten signature in cursive script, appearing to read "Julia M.", is written over a solid horizontal line. The signature is centered on the page.

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this case. I am a resident of the county where the mailing occurred. My address is 2012 Cherokee, Tustin, CA 92782.

I served the 60-Day Notice of Intent to Sue Under Health & Safety Code Section 24249.6 and "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary", by US Mail on August 14, 2006 on the following persons:

Steven A. Burd
Chairman, President and CEO
Safeway Inc.
5918 Stoneridge Mall Rd.
Pleasanton, CA 94588-322

Thomas C. Keller, President
The Vons Companies, Inc.
618 Michillinda Ave.
Arcadia, CA 91007-6300

California Attorney General
Proposition 65 Notice
1515 Clay Street, 20th Floor
P O Box 70550
Oakland, CA 94612

Orange County District Attorney
700 Civic Center Dr. W., 2nd Fl.
Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: August 14, 2006

