NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE § 25249.6

October 23, 2019

VIA CERTIFIED MAIL

Andrew Herring or current CEO
Personal Care Products, LLC
3001 W Big Beaver Rd, Suite 520
Troy, Michigan 48084

Attention: Legal Department
Stone Arch Capital, LLC
800 Nicollet Mall, Suite 1150
Minneapolis, MN 55402

Charles B. Lannin
Stone Arch Capital, LLC
800 Nicollet Mall, Suite 1150
Minneapolis, MN 55402

F. Clayton Miller
Stone Arch Capital, LLC
800 Nicollet Mall, Suite 1150
Minneapolis, MN 55402

VIA ELECTRONIC SERVICE

Office of the California Attorney General
Proposition 65 Enforcement Reporting
Attention: Prop 65 Coordinator
P.O. Box 70550
Oakland, CA 94612-0550

VIA MAIL

[the entities and the public enforcement agencies listed on the distribution list accompanying the attached Certificate of Service]

Re: Violation of California Health & Safety Code § 25249.6

To Whom It May Concern:

Along with co-counsel, I represent Jan Graham ("Noticing Party"). This Notice of Violation ("Notice") is provided to the public agencies listed on the distribution list accompanying the attached certificate of service. This Notice is also being provided to (1) Personal Care Products, LLC, (2) Stone Arch Capital, LLC, (3) Charles B. Lannin, and (4) F. Clayton Miller (the "Violators") pursuant to and in compliance with California Health and Safety Code § 25249.6, *et seq.* ("Proposition 65").

This Notice satisfies a prerequisite for the Noticing Party to commence an action against the Violators to enforce Proposition 65. The Noticing Party intends to begin an enforcement action sixty (60) days after effective service of this Notice, unless the public enforcement agencies have commenced an action to rectify the violations discussed in this Notice.

The Noticing Party

This notice is provided on behalf of Jan Graham. Ms. Graham is a resident of San Francisco in the State of California. She is acting in the public interest pursuant to California Health & Safety Code § 25249.7(d) and is dedicated to protecting the health of Californians.

Please contact Noticing Party through counsel and direct all questions concerning this Notice to counsel's office at the following addresses:

Ali Abtahi
Abtahi Law Group LLC
200 W Madison Street, Suite 2100
Chicago, IL 60647

Trent B. Miracle
Simmons Hanly Conroy LLC
One Court Street
Alton, Illinois 62002

Mitchell Breit
Simmons Hanly Conroy LLC
112 Madison Avenue, 7th floor
New York, NY 10016-7416

James L. Ward, Jr.
McGowan, Hood & Felder, LLC
321 Wingo Way, Suite 103
Mt. Pleasant, SC 29464

Name of the of the Violators

The names of the Violators are:

- Personal Care Products, LLC
- Stone Arch Capital, LLC
- Charles B. Lannin
- F. Clayton Miller

Names of Listed Chemicals

The violations covered by this Notice consist of the types of harm potentially resulting from exposure to the chemicals known to the State to cause cancer or reproductive toxicity ("Listed Chemicals") identified below:

Listed Chemicals (type of harm):	Arsenic (Cancer, Reproductive Toxicity, Developmental Toxicity)
	Chromium [hexavalent compounds] (Cancer, Reproductive Toxicity, Developmental Toxicity, Female Reproductive Toxicity, Male Reproductive Toxicity)

Lead and Lead Compounds (Cancer, Reproductive Toxicity, Developmental Toxicity, Female Reproductive Toxicity, Male Reproductive Toxicity)

Silica, crystalline [airborne particles of respirable size] (Cancer)

Type of Product and Route of Exposure

The violations covered by this Notice consist of the product types and routes of exposure identified below:

Product Types:	Talcum powder products. See Product Description below.
Routes of Exposure:	Inhalation and perineal (genital) exposure

Description of Violation

The Violators have failed and continues to fail to provide a clear and reasonable Proposition 65 warning regarding the presence of Listed Chemicals. For example, and without limitation, Violators have failed to provide a clear and reasonable Proposition 65 warning on the product package or label, on their website, or at the point of sale.

On February 27, 1987, the State of California officially listed Arsenic (inorganic arsenic compounds) as a chemical known to the State to cause cancer. On May 1, 1997, the State of California officially listed Arsenic (inorganic oxides) as a chemical known to the State to cause developmental toxicity. Violators have exposed and continues to expose consumers within the State of California to Arsenic without providing a clear and reasonable warning of this exposure.

On February 27, 1987, the State of California officially listed Chromium (hexavalent compounds) as a chemical known to the State to cause cancer. On December 19, 2008, the State of California officially listed Chromium (hexavalent compounds) as a chemical known to the State to cause developmental toxicity, male reproductive toxicity, and female reproductive toxicity. Violators have exposed and continues to expose consumers within the State of California to Chromium (hexavalent compounds) without providing a clear and reasonable warning of this exposure.

On February 27, 1987, the State of California officially listed Lead and Lead Compounds as chemicals known to the State to cause developmental toxicity, male reproductive toxicity, and female reproductive toxicity. On October 1, 1992, the State of California officially listed Lead and Lead Compounds as chemicals known to the State to cause cancer. Violators have exposed

and continues to expose consumers within the State of California to Lead and Lead Compounds without providing a clear and reasonable warning of this exposure.

On October 1, 1989, the State of California officially listed Silica, Crystalline (airborne particles of respirable size) as a chemical known to the State to cause cancer. Violators have exposed and continues to expose consumers within the State of California to Silica, Crystalline (airborne particles of respirable size) without providing a clear and reasonable warning of this exposure.

Approximate Duration of Violation

The violations have been occurring since at least February 27, 1987 and are ongoing.

The Consumer Products

The products that are the subject of this Notice are talc-containing body powder and foot powder products, all of which are produced, manufactured, marketed, and/or distributed by the Violators. Without limitation, such products include:

- Equate Medicated Body Powder

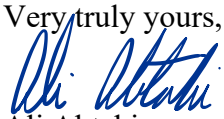
This identification is made in good faith to assist recipients in investigation of, among other things, the magnitude of potential exposures to the Listed Chemicals. Please note that the above examples are not meant to be an exhaustive or comprehensive identification of each specific offending product manufactured, distributed, or sold during the relevant period.

General Information Regarding Proposition 65

Attached to this Notice is a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary." The attached Summary was prepared by the California Environmental Protection Agency and provides general information about Proposition 65.

Pursuant to Title 11 of the California Code of Regulations § 3100, a certificate of merit is attached hereto. Please direct any inquiries regarding this Notice or any communication to the counsel for the Noticing Party.

Very truly yours,



Ali Abtahi

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

I, Ali Abtahi, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 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 expertise who have reviewed facts, studies, or other data regarding the alleged exposure to the listed chemicals that are the subject of the action.

4. 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 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.

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 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.

Dated: October 23, 2019

Ali Abtahi

PROOF OF SERVICE

I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place. My residence or business address is 200 W. Madison Street, Suite 2100, Chicago, IL 60606.

On this date, I served or caused to be served a true copy of the following document(s) in the manner specified below:

NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE § 25249.6

CERTIFICATE OF MERIT

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

XXX **BY CERTIFIED MAIL** through placing the envelope containing the above documents for collection following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

[SEE ATTACHED CERTIFIED MAIL SERVICE LIST]

Also on this date, I served or caused to be served a true copy of the following document(s) in the manner specified below:

NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE § 25249.6

CERTIFICATE OF MERIT

XXX **BY MAIL** through placing the envelope containing the above documents for collection following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

[SEE ATTACHED MAIL SERVICE LIST]

Also on this date, I served or caused to be served a true copy of the following document(s) in the manner specified below:

NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE § 25249.6

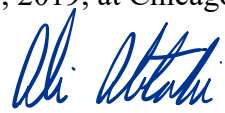
CERTIFICATE OF MERIT

FACTUAL INFORMATION IN SUPPORT OF CERTIFICATE OF MERIT

XXX **BY ELECTRONIC FILING** through causing true and correct copies of the above documents to be uploaded to the California Attorney General's website at the web address on the attached "Electronic Filing Service List".

[SEE ATTACHED ELECTRONIC FILING SERVICE LIST]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 23, 2019, at Chicago, Illinois.



Ali Abtahi

CERTIFIED MAIL SERVICE LIST

Andrew Herring or current CEO
Personal Care Products, LLC
3001 W Big Beaver Rd, Suite 520
Troy, Michigan 48084

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800 Nicollet Mall, Suite 1150
Minneapolis, MN 55402

F. Clayton Miller
Stone Arch Capital, LLC
800 Nicollet Mall, Suite 1150
Minneapolis, MN 55402

MAIL SERVICE LIST

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

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

Amador County District Attorney
708 Court Street
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 5th Street, Suite 101
Colusa, CA 95932

Contra Costa County District Attorney
900 Ward Street
Martinez, CA 94553

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

El Dorado County District Attorney
778 Pacific 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, Fourth Floor
Eureka, CA 95501

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

Inyo County District Attorney
P.O. Box Drawer D
Independence, CA 93526

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

Kings County District Attorney
1400 W. Lacey Boulevard
Hanford, CA 93230

Lake County District Attorney
255 N. Forbes Street
Lakeport, CA 95453

Lassen County District Attorney
2950 Riverside Drive, Suite 102
Susanville, CA 96130

LA County District Attorney
211 W. Temple Street, Suite 1200
Los Angeles, CA 90012

Madera County District Attorney
209 W. Yosemite Avenue
Madera, CA 93637

Marin County District Attorney
3501 Civic Center Drive, Suite 145
San Rafael, CA 94903

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

Mendocino County District Attorney
100 N. State Street, Room G-10
P.O. Box 1000
Ukiah, CA 95482

Merced County District Attorney
550 W. Main Street
Merced, CA 95340

Modoc County District Attorney
204 S. Court Street, Suite 202
Alturas, CA 96101

Mono County District Attorney
278 Main Street
Bridgeport, CA 93517

Monterey County District Attorney
P.O. Box 1131
Salinas, CA 93902

Nevada County District Attorney
201 Commercial Street
Nevada City, CA 95959

Napa County District Attorney
1127 First Street, Suite C
Napa, CA 94559

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

Placer County District Attorney
10810 Justice Center Dr., Suite 240
Roseville, CA 95678

Plumas County District Attorney
520 Main Street, Room 404
Quincy, CA 95971

Riverside County District Attorney
3960 Orange Street
Riverside, CA 92501

Sacramento County District Attorney
901 G Street
Sacramento, CA 95814

San Benito County District Attorney
419 4th Street
Hollister, CA 95023

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

San Diego County District Attorney
330 W. Broadway Street
San Diego, CA 92101

San Francisco County District Attorney
850 Bryant Street, Room 320
San Francisco, CA 94103

San Joaquin County District Attorney
P.O. Box 990
Stockton, CA 95201

San Luis Obispo District Attorney
1035 Palm Street, 4th Floor
San Luis Obispo, CA 93408

San Mateo County District Attorney
400 County Center, 3rd Floor
Redwood City, CA 94063

Santa Barbara County District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101

Santa Clara County District Attorney
70 W. Hedding Street, West Wing
San Jose, CA 95110

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

Shasta County District Attorney
1355 West Street
Redding, CA 96001

Sierra County District Attorney
P.O. Box 457
Downieville, CA 95936

Siskiyou County District Attorney
311 4th Street
Yreka, CA 96097

Solano County District Attorney
675 Texas Street, Suite 4500
Fairfield, CA 94533

Sonoma County District Attorney
600 Administration Dr, Room 212 J
Santa Rosa, CA 95403

Stanislaus County District Attorney
832 12th Street, Suite 300
Modesto, CA 95354

Sutter County District Attorney
463 Second Street, Suite 102
Yuba City, CA 95991

Tehama County District Attorney
444 Oak Street, Room L
Red Bluff, CA 96080

Trinity County District Attorney
P.O. Box 310
11 Court Street
Weaverville, CA 96093

Tulare County District Attorney
221 S. Mooney Boulevard, Rm 224
Visalia, CA 93291-4593

Tuolumne County District Attorney
423 N. Washington Street
Sonora, CA 95370

Ventura County District Attorney
800 S. Victoria Avenue, Suite 314
Ventura, CA 93009

Yolo County District Attorney
301 Second Street
Woodland, CA 95695

Yuba County District Attorney
215 5th Street, Suite 152
Marysville, CA 95901

Los Angeles City Attorney
James K. Hahn City Hall East
200 N. Main Street, Suite 800
Los Angeles, CA 90012

San Diego City Attorney
1200 Third Avenue, Suite 1620
San Diego, CA 92101

San Jose City Attorney
200 E. Santa Clara St, 16th Floor
San Jose, CA 95113

San Francisco City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

ELECTRONIC FILING SERVICE LIST

Office of the California Attorney General
Proposition 65 Enforcement Reporting
ATTN: Prop 65 Coordinator
P.O. Box 70550
Oakland, CA 94612-0550
https://oag.ca.gov/prop65/add-60-day-notice