60-DAY NOTICE OF VIOLATION

(Pursuant to California Health & Safety Code §§ 25249.5, *et seq.*)

January 4, 2018

To:

George Michael Dovellos, President
Royal Brush Manufacturing, Inc.
515 West 45th Street
Munster, IN 46321

C. Douglas McMillon, CEO
Wal-Mart Stores, Inc.
c/o CT Corporation System
818 W. Seventh St., Ste. 930
Los Angeles, CA 90017

CC: California Attorney General's Office;
District Attorney's Offices for All California Counties; and
City Attorneys for San Francisco, San Diego, San Jose, Sacramento, and Los Angeles

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I. INTRODUCTION

Safe Products for Californians, LLC ("SPFC") is the noticing entity, acting in the interest of the general public. It seeks to reduce or eliminate the presence of hazardous substances in consumer products sold in California, and to ensure that California consumers are aware of the presence of such substances in consumer goods so that they can make an educated effort to limit their own exposure where deemed necessary.

This Notice is provided to the public agencies listed above pursuant to California Health & Safety Code §§ 25249.6, *et seq.* ("Proposition 65"). As noted above, notice is also being provided to the violators, Royal Brush Manufacturing, Inc. and (the "Violators"). The violations covered by this Notice consist of the product exposures, routes of exposure, and types of harm potentially resulting from exposure to the toxic chemical ("listed chemical") identified below, as follows:

Product Exposure:	See Section VII, Exhibit A
Listed Chemical:	Di(2-ethylhexyl)phthalate ("DEHP")
Routes of Exposure:	Ingestion, Dermal
Types of Harm:	Birth Defects and Other Reproductive Harm

II. NATURE OF ALLEGED VIOLATION (PRODUCT EXPOSURE)

The specific type of product that is causing consumer exposures in violation of Proposition 65, and that is covered by this Notice, is listed under "Product Category/Type" in Exhibit A in Section VII below. All products within the type covered by this Notice shall be referred to hereinafter as the "products." The sales of these products in California dating back to at least August 31, 2017 are subject to this Notice. As a result of sales of these products, exposures to the listed chemical have been occurring without clear and reasonable warnings as required by Proposition 65. Without proper warnings regarding the toxic effects

of exposures to the listed chemical, resulting from contact with the products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the toxic chemical from the reasonably foreseeable use of the products.

California consumers are exposed to the listed chemical through the act of buying, acquiring or utilizing the products. By way of example but not limitation, direct exposures occur when people (including children) place the product, or a portion thereof, into their mouth or otherwise chew, lick, and/or bite the product, thereby allowing the listed chemical to leach out of the substrate. Citizens can be exposed to the listed chemical through the routine handling of the products through readily available amounts of the listed chemical on the surface of the product that will rub off on the user's fingers and hands, then ingested by way of subsequent hand-to-mouth activity.

III. CONTACT INFORMATION

Please direct all questions concerning this notice to SPFC at the following address:

Tanya E. Moore, Esq.
MISSION LAW FIRM, A.P.C.
332 North Second Street
San Jose, CA 95112
Telephone (408) 298-2000
Email: prop65@mission.legal

IV. PROPOSITION 65 INFORMATION

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment's ("OEHHA") Proposition 65 Implementation Office at (916) 445-6900. For the Violators' reference, attached is a copy of "Proposition 65: A Summary," which has been prepared by OEHHA.

V. RESOLUTION OF NOTICED CLAIMS

Based on the allegations set forth in this Notice, SFPC intends to file a citizen enforcement lawsuit against the alleged Violators unless such Violators enter into a binding written agreement to: (1) recall products already sold or undertake best efforts to ensure that the requisite health hazard warnings are provided to those who have received such products; (2) provide clear and reasonable warnings for products sold in the future or reformulate such products to eliminate the exposure of California citizens to the listed chemical(s); and (3) pay an appropriate civil penalty based on the factors enumerated in California Health & Safety Code § 25249.7(b). If the alleged Violators are interested in resolving this dispute without resorting to time-consuming and expensive litigation, please feel free to contact SPFC's counsel identified in Section III above. It should be noted that neither SPFC's counsel nor SPFC can: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any district or city attorney who received this Notice. Therefore, while reaching an agreement with SPFC will resolve its claims; such agreement may not satisfy the public prosecutors.

VI. ADDITIONAL NOTICE INFORMATION

(THIS INFORMATION IS NOT REQUIRED TO BE PROVIDED UNDER CAL. CODE REGS., TITLE 22 § 12903(b)(4).)

Identified below is a specific example of a product recently purchased and witnessed as being available for purchase or use in California that is within the category or type of offending product covered by this Notice. Based on publicly available information, the retailers, distributors, and/or manufacturers of the example within the category or type of product are also provided below. SPFC believes and alleges that the sale of the offending products also has occurred without the requisite Proposition 65 "clear and reasonable warnings" at one or more locations and/or via other means including, but not limited to, transactions made over-the-counter, business-to-business, through the internet, and/or via a catalog by the Violators and other distributors and retailers of the manufacturer.

*Product**	*Retailer(s)*	*Manufacturer(s)/Distributor(s)*
Brush Value Pack - Acrylic UPC# 090672225962	Royal Brush Manufacturing, Inc. Wal-Mart Stores, Inc.	Royal Brush Manufacturing, Inc. Wal-Mart Stores, Inc.

VII. EXHIBIT A

Product Category/Type	*Such As**	*Toxins*
Reusable Clear Bag for Acrylic Brushes	Brush Value Pack - Acrylic UPC# 090672225962	Di(2-ethylhexyl)phthalate ("DEHP") Lead and lead compounds

*The specifically identified example of the type of product that is subject to this Notice is for the recipients' benefit to assist in their investigation of, among other things, the magnitude of potential exposures to the listed chemical from other items within the product category/type listed in Exhibit A. It is important to note that this example is not meant to be an exhaustive or comprehensive identification of each specific offending product of the type listed under "Product Category/Type" in Exhibit A. Further, it is SPFC's position that the alleged Violators are obligated to continue to conduct in good faith an investigation into other specific products within the type or category described above that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the notice recipients' custody or control) during the relevant period so as to ensure that the requisite toxic warnings were and are provided to California citizens prior to purchase.

CERTIFICATE OF MERIT

(Pursuant to California Health & Safety Code § 25249.7(d))

I, Tanya E. Moore, hereby declare:

1. This Certificate of Merit accompanies the attached Sixty-Day Notice in which it is alleged that the parties identified in the Notice have violated Health & Safety Code § 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 experience who has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of this action;

4. Based on the information obtained through these 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 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; and

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 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).

Dated: January 4, 2018

Tanya Moore

Tanya E. Moore

CERTIFICATE OF SERVICE BY MAIL

I, Jessica Mendoza, hereby declare:

1. I am, and was at the time of service hereinafter mentioned, a citizen of the United States and a resident of the County of Santa Clara. I am over the age of 18 years and not a party to the within action. My business address is 332 North Second Street, San Jose, California, 95112.

2. On January 4, 2018, I served the following documents:
   - 60-Day Notice of Violation
   - Certificate of Merit
   - "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary"

   on the following party by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below, and depositing it at a United States Postal Service Office for delivery both by First Class Mail and Certified Mail:

   George Michael Dovellos, President
   Royal Brush Manufacturing, Inc.
   515 West 45th Street
   Munster, IN 46321

   C. Douglas McMillon, CEO
   Wal-Mart Stores, Inc.
   c/o CT Corporation System
   818 W. Seventh St., Ste. 930
   Los Angeles, CA 90017

3. On January 4, 2018, I served the following documents:
   - 60-Day Notice of Violation
   - Certificate of Merit

   on each of the parties on the service list attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the service list attached hereto, and depositing it at a United States Postal Service Office for delivery by First Class Mail.

4. On January 4, 2018, I served the following documents:
   - 60-Day Notice of Violation
   - Certificate of Merit

   on the following party by causing a true and correct .PDF copy thereof to be sent via electronic mail to the party listed below, pursuant to Cal. Code Regs., title. 27, § 25903(c)(1):

Contra Costa County District Attorney
sgrassini@contracostada.org

Monterey County District Attorney
Prop65DA@co.monterey.ca.us

Napa County District Attorney
CEPD@countyofnapa.org

Riverside County District Attorney
Prop65@rivcoda.org

Sacramento County District Attorney
Prop65@sacda.org

San Francisco County District Attorney
gregory.alker@sfgov.org

San Joaquin County District Attorney
DAConsumer.Environmental@sjcd.org

Lassen County District Attorney
mlatimer@co.lassen.ca.us

San Luis Obispo County District Attorney
edobroth@co.slo.ca.us

Santa Clara County District Attorney
EPU@da.sccgov.org

Sonoma County District Attorney
jbarnes@sonoma-county.org

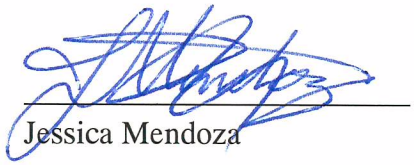
Tulare County District Attorney
Prop65@co.tulare.ca.us

Ventura County District Attorney
daspecialops@ventura.org

Yolo County District Attorney
cfepd@yolocounty.org

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

Dated: January 4, 2018



Jessica Mendoza

SERVICE LIST

Alameda County District Attorney
1225 Fallon Street, Suite 900
Oakland, CA 94612

Alpine County District Attorney
P.O. Box 248
Markleeville, CA 96120

Amador County District Attorney
708 Court Street #202
Jackson, CA 95642

Butte County District Attorney
25 County Center Drive, Suite 245
Oroville, CA 95965

Calaveras County District Attorney
891 Mountain Ranch Road
San Andreas, CA 95249

Colusa County District Attorney
346 Fifth Street, Suite 101
Colusa, CA 95932

Contra Costa County District Attorney
900 Ward St
Martinez, CA 94553
sgrassini@contracostada.org

Del Norte County District Attorney
450 H Street, Room 171
Crescent City, CA 95531

El Dorado County District Attorney
515 Main Street
Placerville, CA 95667

Fresno County District Attorney
2220 Tulare Street, Suite 1000
Fresno, CA 93721

Glenn County District Attorney
P.O. Box 430
Willows, CA 95988

Humboldt County District Attorney
825 5th Street, 4th Floor
Eureka, CA 95501

Imperial County District Attorney
940 West Main Street, Suite 102
El Centro, CA 92243

Inyo County District Attorney
168 North Edwards Street
Independence, CA 93526

Kern County District Attorney
1215 Truxtun Avenue, 4th Floor
Bakersfield, CA 93301

Kings County District Attorney
1400 West Lacey Boulevard
Hanford, CA 93230

Lake County District Attorney
255 North Forbes Street
Lakeport, CA 95453

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Los Angeles County District Attorney
211 West Temple Street
Suite 1200
Los Angeles, CA 90012

Madera County District Attorney
209 West Yosemite Avenue
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3501 Civic Center Drive, Room 130
San Rafael, CA 94903

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5101 Jones Street, P.O. Box 730
Mariposa, CA 95338

Mendocino County District Attorney
100 North State Street, P.O. Box 1000
Ukiah, CA 95482

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550 W. Main Street
Merced, CA 95340

Modoc County District Attorney
204 S. Court Street, Suite 202
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Mono County District Attorney
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Napa County District Attorney
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931 Parkway Mall
P.O. Box 720
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CEPD@countyofnapa.org

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Nevada City, CA 95959

Orange County District Attorney
401 Civic Center Drive West
Santa Ana, CA 92701

Placer County District Attorney
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Roseville, CA 95678

Plumas County District Attorney
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Quincy, CA 95971

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3072 Orange Street
Riverside, CA 92501
Prop65@rivcoda.org

Sacramento County District Attorney
901 G Street
Sacramento, CA 95814
Prop65@sacda.org

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419 4th Street, Second Floor
Hollister, CA 95203

San Bernardino County District Attorney
303 West 3rd Street, 6th Floor
San Bernardino, CA 92415-0502

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San Diego, CA 92101

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Santa Cruz County District Attorney
701 Ocean Street, Room 200
Santa Cruz, CA 95060

Shasta County District Attorney
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Redding, CA 96001

Sierra County District Attorney
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Modesto, CA 95354

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800 City Hall East
200 North Main Street
Los Angeles, CA 90012

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Sacramento, CA 95814

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1200 Third Avenue, Suite 1620
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1 Dr. Carlton B. Goodlett Place,
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200 East Santa Clara Street, 16th Floor
San Jose, CA 95113