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December 28, 2015

**VIA CERTIFIED MAIL**

Jeffrey P. Bezos, President/CEO  
Amazon.com, LLC  
410 Terry Avenue North  
Seattle, Washington 98109-5210

*(with a copy to its Registered Agent for Service of  
Process located at):*  
Corporation Service Company  
2710 Gateway Oaks Drive, Suite 150N  
Sacramento, California 95833

**VIA PRIORITY MAIL AND EMAIL**

District Attorneys of All California Counties and  
Select City Attorneys  
(See Attached - Certificate of Service)

**VIA ELECTRONIC FILING**

State of California Department of Justice  
Office of the Attorney General  
Proposition 65 Enforcement Reporting  
Filing link: [oag.ca.gov/prop65](http://oag.ca.gov/prop65)

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

Dear Alleged Violator and the Appropriate Public Enforcement Agencies:

We represent The Chemical Toxin Working Group, Inc., a California non-profit corporation ("CTWG"), an organization dedicated to reducing the amount of chemical toxins in consumer products, the promotion of human health, environmental safety, and improvement of worker and consumer safety. David Steinman created CTWG to effectuate his commitments as an environmentalist, journalist, consumer health advocate, publisher and author. His major books include "Diet for a Poisoned Planet" (1990, 2007); "The Safe Shopper's Bible" (1995); "Living Healthy in a Toxic World" (1996); and "Safe Trip to Eden: Ten Steps to Save the Planet Earth from Global Warming Meltdown" (2007).

Through this Notice of Violation (this "Notice"), CTWG seeks to reduce and/or eliminate exposures to lead and/or cadmium ingested by consumers from several consumer products sold by Amazon.com, LLC (the "Noticed Party") in California. This Notice constitutes written notification that the Noticed Party has violated the warning

requirements of Proposition 65, the Safe Drinking Water and Toxic enforcement Act (codified at California Health & Safety Code §25249.5, *et seq*). The products subject to this Notice of Violation (the "Specified Product(s)") and the chemical(s) in each Specified Product identified as exceeding allowable levels are:

- 1. Reese Petite Smoked Oysters Fancy Cherry Wood in Cottonseed Oil – Lead**
- 2. Reese Medium Smoked Oysters (Fancy Cherry Wood in Cottonseed Oil) – Lead**
- 3. Reese Colossal Smoked Oysters (Fancy Cherry Wood in Cottonseed Oil) – Lead**
- 4. Reese Smoked Baby Clams Fancy Cherry Wood in Cottonseed Oil – Lead**
- 5. Roland Premium Smoked Oysters (aka Roland Naturally Smoked Oysters) – Lead and Cadmium**
- 6. Roland Premium Smoked Mussels Fancy (aka Roland Naturally Smoked Mussels Handpacked) – Lead**
- 7. Roland Premium Smoked Oysters Petite Fancy Handpacked – Lead and Cadmium**
- 8. Roland Premium Smoked Oysters Medium Fancy Handpacked – Lead**
- 9. Roland Oysters – Lead**
- 10. Roland Fancy Whole Mandarin Oranges Segments in Light Syrup – Lead**
- 11. Pure Encapsulations Standardized Guggul Extract – Lead**
- 12. Nature's Answer Korean Ginseng Full Spectrum Herb 500mg – Lead**
- 13. Best Nutrition Products Gugulipid Ayurvedic Herbal Supplement Standardized Extract – Lead**
- 14. Pacific Crest Boiled Whole Oysters – Lead**

**15. Van Camp's by Chicken of the Sea Fancy Smoked Oysters in Oil – Lead**

**16. Haddon House Colossal Smoked Oysters in Sunflower Oil, Salt Added – Lead and Cadmium**

**17. Haddon House Small Fancy Cocktail Smoked Oysters in Sunflower Oil, Salt Added – Lead and Cadmium**

**18. Haddon House Whole Oysters in Water, Salt Added – Lead and Cadmium**

The Noticed Party has marketed, distributed and/or sold the Specified Products which have exposed and continues to expose numerous individuals within California to lead and/or cadmium. Lead was listed pursuant to Proposition 65 as a chemical known to the State of California to cause cancer on October 1, 1992 and as a chemical known to cause developmental toxicity and male reproductive toxicity on February 27, 1987. Cadmium was listed pursuant to Proposition 65 as a chemical known to the State of California to cause cancer on October 1, 1987 and as a chemical known to cause reproductive toxicity on May 1, 1997.

With respect to the Specified Products listed above, the violation: commenced on the later of the date that the Specified Products were first offered for sale in California or the date upon which California law codified the allowable level of the relevant chemical(s) surpassed by the Specified Products; has continued every day since the relevant date the violation commenced; and will continue every day henceforth until lead and/or cadmium is removed from the Specified Products, reduced to allowable levels, or until a “clear and reasonable” warning is provided to consumers by the Noticed Party in accordance with the law. The primary route of exposure has been through ingestion but may have also occurred through inhalation and/or dermal contact.

Proposition 65 requires that a “clear and reasonable” warning be provided prior to exposure to certain listed chemicals. The Noticed Party is in violation of Proposition 65 because the Noticed Party has failed to provide a warning to consumers that they are being exposed to lead and/or cadmium. While in the course of doing business, the Noticed Party is “knowingly and intentionally” exposing consumers to lead and/or cadmium without first providing a “clear and reasonable” warning. See Cal. Health and Safety Code § 25249.6. The method of warning should be a warning that appears on the product's label. See Cal. Code Regs. tit. 27, § 25603.1, subd. (a). The Noticed Party has not provided any Proposition 65 warnings on the Specified Products' labels or any other appropriate warnings that persons handling, ingesting and/or otherwise using the Specified Products are being exposed to lead and/or cadmium.

Proposition 65 requires that notice and intent to sue be provided to a violator 60-days before a suit is filed in connection therewith. With this Notice, CTWG gives written notice of the alleged violation to the Noticed Party and the appropriate governmental authorities. This Notice of Violation covers all violations of Proposition 65 that are currently known to the noticing party from information now available as related to the Specified Products sold by the Noticed Party. CTWG is continuing its investigation that may reveal further violations.

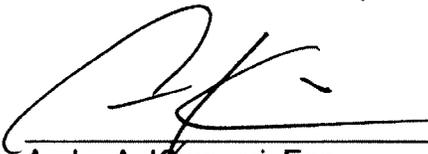
Pursuant to Title 27, C.C.R. § 25903(b), a copy of "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary" is attached hereto for reference by the noticed party, and is referenced as Appendix "A" (provided to noticed party only). Pursuant to Title 11, C.C.R. § 3100, a "Certificate of Merit" is attached hereto.

CTWG is interested in a prompt resolution of this matter with an enforceable written agreement by the Noticed Party to (1) eliminate or reduce lead and/or cadmium to an allowable level in, or provide appropriate warning on the label of, the Specified Products; and (2) pay an appropriate civil penalty. Such a resolution will prevent further unwarned consumer exposures and expensive and time-consuming litigation.

In keeping with its public interest mission and to expeditiously rectify these ongoing violations of California law, CTWG is interested in seeking a constructive resolution of this matter without engaging in costly and protracted litigation. Please direct all communications regarding this Notice to my office on behalf of CTWG.

If you have any questions, please contact my office at your earliest convenience. Thank you for your time and consideration with respect to this urgent matter.

Sincerely,  
**KHANSARI LAW CORP., APC**



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Andre A. Khansari, Esq.

**Attachments:**

1. Certificate of Merit;
2. Certificate of Service;
3. Additional Supporting Information for Certificate of Merit (to Attorney General only);
4. Appendix "A" – "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary" (to Noticed Party only)

Cc: The Chemical Toxin Working Group, Inc. (via email only)

## CERTIFICATE OF MERIT

**Re: The Chemical Toxin Working Group Inc.'s Notice of Proposition 65  
Violations by Amazon.com, LLC.**

I, Andre A. Khansari, hereby declare:

1. This Certificate of Merit (this "Certificate") accompanies the attached Notice of Violation dated December 28, 2015 (the "NOV") in which it is alleged that the party identified in the NOV ("alleged violator") has violated California Health and Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am the attorney for the noticing party The Chemical Toxin Working Group, Inc. The NOV alleges that the alleged violator has exposed persons in California to the listed chemical(s) that is the subject of this Certificate. Please refer to the NOV for additional details regarding the product name and alleged violation.
3. 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 exposure to the listed chemical that is the subject of this Certificate. I have reviewed the laboratory testing results for the chemical subject to the NOV and relied on these results. The testing was conducted by a reputable testing laboratory, and by experienced scientists. The facts, studies and other data derived through this investigation overwhelmingly demonstrate that the alleged violator exposes persons to the listed chemical that is the subject of this Certificate.
4. Based on the information obtained through these consultants and on other information in my possession, I believe there is sufficient evidence that the listed product in the NOV exposes people to unlawfully high levels of the specified chemical. Furthermore, 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 will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of this Certificate served on the California Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health & 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.

Dated: December 28, 2015

  
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Andre A. Khansari, Esq.  
Attorney for The Chemical Toxin Working Group, Inc.

## CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the County of Los Angeles. I am over the age of eighteen years and not a party to the within entitled action or process. My business address is **11845 W. Olympic Blvd., Suite 1000, Los Angeles, California 90064.**

On December 28, 2015, I served the following documents:

- (i) **Notice of Violation By Amazon.com, LLC, for Violation of California Health & Safety Code Section 25249.5 et seq.;**
- (ii) **Certificate of Merit; and**
- (iii) **"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, addressed to the party below, and depositing it at a United States Postal Service Office in Los Angeles, California for delivery by Certified Mail:

Jeffrey P. Bezos, President/CEO  
Amazon.com, LLC  
410 Terry Avenue North  
Seattle, Washington 98109

*(with a copy to its Registered Agent  
for Service of Process located at):*  
Corporation Service Company  
2710 Gateway Oaks Drive, Suite 150N  
Sacramento, California 95833

On December 28, 2015, I served the following documents:

- (i) **Notice of Violation By Amazon.com, LLC, for Violation of California Health & Safety Code Section 25249.5 et seq.,**
- (ii) **Certificate of Merit, and**
- (iii) **Additional Information and Supporting Documentation Required by Title 11, C.C.R. §3102**

on the following party by filing electronically a true and correct copy thereof as permitted through the website of the California Office of the Attorney General via link at [oag.ca.gov/prop65](http://oag.ca.gov/prop65):

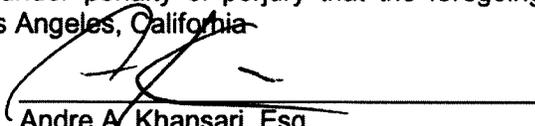
State of California Department of Justice  
Office of the Attorney General

On December 28, 2015, I served the following documents:

- (i) **Notice of Violation By Amazon.com, LLC, for Violation of California Health & Safety Code Section 25249.5 et seq.; and**
- (ii) **Certificate of Merit**

on each of the parties on the service list attached hereto (see attached "**Service List**") by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the attached service list, and depositing it at a United States Postal Service mail box for delivery by First Class Mail, except for Yolo County District Attorney's Office and Monterey County District Attorney's Office, which have requested electronic service only c/o [cfepd@yolocounty.org](mailto:cfepd@yolocounty.org) and [Prop65DA@co.monterey.ca.us](mailto:Prop65DA@co.monterey.ca.us).

I, Andre A. Khansari, declare under penalty of perjury that the foregoing is true and correct. Executed on December 28, 2015 at Los Angeles, California

  
\_\_\_\_\_  
Andre A. Khansari, Esq.

**SERVICE LIST**

District Attorney Alameda County 1225 Fallon Street, Suite 900 Oakland, CA 94612	District Attorney Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney Nevada County 201 Commercial Street Nevada City, CA 95959
District Attorney Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney Kings County 400 West Lacey Boulevard Hanford, CA 93230	District Attorney Orange County 401 West Civic Center Drive Santa Ana, CA 92701
District Attorney Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney Placer County 10810 Justice Center Drive, Ste. 240 Roseville, CA 95678
District Attorney Butte County 25 County Center Drive Suite 245 Oroville, CA 95965	District Attorney Lassen County 220 South Lassen Street, Suite 8 Susanville, CA 96130	District Attorney Plumas County 520 Main Street, Room 404 Quincy, CA 95911
District Attorney Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249	District Attorney Los Angeles County 210 West Temple Street, Suite 18000 Los Angeles, CA 90012	District Attorney Riverside County 3960 Orange Street, Suite 500 Riverside, CA 92501
District Attorney Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932	District Attorney Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney Sacramento County 901 "G" Street Sacramento, CA 95814
District Attorney Contra Costa County 900 Ward Street. Martinez, CA 94553	District Attorney Marin County 350 Civic Center Drive, Room 130 San Rafael, CA 94903	District Attorney San Benito County 419 4th Street Hollister, CA 95023
District Attorney Del Norte County 45011 Street, Room 171 Crescent City, CA 95531	District Attorney Mariposa County Post Office Box 730 Mariposa, CA 95338	District Attorney San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415
District Attorney El Dorado County 515 Main Street Placerville, CA 95667	District Attorney Mendocino County P. O. Box 1000 Ukiah, CA 95482	District Attorney San Diego County 330 West Broadway, Suite 1300 San Diego, CA 92101
District Attorney Fresno County 2220 Tulare Street, Suite 1000 Fresno, CA 93721	District Attorney Merced County 550 W. Main Street Merced, CA 95340	District Attorney San Francisco County 850 Bryant Street, Suite 322 San Francisco, CA 94103
District Attorney Glenn County Post Office Box 430 Willows, CA 95988	District Attorney Modoc County 204 S. Conn Street, Room 202 Alturas, CA 96101	District Attorney San Joaquin County 222 E. Weber Ave., Rm. 202 Stockton, CA 95202
District Attorney Humboldt County 525 5th Street 4th Floor Eureka, CA 95501	District Attorney Mono County P. O. Box 617 Bridgeport, CA 93517	District Attorney San Luis Obispo County 1035 Palm St, Room 450 San Luis Obispo, CA 93408
District Attorney Imperial County 940 West Main Street, Ste 102 El Centro, CA 92243	District Attorney Monterey County P. O. Box 1131 Salinas, CA 93902	District Attorney San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063
District Attorney Inyo County 50 W. Line Street Bishop, CA 93514	District Attorney Napa County 931 Parkway Mall Napa, CA 94559	District Attorney Santa Barbara County 1112 Santa Barbara Street Santa Barbara, CA 93101

**SERVICE LIST**

District Attorney Santa Clara County 70 West Redding Street San Jose, CA 95110	District Attorney Stanislaus County 83212 Street, Suite 300 Modesto, CA 95354	District Attorney Yolo County (via email per request to cfepd@yolocounty.org)
District Attorney Santa Cruz County 701 Ocean Street, Room 200 Santa Cruz, CA 95060	District Attorney Sutter County 446 Second Street Yuba City, CA 95991	District Attorney Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901
District Attorney Shasta County 1355 West Street Redding, CA 96001	District Attorney Tehama County P.O. Box 519 Red Bluff CA 96080	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite 800 Los Angeles, CA 90012
District Attorney Sierra County P.O. Box 457 Downieville, CA 95936	District Attorney Trinity County P. O. Box 310 Weaverville, CA 96093	San Diego City Attorney's Office 1200 3rd Avenue, Suite 1620 San Diego, CA 92101
District Attorney Siskiyou County P. O. Box 986 Yreka, CA 96097	District Attorney Tulare County 221 S. Mooney Blvd., Room 224 Visalia, CA 93201	San Francisco, City Attorney City Hall, Room 234 1 Dr. Carlton B Goodlett Place San Francisco, CA 94102
District Attorney Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533	District Attorney Tuolumne County 423 N. Washington Street Sonora, CA 95370	San Jose City Attorney's Office 200 East Santa Clara Street, 16th Floor San Jose, CA 95113
District Attorney Sonoma County 600 Administrative Drive, Room 212 Santa Rosa, CA 95403	District Attorney Ventura County 800 South Victoria Aye, Suite 314 Ventura, CA 93009	