

August 16, 2006

Robert Miller, CEO  
Albertsons LLC  
250 Parkcenter Blvd.  
Boise, ID 83706

**Re: Sixty Day Notice of Intent to Sue Albertsons LLC For Violating California Health & Safety Code § 25249.6**

Dear sir:

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. Your company manufactures and sells "Albertsons Simply Clean Ultra Bleach", which contains sodium hypochlorite/chlorine. This product, along with others like it, is sold in your store located at 7212 Edinger Avenue, 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 name is Albertsons LLC.
  3. The incident which led to this letter occurred on August 2, 2006 when I purchased "Albertsons Simply Clean Ultra Bleach" and used it in my laundry. There was no warning on the container or 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.
  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, "Albertsons" branded bleach products (including "Albertsons Simply Clean Ultra 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 "Albertsons Simply Clean Ultra Bleach" (that is, when added to hot water in laundry) (or any products like it you sell) results in chloroform gas which is then breathed in both by the person doing laundry and anyone in the area where the laundry is being done. Of course, this is usually, as in my case, in the smallest and most poorly ventilated part of a 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

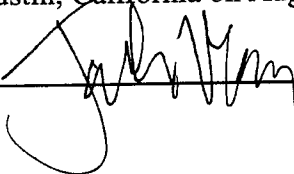
---

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

I, Jacqueline Vaca, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged Albertsons LLC has violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
2. 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 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.

  
\_\_\_\_\_

## 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 16, 2006 on the following persons:

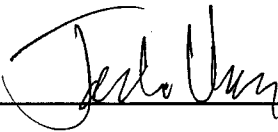
Robert Miller, CEO  
Albertsons LLC  
250 Parkcenter Blvd.  
Boise, ID 83706

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., 2<sup>nd</sup> 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 16, 2006



---