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VIA CERTIFIED MAIL

Current President or CEO
General Nutrition Corporation
300 6th Avenue
Pittsburgh, PA 15222

National Registered Agents, Inc.
(Registered Agent for General Nutrition Corporation)
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National Registered Agents, Inc.
(Registered Agent for General Nutrition Corporation)
600 N. 2nd St, Ste 401
Harrisburg, PA 17101

National Registered Agents, Inc.
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160 Greentree Dr, Ste 101
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Current President or CEO
General Nutrition Companies, Inc.
300 6th Avenue
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National Registered Agents, Inc.
(Registered Agent for General Nutrition Companies, Inc.)
160 Greentree Dr, Ste 101
Dover, DE 19904

Current President or CEO
General Nutrition Investment Company
300 6th Avenue
Pittsburgh, PA 15222

VIA CERTIFIED MAIL

Current President or CEO
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1002 S 63rd Ave
Phoenix, AZ 85043

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Current President or CEO
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160 Greentree Dr, Ste 101
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Current President or CEO
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Malkiewicz & Taylor, P.A.
(Registered Agent for GNC Corp.)
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VIA CERTIFIED MAIL

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National Registered Agents, Inc.
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Current President or CEO
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Current President or CEO
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VIA ELECTRONIC MAIL

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cfepd@yolocounty.org

VIA ONLINE SUBMISSION

Office of the California Attorney General

VIA FIRST CLASS MAIL

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

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

Dear Addressees:

I represent Environmental Research Center, Inc. (“ERC”) in connection with this Notice of Violations of California’s Safe Drinking Water and Toxic Enforcement Act of 1986, which is codified at California Health & Safety Code Section 25249.5 *et seq.* and also referred to as Proposition 65.

ERC is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

The names of the Companies covered by this notice that violated Proposition 65 (hereinafter the “Violators”) are:

General Nutrition Corporation
General Nutrition Companies, Inc.
General Nutrition Investment Company
General Nutrition Centers, Inc.
GNC Corp.
GNC Corporation
GNC Holdings, Inc.
GNC Parent LLC
GNC Headquarters, Inc.
GNC Headquarters, LLC
GNC Parent Corporation
GNC, Inc.

The products that are the subject of this notice and the chemicals in those products identified as exceeding allowable levels are:

- 1. GNC SuperFoods Maximum Greens Complete Original Flavor - Lead**
- 2. GNC SuperFoods Cherry Complex Tart & Black Cherries - Lead**
- 3. GNC SuperFoods Spiru-Meal High Protein Energy Shake Vanilla Flavor - Lead**

4. **GNC SuperFoods Spiru-Meal High Protein Energy Shake Chocolate Flavor – Lead, Cadmium**
5. **GNC SuperFoods Wheat Grass Nutrient Dense - Lead**
6. **GNC Total Lean Lean Shake 25 Swiss Chocolate - Lead**
7. **GNC Total Lean Lean Shake 25 Strawberries & Cream - Lead**
8. **GNC Total Lean Advanced Lean Shake Burn Calorie-Burning Thermogenic & Whey Protein Blend Cookies & Cream - Lead**
9. **GNC Total Lean Advanced Lean Shake Burn Calorie-Burning Thermogenic & Whey Protein Blend Strawberry - Lead**
10. **GNC Total Lean Vegan Lean Shake 25 Natural Chocolate Flavor – Lead, Cadmium**
11. **GNC Total Lean Lean Shake 25 Cookies & Cream - Lead**
12. **GNC Total Lean Lean Shake 25 Banana - Lead**
13. **GNC Total Lean Lean Shake Clinically Proven Weight Loss Shake Vanilla Bean - Lead**
14. **GNC Total Lean Vegan Lean Shake 25 Natural Vanilla Flavor – Lead, Cadmium**
15. **GNC Total Lean Lean Shake 25 French Vanilla - Lead**
16. **GNC Total Lean Lean Shake Clinically Proven Weight Loss Shake Swiss Chocolate - Lead**
17. **GNC MSM/Glucosamine - Lead**
18. **GNC Men's Maca Man - Lead**
19. **GNC Pro Performance Bulk 1340 Vanilla Ice Cream - Lead**
20. **GNC Natural Brand Colon Pure Purified Psyllium Husk Unflavored - Lead**
21. **GNC Women's Prenatal Formula with DHA - Lead**
22. **GNC Pro Performance Bulk 1340 Cookies & Cream - Lead**
23. **GNC Natural Brand Colon Pure Purified Psyllium Husk Natural Citrus Flavor- Lead**
24. **GNC Pro Performance Bulk 1340 Double Chocolate – Lead, Cadmium**
25. **GNC Pro Performance Bulk 1340 Strawberries & Cream - Lead**
26. **GNC Herbal Plus Maca Root - Lead**
27. **GNC Herbal Plus Siberian Root - Lead**
28. **GNC Pro Performance 100% Casein Chocolate Supreme - Lead**
29. **GNC Pro Performance 100% Casein Vanilla Cream - Lead**
30. **GNC Pro Performance Weight Gainer Double Chocolate – Lead, Cadmium**
31. **GNC Pro Performance Weight Gainer Strawberries & Cream - Lead**
32. **GNC Total Lean Lean Shake 25 Vanilla Bean - Lead**
33. **GNC Total Lean Lean Shake 25 Banana Cream - Lead**
34. **GNC Total Lean Lean Shake 25 Chocolate Peanut Butter - Lead**
35. **GNC Total Lean Lean Shake 25 Natural Vanilla - Lead**
36. **GNC Total Lean Advanced Waterex Elite - Lead**
37. **GNC Total Lean Advanced Diet Cleanse Purifying Complex Spiced Apple - Lead**
38. **GNC Total Lean Lean Shake 25 Rich Chocolate - Lead**
39. **GNC Total Lean Advanced Lean Shake Burn Chocolate Fudge - Lead**
40. **GNC Total Lean Garcinia Cambogia Soft Chew Berry Punch - Lead**
41. **GNC Total Lean Lean Shake 25 Orange Cream - Lead**
42. **GNC Total Lean Lean Shake 25 Natural Chocolate - Lead**
43. **GNC Total Lean Lean Bar Vanilla Birthday Cake - Lead**
44. **GNC Total Lean Lean Bar Chocolate Chip - Lead**
45. **GNC Total Lean Lean Bar Blueberry Yogurt - Lead**

- 46. Performix Pro Whey + Chocolate - Lead**
- 47. Performix Protein Wafers Chocolate Mint - Lead**
- 48. Performix Pro Gainer + Double Chocolate Brownie - Lead**
- 49. Performix Pro Gainer + Peanut Butter Brownie - Lead**
- 50. Performix Pro Whey + SST Mint Chocolate Chip - Lead**
- 51. Performix ION v2X Cherry Lime Slush - Lead**
- 52. Performix ION v2X Blackberry Lemonade - Lead**
- 53. Performix Iridium ISOⁱ 9:2:2 Cherry Limeade - Lead**
- 54. Performix Pump Stimfree Perpetual Pump Pre-Workout Cherry Limeade - Lead**
- 55. Performix Iridium SSTⁱ Blue Razz Ice - Lead**
- 56. Performix ION Heat Pineapple Express - Lead**
- 57. Performix ION Build Cotton Candy- Lead**
- 58. Performix SST Time-Released Energy Original - Lead**
- 59. Performix Pro Gainer+ Multi-Phase Mass Gainer + Time-Release Glutamine Peanut Butter Brownie – Lead**
- 60. Performix Pump v2X Unrelenting Pump Multi-Phase Pre-Workout Patriot Pop - Lead**
- 61. Performix Pump v2X Unrelenting Pump Multi-Phase Pre-Workout Sweet Tea Lemonade - Lead**
- 62. Performix Pump Stimfree Perpetual Pump Pre-Workout Watermelon - Lead**
- 63. Performix Pump Stimfree Perpetual Pump Pre-Workout Blue Ice - Lead**
- 64. Performix Pro Whey + Super Male T Peanut Butter Cup - Lead**
- 65. Performix ION v2X Unrelenting Energy Multi Phase Pre-Workout Iced Tea - Lead**
- 66. Performix ION v2X Unrelenting Energy Multi Phase Pre-Workout Lemonade - Lead**
- 67. Performix ION v2X Unrelenting Energy Multi Phase Pre-Workout Cherry - Lead**
- 68. Performix ION v2X Unrelenting Energy Multi Phase Pre-Workout Lime - Lead**

On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause cancer.

Cadmium was officially listed as a chemical known to cause developmental toxicity and male reproductive toxicity on May 1, 1997 while cadmium and cadmium compounds were listed as chemicals known to the State of California to cause cancer on October 1, 1987.

This letter is a notice to the Violators and the appropriate governmental authorities of the Proposition 65 violations concerning the listed products. This notice covers all violations of Proposition 65 involving the Violators currently known to ERC from the information now available. ERC may continue to investigate other products that may reveal further violations. A summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter to the Violators.

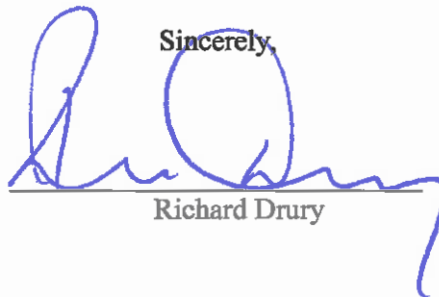
The Violators have manufactured, marketed, distributed, and/or sold the listed products, which have exposed and continue to expose numerous individuals within California to the identified chemicals, lead and/or cadmium. The consumer exposures that are the subject of this notice result from the recommended use of these products by consumers. The route of exposure to lead has been through ingestion. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead and/or cadmium. The method of warning should be a warning that appears on the

product's label. The Violators violated Proposition 65 because they failed to provide an appropriate warning to persons ingesting these products that they are being exposed to lead. Each of these ongoing violations has occurred on every day since January 29, 2016, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to Section 25249.7(d) of the statute, ERC intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violators agree in an enforceable written instrument to: (1) reformulate the listed products so as to eliminate further exposures to the identified chemicals; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above products in the last three years. Consistent with the public interest goals of Proposition 65 and my client's objectives in pursuing this notice, ERC is interested in seeking a constructive resolution to this matter. Such resolution will avoid both further unwarned consumer exposures to the identified chemicals and expensive and time consuming litigation.

ERC's Executive Director is Chris Heptinstall, and is located at 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. 619-500-3090. ERC has retained me in connection with this matter. We suggest that communications regarding this Notice of Violations should be directed to my attention at the above listed law office address and telephone number.

Sincerely,



Richard Drury

Attachments

Certificate of Merit

Certificate of Service

OEHHA Summary (to General Nutrition Corporation, General Nutrition Companies, Inc., General Nutrition Investment Company, General Nutrition Centers, Inc., GNC Corp., GNC Corporation, GNC Holdings, Inc., GNC Parent LLC, GNC Headquarters, Inc., GNC Headquarters, LLC, GNC Parent Corporation and GNC, Inc. and their Registered Agents for Service of Process only)

Additional Supporting Information for Certificate of Merit (to AG only)

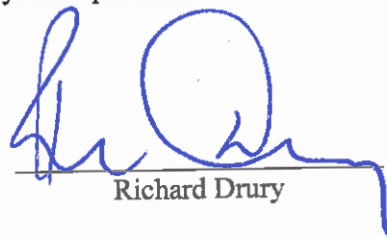
CERTIFICATE OF MERIT

Re: Environmental Research Center, Inc.'s Notice of Proposition 65 Violations by Growing Naturals, LLC and Axiom Foods, Inc. General Nutrition Corporation, General Nutrition Companies, Inc., General Nutrition Investment Company, General Nutrition Centers, Inc., GNC Corp., GNC Corporation, GNC Holdings, Inc., GNC Parent LLC, GNC Headquarters, Inc., GNC Headquarters, LLC, GNC Parent Corporation and GNC, Inc.

I, Richard Drury, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
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 exposure to the listed chemicals that are the subject of the notice.
4. Based on the information obtained through those consultants, and on 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 that the information did not prove that the alleged Violators will be able to establish any of the affirmative defenses set forth in the statute.
5. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California 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 29, 2019


Richard Drury

CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States and over the age of 18 years of age. My business address is 306 Joy Street, Fort Oglethorpe, Georgia 30742. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Fort Oglethorpe, Georgia.

On January 29, 2019 between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; “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 each of the parties listed below and depositing it in a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current President or CEO
General Nutrition Corporation
300 6th Avenue
Pittsburgh, PA 15222

Current President or CEO
General Nutrition Investment Company
300 6th Avenue
Pittsburgh, PA 15222

National Registered Agents, Inc.
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818 W 7th St, Ste 930
Los Angeles, CA 90017

Current President or CEO
General Nutrition Investment Company
1002 S 63rd Ave
Phoenix, AZ 85043

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Current President or CEO
General Nutrition Companies, Inc.
300 6th Avenue
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Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

January 29, 2019

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Current President or CEO
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Registered Agent for GNC, Inc.
5907 Penn Mall, Ste 210
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On January 29, 2019 between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice> :

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

On January 29, 2019 between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Nancy O'Malley, District Attorney
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CEPDProp65@acgov.org

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Barbara Yook, District Attorney
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Thomas L. Hardy, District Attorney
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San Diego City Attorney
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CityAttyProp65@sandiego.gov

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Valerie.Lopez@sfcityatty.org

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

January 29, 2019

Page 12

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Ventura, CA 93009
daspecialops@ventura.org

Jeff W. Reisig, District Attorney
Yolo County
301 Second Street
Woodland, CA 95695
cfepd@yolocounty.org

On January 29, 2019 between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; 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 with the U.S. Postal Service with the postage fully prepaid for delivery by First Class Mail.

Executed on January 29, 2019, in Fort Oglethorpe, Georgia.



Phyllis Dunwoody

Service List

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

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

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25 County Center Drive, Suite 245
Oroville, CA 95965

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

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