

Metzger Law Group

Practice Concentrated in Toxic
Tort & Environmental Litigation

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Raphael Metzger
Scott Brust
Evan Cole
Constance Smith

June 30, 2021

Zain Subhani
Skyline Brands, Inc.
4801 Emerson Avenue
Palatine, IL 60067
(Aria brand air fryers)

JiaSheng Xu
Room 301, Bldg 127,
West District Chengdong New
Village, Gutang Street Cixi CN
315300 China
(Besile brand air fryers)

Paul Freeman, Registered Agent
Yong Wang, CEO
Bonsen Electronics, Inc.
4198 Industry Way
Flowery Branch, GA 30542
(Bonsen brand air fryers)

RJ Brands LLC
1 Sharp Plaza, Suite 207
200 Performance Dr., Suite 207
Mahwah, NJ 07495-1123
(Chefman brand air fryers)

Cosori Corporation
1439 W. Chapman Ave., Ste. 126
Orange, CA 92868
(Cosori brand air fryers)

Wei Wu, CEO
Costzon, Inc.
11250 Poplar Ave.
Fontana, CA 92337
(Costzon brand air fryers)

Storebound Holdings LLC
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Dash brand air fryers)

Shenzhen WoMei Tech Co., Ltd.
308 Building B, Shenhai Building,
Minzhi Street, Longhua District
Wanzhong City, Shenzhen, China
(Bagotte brand air fryers)

Benjamin Shidia, CEO
Best Choice Products
15101 Red Hill Avenue
Tustin, CA 92780
(Best Choice brand air fryers)

Substanbo Innovations Technology
Limited
Room 3 27/F, Ho King Commercial
Centre
No. 2-16 Fa Yuen Street
Mongkok KL, Hong Kong, CN
(CalmDo brand air fryers)

Midea America Corp.
Five Sylvan Way, Suite 100
Parsippany, NJ 07054
(Comfee' brand air fryers)

Lin Yang, CEO
Cosori Corporation
27 Brookstone Avenue
Irvine, CA 92604
(Cosori brand air fryers)

SicTec Instruments Co. Ltd.
Stes 908-909, Level 9 Landmark N
39 Lung Sum Ave., Sheung Shui,
N.T., Hong Kong
(Crownful brand air fryers)

Pyng Shan, CEO
Pick Five Imports, Inc.
18401 E. Arenth Ave. #B
City of Industry, CA 91748
(Elite Gourmet brand air fryers)

Sensio Inc.
1441 rue Carrie-Derick 4e étage
Montreal, QC, H3C 4S9
Canada
(Bella brand air fryers)

Big Boss
230 5th Avenue, Suite 800
New York, NY 10001
(Big Boss brand air fryers)

Hangzhou Nijia Network
Technology Co. Ltd.
Rm. 723, Building 4,
#590 ChangHe Rd., ChangHe St.
BinJiang District HangZhou,
ZheJiang CN 310051
(Caynel brand air fryers)

Steven Law, Registered Agent
Cosmo Products, LLC
5431 Brooks St.
Montclair, CA 91763
(Cosmo brand air fryers)

Wei Wu, CEO
Costway.com, Inc.
11250 Poplar Ave.
Fontana, CA 92337
(Costway brand air fryers)

Cuisinarts, Inc.
15 Valley Drive
Greenwich, CT 06836
(Cuisinart brand air fryers)

Elliot Tobal, CEO
Emerald Electronics USA, Inc.
90 Dayton Avenue
Passaic, NJ 07055
(Emerald brand air fryers)

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Karen Murray, CEO
Sequential Brands Group, Inc.
1407 Broadway, 38th Floor
New York, NY 10018
(Emeril Lagasse brand air fryers)

Keith Mirchandani, CEO
Tristar Products, Inc.
492 US Highway 46
Fairfield, NJ 07004-1906
(Power, Emeril Lagasse air fryers)

Eslite Corporation
B1, No. 196, Songde Rd.
Taipei, Taipei, TW
(Eslite brand air fryers)

Gurpreet Kaur Keith, CEO
Everus Incorporated
550 East Viewcrest Drive
Azusa, CA 91702
(Everus brand air fryers)

Farberware Retail Sales Corp.
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Farberware brand air fryers)

HomeEasy Industrial Co. Ltd.
No.1 201, Tianfulai International
Industrial City, Ronggui Rongli
Neighborhood Committee,
Shunde District, Foshan City, China
528305 (Geek brand air fryers)

Gotham Steel
230 4th Avenue, Suite 800
New York, NY 10001
(Gotham Steel brand air fryers)

Gourmia
3611 14th Avenue, Suite 540
Brooklyn, NY 11218
(Gourmia brand air fryers)

GoWise USA LLC
3000 E. Chambers St.
Phoenix, AZ 85040
(GoWise brand air fryers)

Bovie Lu, Registered Agent
GoWise USA LLC
294 W. Bluebird Drive
Chandler, AZ 85286
(GoWise brand air fryers)

Register Agent
Hamilton Beach Brands, Inc.
100 Shockoe Slip Fl. 2
Richmond, VA 23219-4100
(Hamilton Beach brand air fryers)

Gregory H. Trepp, Pres/CEO
Hamilton Beach Brands, Inc.
4421 Waterfront Drive
Glen Allen, VA 23060-0000
(Hamilton Beach brand air fryers)

Hauswirt Appliance PTE. Ltd.
82 Lorong 23 Geylang
#06-13 Atrix
Singapore 388409
(Hauswirt brand air fryers)

Havells USA, Inc.
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Havells brand air fryers)

Muna Farhat, CEO
Holsem Brands, LLC
2911 University Avenue, Suite B
San Diego, CA 92104
(Holsem brand air fryers)

Yaniv Sarig, CEO
Homelabs LLC
37 E. 18th Street, Fl. 7
New York, NY 10003-2001
(Homelabs brand air fryers)

Hunan Boyuan Haochen Trading
Co., Ltd., 101 Comprehensive Bldg.,
Hengyang Zone, Yihuan South
Road, Yanfeng District, Hengyang,
Hunan, China 421000
(Iconites brand air fryers)

iCucina GmbH & Co. KG
Heustrasse 13
32107 Bad Salzflun, Germany
(iCucina brand air fryers)

Eric Johnson, Manager
Ignited LLC
2150 Park Pl., Suite 100
El Segundo, CA 90245
(Ignited brand air fryers)

Whitney Stephenson
Ignited LLC
2150 Park Pl., Suite 100
El Segundo, CA 90245
(Ignited brand air fryers)

Ben Gadbois, CEO
Instant Brands
495 March Road, Suite 200
Kanata, ON, Canada K2K 3G1
(Instant/Vortex air fryer brands)

Uri Murad, CEO
Kalorik USA
16175 NW 49th Ave.
Miami Gardens, FL 33014-6312
(Kalorik brand air fryers)

Jonathan Edderai, Registered Agent,
Kalorik, LLC
1132 Kane Concourse, Suite 205
Bay Harbor Islands, FL 33154
(Kalorik brand air fryers)

Marc Bitzer, CEO
Whirlpool Corporation
2000 N M-63
Benton Harbor, MI 49022-2692
(KitchenAid brand air fryers)

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Krups LLC
c/o American Incorporators, Ltd.,
Registered Agent
1013 Centre Road, Suite 403-A
Wilmington, DE 19805
(Krups grand air fryers)

Shenzhen Daitianxia E-Commerce
Co., Ltd., Longhua Dist. Shenzhen
Room 503, Auilding A, Tianhui
Building, Yousong Road, Hong
Kong 518000
(Mimoday brand air fryers)

Wenzhou City LeKa E-Commerce
Co., Ltd., Room 1402, 14th Floor,
Cross-Border E-Commerce Park
No. 18, Luohe Road, Nanjiao St.,
Lucheng District, Wen Zhou City,
Zhe Jiang Province 325600, China
(MooSoo brand air fryers)

EP Midco LLC, Manager
SharkNinja Operating LLC
89 A Street, Suite 100
Needham, MA 02494
(Ninja brand air fryers)

SharkNinja Operating LLC
c/o C T Corporation System
155 Federal St., Suite 700
Boston, MA 02110
(Ninja brand air fryers)

NuWave LLC, c/o
The Incorporating Company LLC
221 N. Broad Street, Suite 2A
Middletown, DE 19709
(NuWave brand air fryers)

Ravichandra Saligram, CEO
Newell Brands Inc.
6655 Peachtree Dunwoody Road
Atlanta, GA 30328
(Oster brand air fryers)

Hertzel Machmali, CEO
Topnet Inc.
2965 E. Vernon Avenue
Vernon, CA 90058
(Ovente brand air fryers)

Brent Shafer, Manager
Philips North America LLC
222 Jacobs St., Floor 3
Cambridge, MA 02141
(Philips brand air fryers)

Philips North America LLC
c/o Corporation Service Company,
Registered Agent
84 State Street
Boston, MA 02109
(Philips brand air fryers)

Pro Breeze
Ryland House
24A Ryland Road
London NW5 3EH, UK
(Pro Breeze brand air fryers)

ShenZhen Proscenic Technology
Co.,Ltd., No. 808-812, Bldg 5, No.
333, Qidi Xiexin Longcheng St.,
Longgang Dist.
Shenzhen China 518000
(Proscenic brand air fryers)

Jimo Technology Co., Ltd.
560 Dahlia Street
Hudson, CO 80642
(Rozmoz brand air fryers)

Sunvalley Brands
46724 Lakeview Blvd.
Fremont, CA 94538
(TaoTronics brand air fryers)

Secura Inc.
3815 N. Brookfield Road
Brookfield, WI 53045
(Secura brand air fryers)

Zhuhai Qiyijie Electronic
Commerce Co. Ltd., Room 105-
22045 (Centralized office area)
No. 6 Baohua Road, Hengqin New
Distr, Zhuhai China 519000
(Sboly brand air fryers)

Gengxi 780 Cai, CEO
Sunvalleytek International, Inc.
160 E. Tasman Dr., Suite 215
San Jose, CA 95134
(TaoTronics brand air fryers)

Toshiba Lifestyle Products &
Services Corporation
5 Sylvan Way, Suite 100
Parsippany, NJ 07054
(Toshiba brand air fryers)

TTK Prestige Limited 11th Floor,
Brigade Towers, 135, Brigade
Road Bangalore-560025,
Karnataka India
(TTK Prestige brand air fryers)

Jianbo Zeng, President
Ultrean, Inc.
848 N. Rainbow Blvd., Ste. 9027
Las Vegas, NV 89107
(Ultrean brand air fryers)

Laura J. Alber, CEO
Williams-Sonoma, Inc.
3250 Van Ness Ave.
San Francisco, CA 94109
(Williams-Sonoma brand air fryers)

John Venhuizen, CEO
Ace Hardware Corporation
2200 Kensington Court
Oak Brook, IL 60523
(Retailer for multiple brands)

Mark J. Tritton, CEO
Bed Bath & Beyond Inc.
650 Liberty Avenue
Union, NJ 07083
(Retailer for multiple brands)

Deborah DiSanzo, CEO
Best Buy Co., Inc.
7601 Penn Avenue S.
Richfield, MN 55423
(Retailer for multiple brands)

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Walter C. Jelinek, CEO
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027
(Retailer for multiple brands)

Thomas L. Schwilke, CEO
Food 4 Less of S. California, Inc.
1100 W. Artesia Blvd.
Compton, CA 90220
(Retailer for multiple brands)

Craig E. Menar, CEO
Home Depot U.S.A., Inc.
2455 Paces Ferry Road
Atlanta, GA 30339
(Retailer for multiple brands)

Jill Soltau, CEO
J. C. Penney Company, Inc.
6501 Legacy Drive
Plano, TX 75024
(Retailer for multiple brands)

Michelle Gass, CEO
Kohl's Inc.
N56 W17000 Ridgewood Drive
Menomonee Falls, WI 53051
(Retailer for multiple brands)

David M. Denton, CEO
Lowe's Companies, Inc.
1000 Lowe's Blvd.
 Mooresville, NC 28117-8520
(Retailer for multiple brands)

Jeff Gennette, CEO
Macy's Inc.
151 West 34th Street
New York, NY 10001
(Retailer for multiple brands)

Thomas L. Schwilke, CEO
Ralphs Grocery Company
1100 W. Artesia Blvd.
Compton, CA 90220
(Retailer for multiple brands)

Brian C. Cornell, CEO
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403
(Retailer for multiple brands)

C. Douglas McMillon, CEO
Walmart Inc.
702 SW 8th Street
Bentonville, Arkansas 72716
(Retailer for multiple brands)

Jeff Bezos, CEO
Amazon.com Services LLC
410 Terry Avenue N
Seattle, WA 98109-5210
(Retailer for multiple brands)

Niraj Shah, CEO
Wayfair, Inc.
4 Copley Place
Boston, MA 02116
(Retailer for multiple brands)

RE: NOTICE OF PROPOSITION 65, CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6, VIOLATIONS: EXPOSURE OF CONSUMERS TO CARCINOGENIC SUBSTANCES WITHOUT FIRST GIVING WARNINGS

Dear Gentilepersons:

This firm represents the Council for Education and Research on Toxics, a California public benefit corporation whose charitable purposes are education and research regarding toxic substances.

This letter constitutes notice that the above named companies have violated and continue to violate provisions of the California Safe Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code § 25249.5 *et seq* (commonly known as California's Proposition 65). Specifically, the above named-entities have violated and continue to violate Health & Safety Code § 25249.6, which provides: "No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual"

Pursuant to Health & Safety Code §25249.7(d), CERT intends to bring suit in the public interest against the above named entities sixty (60) days hereafter to correct the violations set forth herein.

General Information: Pursuant to 27 California Code of Regulations § 25903(b)(1), attached hereto is a copy of “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary,” as prepared by the Office of Environmental Health Hazard Assessment.

Description of Violation: Since at least January 1, 2018 and continuing to the present, the above named entities have exposed and continue to expose California consumers to acrylamide which is generated at high concentrations by their air fryers when used as intended and directed. Exposures to acrylamide unavoidably occurred via ingestion when consumers ate plant-based and some other foods cooked in the entities’ air fryers. Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn their customers that their air fryers expose consumers to acrylamide, a chemical known by the State of California to cause cancer before exposing consumers to acrylamide contained therein. Since at least January 1, 2018, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their air fryers expose them to acrylamide, a chemical known by the State of California to cause cancer.

Noticing Entity: The noticing entity is the Council for Education and Research on Toxics, a California public benefit corporation whose charitable purposes are education and research regarding toxic substances. The responsible person within the noticing entity is Raphael Metzger, CERT’s General Counsel, to whom all communications should be directed at the following address and telephone number: Metzger Law Group, Raphael Metzger, Esq., 555 E. Ocean Blvd., Suite 800, Long Beach, CA 90802; phone 562-437-4499; fax 562-436-1561, email: rmetzger@toxic torts.com.

Names of Violators: The violators and their air fryer brands are identified above as the addressees to whom this letter is sent.

Time of Violations: The violations of California Health & Safety Code § 25249.6 are numerous and have been continuous and uninterrupted since at least January 1, 2018 to the present throughout the State of California. The timing of the violations is such that they occurred every moment that every individual within the State of California consumed plant-based and some other foods cooked in the above named entities’ air fryers without first receiving the required Proposition 65 warnings.

Listed Chemicals: The carcinogenic chemical to which the above named entities have been exposing consumers in violation of Proposition 65 is acrylamide, CAS No. 79-06-1, which was first listed at 22 California Code of Regulations § 1200(b) as a chemical known to the State of California to cause cancer on January 1, 1990.

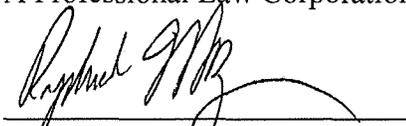
Consumer Product Exposure Description: Since at least January 1, 2018, and continuing to the present, the above named entities have exposed and continue to expose California consumers consuming food cooked in their air fryers to high levels of acrylamide — a toxic chemical that is not present in raw foods but that is generated by the above named entities' air fryers in foods cooked therein which are then ingested by consumers. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer consumed plant-based and some other foods cooked in the above named entities' air fryers. Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn their customers that their air fryers expose consumers to a chemical known by the State of California to cause cancer before exposing said customers to acrylamide formed in the air fryers. Since at least January 1, 2018, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their air fryers generate acrylamide, a chemical known by the State of California to cause cancer. The above named entities' Proposition 65 violations are particularly egregious and hazardous given the high concentrations of acrylamide generated in their air fryers that are widely sold to consumers.

Conclusion. Proposition 65 requires that notice and intent to sue be given to a violator sixty (60) days before suit is filed. By this letter, CERT gives notice of the foregoing violations to the above named entities, and to the appropriate governmental authorities. If the above named entities wish to resolve this matter before CERT files suit, they should contact CERT's counsel at the above-mentioned address and telephone number. Otherwise, suit will be filed after sixty (60) days have elapsed.

We look forward to your prompt action terminating the exposure of California consumers to the hazards of acrylamide generated by your air fryers or providing the statutorily required warnings.

Very truly yours,

METZGER LAW GROUP
A Professional Law Corporation



By: Raphael Metzger, Esq.
General Counsel of CERT

cc: all governmental authorities per attached proof of service (without Proposition 65 summary)
enclosures: Summary of Proposition 65; Certificate of Merit

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.6

I, Raphael Metzger, hereby declare:

1. I am an attorney at law, duly licensed and authorized to practice law in the State of California.

2. Unless the context indicates otherwise, I have personal knowledge of the matters set forth hereinafter and, if called as a witness, I would competently testify thereto.

3. I am General Counsel for the noticing party, Council for Education and Research on Toxics, a California corporation whose charitable purposes are education and research regarding toxic substances.

4. 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 and Safety Code § 25249.6 by failing to provide clear and reasonable warnings regarding acrylamide produced by the air fryers they manufacture, distribute, or sell to consumers, who are exposed to acrylamide when they eat air-fried plant-based foods as well as various other air-fried foods.

5. Council for Education and Research on Toxics alleges that since at least January 2018 and continuing to the present, the entities identified in the notice have exposed and continue to expose California consumers to high levels of acrylamide produced by air fryers manufactured, distributed or sold by those entities identified in the attached notice. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer ate plant-based and various other foods air-fried in the air fryers manufactured, distributed, or sold by said entities. Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the entities identified

in the attached notice were, and are, required to warn their consumers that the air fryers that they manufacture, distribute or sell expose consumers to acrylamide, a chemical known by the State of California to cause cancer before exposing consumers to acrylamide in foods air-fried in the air-fryers.

6. Since at least January 2018, the entities identified in the attached notice violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that the air fryers that they manufacture, distribute and sell to customers expose them to acrylamide in foods air-fried in said machines.

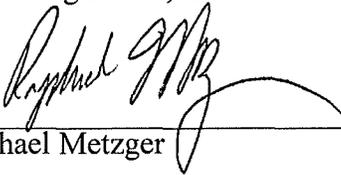
7. I have consulted with an expert who has reviewed facts, studies, and other data regarding the presence of, concentration of, and exposure to acrylamide from air fryers manufactured, distributed, and/or sold by those entities identified in the attached sixty-day notice.

8. The expert that I consulted has the relevant and appropriate experience and expertise to review said facts, studies, and data because this expert holds a Ph.D., has published in the field of toxicology and risk assessment and has much experience and knowledge regarding the toxicology of acrylamide and acrylamide in food.

9. Based on the information obtained through my consultation, and on all other information in my possession, I believe that exposures to high levels of acrylamide unavoidably occurred via ingestion whenever a consumer ate plant-based and various other foods that were air-fried in air fryers manufactured, distributed and supplied by the entities identified in the attached sixty-day notice from at least January 1, 2018 and continuing to the present. I also believe, based on my consultation and the information in my possession, that there is a reasonable and meritorious case for a private action, pursuant to Health & Safety Code § 25249.7(d). I understand that “reasonable and meritorious case for private action” means that information provides a credible basis that all elements of the private action 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.

10. 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 person consulted with and relied on by the certifier, and (2) the facts and other data reviewed by that person.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed June 30, 2021, at Long Beach, California.



Raphael Metzger

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and OEHHA implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: <http://oehha.ca.gov/prop65/law/P65law72003.html>. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001. ¹ These implementing regulations are available online at: <http://oehha.ca.gov/prop65/law/P65Regs.html>.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Proposition 65 List." Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

Clear and reasonable warnings. A business is required to warn a person before "knowingly and intentionally" exposing that person to a listed chemical unless an exemption applies. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. You should consult the current version of the statute and regulations (<http://www.oehha.ca.gov/prop65/law/index.html>) to determine all applicable exemptions, the most common of which are the following:

¹ All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: <http://www.oehha.ca.gov/prop65/law/index.html>.

Grace Period. Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

Governmental agencies and public water utilities. All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all full and part-time employees, not just those present in California.

Exposures that pose no significant risk of cancer. For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses "no significant risk." This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific "No Significant Risk Levels" (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA's website at:

<http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of NSRLs, and Section 25701 et seq. of the regulations for information concerning how these levels are calculated.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the "no observable effect level" divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL). See OEHHA's website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of MADLs, and Section 25801 et seq. of the regulations for information concerning how these levels are calculated.

Exposures to Naturally Occurring Chemicals in Food. Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant² it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

Discharges that do not result in a "significant amount" of the listed chemical entering any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a "significant amount" of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount, except an amount that would meet the "no significant risk" level for chemicals that cause cancer or that is 1,000 times below the "no observable effect" level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27 and sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

² See Section 25501(a)(4).

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form. A private party may not file an action against the alleged violator for these exposures, or recover in a settlement any payment in lieu of penalties any reimbursement for costs and attorney's fees, if the alleged violator has done *all* of the following within 14 days of being served notice:

- Corrected the alleged violation;
- Agreed to pay a civil penalty of \$500 (subject to change in 2019 and every five years thereafter) to the private party within 30 days; and
- Notified the private party serving the notice in writing that the violation has been corrected.

The written notification to the private-party must include a notice of special compliance procedure and proof of compliance from completed by the alleged violator as directed in the notice. On April 1, 2019, and every five years thereafter, the dollar amount of the civil penalty will be adjusted by the Judicial Council based on the change in the annual California Consumer Price Index. The Judicial Council will publish the dollar amount of the adjusted civil penalty at each five-year interval, together with the date of the next scheduled adjustment.

An alleged violator may satisfy these conditions only one time for a violation arising from the same exposure in the same facility or on the same premises. The satisfaction of these conditions does not prevent the Attorney General, a district attorney, a city attorney of a city of greater than 750,000 population, or any full-time city prosecutor with the consent of the district attorney, from filing an enforcement action against an alleged violator. The amount of any civil penalty for violation shall be reduced to reflect any payment made by the alleged violator for the same alleged violation to a private-party.

When a private party sends a notice of alleged violation that alleges one or more of the exposures listed above, the notice must include a notice of special compliance procedure, and a proof of compliance form to be completed by the alleged violator as directed in the notice.

A copy of the notice of special compliance procedure and proof of compliance form is included with this notice and can be downloaded from OEHHA's website at: <http://oehha.ca.gov/prop65/law/p65law72003html>.

The notice and proof of compliance is reproduced here:

Date:
Name of Noticing Party or attorney for Noticing Party:
Address:
Phone number:

SPECIAL COMPLIANCE PROCEDURE
PROOF OF COMPLIANCE

You are receiving this form because the Noticing Party listed above has alleged that you are violating California Health and Safety Code §25249.6 (Prop. 65).

The Noticing Party may not bring any legal proceedings against you for the alleged violation checked below if:

- (1) You have actually taken the corrective steps that you have certified in this form.
- (2) The Noticing Party has received this form at the address shown above, accurately completed by you, postmarked within 14 days of your receiving this notice.
- (3) The Noticing Party receives the required \$500 penalty payment from you at the address shown above postmarked within 30 days of your receiving this notice.
- (4) This is the first time you have submitted a Proof of Compliance for a violation arising from the same exposure in the same facility on the same premises.

PART 1: TO BE COMPLETED BY THE NOTICING PARTY OR ATTORNEY FOR THE NOTICING PARTY

The alleged violation is for an exposure to: (check one)

_____ Alcoholic beverages that are consumed on the alleged violator's premises to the extent on-site consumption is permitted by law.

_____ A chemical known to the state to cause cancer or reproductive toxicity in a food or beverage prepared and sold on the alleged violator's premises for immediate consumption on or off premises to the extent: (1) the chemical was not intentionally added; and (2) the chemical was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination.

_____ Environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises.

_____ Chemicals known to the State to cause cancer or reproductive toxicity in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking noncommercial vehicles.

IMPORTANT NOTES:

- (1) You have no potential liability under California Health and Safety Code §25249.6 if your business has nine (9) or fewer employees.
- (2) Using this form will NOT prevent the Attorney General, a district attorney, a city attorney, or a prosecutor in whose jurisdiction the violation is alleged to have occurred from filing an action over the same alleged violations, and that in any such action, the amount of civil penalty shall be reduced to reflect any payment made at this time.

Date:
Name of Noticing Party or attorney for Noticing Party:
Address:
Phone number:

PART 2: TO BE COMPLETED BY THE ALLEGED VIOLATOR OR AUTHORIZED REPRESENTATIVE

Certification of Compliance

Accurate completion of this form will demonstrate that you are now in compliance with California Health and Safety Code §25249.6 for the alleged violation listed above. You must complete and submit the form below to the Noticing Party at the address shown above, postmarked within 14 days of you receiving this notice.

I hereby agree to pay, within 30 days of completion of this notice, a civil penalty of \$500 to the Noticing Party only and certify that I have complied with Health and Safety Code §25249.6 by (check only one of the following):

[] Posting a warning or warnings about the alleged exposure that complies with the law, and attaching a copy of that warning and a photograph accurately showing its placement on my premises;

[] Posting the warning or warnings demanded in writing by the Noticing Party, and attaching a copy of that warning and a photograph accurately showing its placement on my premises; OR

[] Eliminating the alleged exposure, and attaching a statement accurately describing how the alleged exposure has been eliminated.

Certification

My statements on this form, and on any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I have carefully read the instructions to complete this form. I understand that if I make a false statement on this form, I may be subject to additional penalties under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

Signature of alleged violator or authorized representative

Date

Name and title of signatory

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS: Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at P65Public.Comments@oehha.ca.gov.

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.

PROOF OF SERVICE BY U.S. MAIL

(Our File No. 2001)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of 18 and not a party to this matter. My business address is 555 E. Ocean Blvd., Suite 800, Long Beach, CA 90802. On June 30, 2021, I served the within **Notice of Proposition 65, California Health & Safety Code § 25249.6 Violations: Exposure of Consumers to Carcinogenic Substances Without First Giving Warnings; Certificate of Merit; and "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary"** on the named violators who are required to be served copies thereof, by placing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the U.S. mail at Long Beach, CA, addressed to the addresses of the Notice, as follows:

Zain Subhani
Skyline Brands, Inc.
4801 Emerson Avenue
Palatine, IL 60067
(Aria brand air fryers)

Shenzhen WoMei Tech Co., Ltd.
308 Building B, Shenhai Building,
Minzhi Street, Longhua District
Wanzhong City, Shenzhen, China
(Bagotte brand air fryers)

Sensio Inc.
1441 rue Carrie-Derick 4e étage
Montreal, QC, H3C 459
Canada
(Bella brand air fryers)

JiaSheng Xu
Room 301, Bldg 127,
West District Chengdong New
Village, Gutang Street Cixi CN
315300 China
(Besile brand air fryers)

Benjamin Shidia, CEO
Best Choice Products
15101 Red Hill Avenue
Tustin, CA 92780
(Best Choice brand air fryers)

Big Boss
230 5th Avenue, Suite 800
New York, NY 10001
(Big Boss brand air fryers)

Paul Freeman, Registered Agent
Yong Wang, CEO
Bonsen Electronics, Inc.
4198 Industry Way
Flowerly Branch, GA 30542
(Bonsen brand air fryers)

Substanbo Innovations Technology
Limited
Room 3 27/F, Ho King Commercial
Centre
No. 2-16 Fa Yuen Street
Mongkok KL, Hong Kong, CN
(CalmDo brand air fryers)

Hangzhou Nijia Network Technology
Co. Ltd.
Rm. 723, Building 4,
#590 ChangHe Rd., ChangHe St.
BinJiang District HangZhou,
ZheJiang CN 310051
(Caynel brand air fryers)

RJ Brands LLC
1 Sharp Plaza, Suite 207
200 Performance Dr., Suite 207
Mahwah, NJ 07495-1123
(Chefman brand air fryers)

Midea America Corp.
Five Sylvan Way, Suite 100
Parsippany, NJ 07054
(Comfee' brand air fryers)

Steven Law, Registered Agent
Cosmo Products, LLC
5431 Brooks St.
Montclair, CA 91763
(Cosmo brand air fryers)

Cosori Corporation
1439 W. Chapman Ave., Ste. 126
Orange, CA 92868
(Cosori brand air fryers)

Lin Yang, CEO
Cosori Corporation
27 Brookstone Avenue
Irvine, CA 92604
(Cosori brand air fryers)

Wei Wu, CEO
Costway.com, Inc.
11250 Poplar Ave.
Fontana, CA 92337
(Costway brand air fryers)

Wei Wu, CEO
Costzon, Inc.
11250 Poplar Ave.
Fontana, CA 92337
(Costzon brand air fryers)

SicTec Instruments Co. Ltd.
Stes 908-909, Level 9 Landmark N
39 Lung Sum Ave., Sheung Shui,
N.T., Hong Kong
(Crownful brand air fryers)

Cuisinarts, Inc.
15 Valley Drive
Greenwich, CT 06836
(Cuisinart brand air fryers)

Storebound Holdings LLC
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Dash brand air fryers)

Pyng Shan, CEO
Pick Five Imports, Inc.
18401 E. Arenth Ave. #B
City of Industry, CA 91748
(Elite Gourmet brand air fryers)

Elliot Tobal, CEO
Emerald Electronics USA, Inc.
90 Dayton Avenue
Passaic, NJ 07055
(Emerald brand air fryers)

Karen Murray, CEO
Sequential Brands Group, Inc.
1407 Broadway, 38th Floor
New York, NY 10018
(Emeril Lagasse brand air fryers)

Keith Mirchandani, CEO
Tristar Products, Inc.
492 US Highway 46
Fairfield, NJ 07004-1906
(Power, Emeril Lagasse air fryers)

Eslite Corporation
B1, No. 196, Songde Rd.
Taipei, Taipei, TW
(Eslite brand air fryers)

Gurpreet Kaur Keith, CEO
Everus Incorporated
550 East Viewcrest Drive
Azusa, CA 91702
(Everus brand air fryers)

Gotham Steel
230 4th Avenue, Suite 800
New York, NY 10001
(Gotham Steel brand air fryers)

Bovie Lu, Registered Agent
GoWise USA LLC
294 W. Bluebird Drive
Chandler, AZ 85286
(GoWise brand air fryers)

Hauswirt Appliance PTE. Ltd.
82 Lorong 23 Geylang
#06-13 Atrix
Singapore 388409
(Hauswirt brand air fryers)

Yaniv Sarig, CEO
Homelabs LLC
37 E. 18th Street, Fl. 7
New York, NY 10003-2001
(Homelabs brand air fryers)

Eric Johnson, Manager
Ignited LLC
2150 Park Pl., Suite 100
El Segundo, CA 90245
(Ignited brand air fryers)

Uri Murad, CEO
Kalorik USA
16175 NW 49th Ave.
Miami Gardens, FL 33014-6312
(Kalorik brand air fryers)

Krups LLC
c/o American Incorporators, Ltd.,
Registered Agent
1013 Centre Road, Suite 403-A
Wilmington, DE 19805
(Krups grand air fryers)

EP Midco LLC, Manager
SharkNinja Operating LLC
89 A Street, Suite 100
Needham, MA 02494
(Ninja brand air fryers)

Ravichandra Saligram, CEO
Newell Brands Inc.
6655 Peachtree Dunwoody Road
Atlanta, GA 30328
(Oster brand air fryers)

Farberware Retail Sales Corp.
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Farberware brand air fryers)

Gourmia
3611 14th Avenue, Suite 540
Brooklyn, NY 11218
(Gourmia brand air fryers)

Register Agent
Hamilton Beach Brands, Inc.
100 Shockoe Slip Fl. 2
Richmond, VA 23219-4100
(Hamilton Beach brand air fryers)

Havells USA, Inc.
c/o The Corporation Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801
(Havells brand air fryers)

Hunan Boyuan Haochen Trading Co.,
Ltd., 101 Comprehensive Bldg.,
Hengyang Zone, Yihuan South Road,
Yanfeng District, Hengyang, Hunan,
China 421000
(Iconites brand air fryers)

Whitney Stephenson
Ignited LLC
2150 Park Pl., Suite 100
El Segundo, CA 90245
(Ignited brand air fryers)

Jonathan Edderai, Registered Agent,
Kalorik, LLC
1132 Kane Concourse, Suite 205
Bay Harbor Islands, FL 33154
(Kalorik brand air fryers)

Shenzhen Daitianxia E-Commerce
Co., Ltd., Longhua Dist. Shenzhen
Room 503, Auilding A, Tianhui
Building, Yousong Road, Hong
Kong 518000
(Mimoday brand air fryers)

SharkNinja Operating LLC
c/o C T Corporation System
155 Federal St., Suite 700
Boston, MA 02110
(Ninja brand air fryers)

Hertzel Machmali, CEO
Topnet Inc.
2965 E. Vernon Avenue
Vernon, CA 90058
(Ovente brand air fryers)

HomeEasy Industrial Co. Ltd.
No.1 201, Tianfulai International
Industrial City, Ronggui Rongli
Neighborhood Committee,
Shunde District, Foshan City, China
528305 (Geek brand air fryers)

GoWise USA LLC
3000 E. Chambers St.
Phoenix, AZ 85040
(GoWise brand air fryers)

Gregory H. Trepp, Pres/CEO
Hamilton Beach Brands, Inc.
4421 Waterfront Drive
Glen Allen, VA 23060-0000
(Hamilton Beach brand air fryers)

Muna Farhat, CEO
Holsem Brands, LLC
2911 University Avenue, Suite B
San Diego, CA 92104
(Holsem brand air fryers)

iCucina GmbH & Co. KG
Heustrasse 13
32107 Bad Salzuflen, Germany
(iCucina brand air fryers)

Ben Gadbois, CEO
Instant Brands
495 March Road, Suite 200
Kanata, ON, Canada K2K 3G1
(Instant/Vortex air fryer brands)

Marc Bitzer, CEO
Whirlpool Corporation
2000 N M-63
Benton Harbor, MI 49022-2692
(KitchenAid brand air fryers)

Wenzhou City LeKa E-Commerce
Co., Ltd., Room 1402, 14th Floor,
Cross-Border E-Commerce Park
No. 18, Luohe Road, Nanjiao St.,
Lucheng District, Wen Zhou City,
Zhe Jiang Province 325600, China
(MooSoo brand air fryers)

NuWave LLC, c/o
The Incorporating Company LLC
221 N. Broad Street, Suite 2A
Middletown, DE 19709
(NuWave brand air fryers)

Brent Shafer, Manager
Philips North America LLC
222 Jacobs St., Floor 3
Cambridge, MA 02141
(Philips brand air fryers)

Philips North America LLC
c/o Corporation Service Company,
Registered Agent
84 State Street
Boston, MA 02109
(Philips brand air fryers)

Jimo Technology Co., Ltd.
560 Dahlia Street
Hudson, CO 80642
(Rozmoz brand air fryers)

Zhuhai Qiyijie Electronic Commerce
Co. Ltd., Room 105-22045
(Centralized office area)
No. 6 Baohua Road, Hengqin New
Distr, Zhuhai China 519000
(Sboly brand air fryers)

TTK Prestige Limited 11th Floor,
Brigade Towers, 135, Brigade Road
Bangalore-560025, Karnataka India
(TTK Prestige brand air fryers)

John Venhuizen, CEO
Ace Hardware Corporation
2200 Kensington Court
Oak Brook, IL 60523
(Retailer for multiple brands)

Walter C. Jelinek, CEO
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027
(Retailer for multiple brands)

Jill Soltau, CEO
J. C. Penney Company, Inc.
6501 Legacy Drive
Plano, TX 75024
(Retailer for multiple brands)

Jeff Gennette, CEO
Macy's Inc.
151 West 34th Street
New York, NY 10001
(Retailer for multiple brands)

C. Douglas McMillon, CEO
Walmart Inc.
702 SW 8th Street
Bentonville, Arkansas 72716
(Retailer for multiple brands)

Pro Breeze
Ryland House
24A Ryland Road
London NW5 3EH, UK
(Pro Breeze brand air fryers)

Sunvalley Brands
46724 Lakeview Blvd.
Fremont, CA 94538
(TaoTronics brand air fryers)

Gengxi 780 Cai, CEO
Sunvalleytek International, Inc.
160 E. Tasman Dr., Suite 215
San Jose, CA 95134
(TaoTronics brand air fryers)

Jianbo Zeng, President
Ultrean, Inc.
848 N. Rainbow Blvd., Ste. 9027
Las Vegas, NV 89107
(Ultrean brand air fryers)

Mark J. Tritton, CEO
Bed Bath & Beyond Inc.
650 Liberty Avenue
Union, NJ 07083
(Retailer for multiple brands)

Thomas L. Schwilke, CEO
Food 4 Less of S. California, Inc.
1100 W. Artesia Blvd.
Compton, CA 90220
(Retailer for multiple brands)

Michelle Gass, CEO
Kohl's Inc.
N56 W17000 Ridgewood Drive
Menomonee Falls, WI 53051
(Retailer for multiple brands)

Thomas L. Schwilke, CEO
Ralphs Grocery Company
1100 W. Artesia Blvd.
Compton, CA 90220
(Retailer for multiple brands)

Jeff Bezos, CEO
Amazon.com Services LLC
410 Terry Avenue N
Seattle, WA 98109-5210
(Retailer for multiple brands)

ShenZhen Proscenic Technology
Co.,Ltd., No. 808-812, Bldg 5, No.
333, Qidi Xiexin Longcheng St.,
Longgang Dist.
Shenzhen China 518000
(Proscenic brand air fryers)

Secura Inc.
3815 N. Brookfield Road
Brookfield, WI 53045
(Secura brand air fryers)

Toshiba Lifestyle Products &
Services Corporation
5 Sylvan Way, Suite 100
Parsippany, NJ 07054
(Toshiba brand air fryers)

Laura J. Alber, CEO
Williams-Sonoma, Inc.
3250 Van Ness Ave.
San Francisco, CA 94109
(Williams-Sonoma brand air fryers)

Deborah DiSanzo, CEO
Best Buy Co., Inc.
7601 Penn Avenue S.
Richfield, MN 55423
(Retailer for multiple brands)

Craig E. Menar, CEO
Home Depot U.S.A., Inc.
2455 Paces Ferry Road
Atlanta, GA 30339
(Retailer for multiple brands)

David M. Denton, CEO
Lowe's Companies, Inc.
1000 Lowe's Blvd.
Mooresville, NC 28117-8520
(Retailer for multiple brands)

Brian C. Cornell, CEO
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403
(Retailer for multiple brands)

Niraj Shah, CEO
Wayfair, Inc.
4 Copley Place
Boston, MA 02116
(Retailer for multiple brands)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed
June 30, 2021, at Long Beach, California.


Nina S. Vidal

PROOF OF SERVICE BY U.S. MAIL
(Our File No. 8056)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of 18 and not a party to this matter. My business address is 555 E. Ocean Blvd., Suite 800, Long Beach, CA 90802. On June 30, 2021, I served the within **Notice of Proposition 65, California Health & Safety Code § 25249.6 Violations: Exposure of Consumers to Carcinogenic Substances Without First Giving Warnings; Certificate of Merit** on the following governmental attorneys who are required to be served copies of said notice, by placing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the U.S. mail at Long Beach, CA, addressed as follows:

Rob Bonta, Cal. Attorney General
Office of the Attorney General
1515 Clay Street, 20th Floor
Oakland, CA 94612-0550

District Attorney
Colusa County
547 Market Street, Suite 102
Colusa, CA 95932

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

Office of the City Attorney
800 City Hall East
200 North Main Street
Los Angeles, CA 90012

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

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

Office of the City Attorney
Civic Center Plaza
1200 Third Ave., #1620
San Diego, CA 92101

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

District Attorney
Lassen County
220 South Lassen Street, Suite 8
Susanville, CA 96130

Office of the City Attorney
City Hall, Room 234
San Francisco, CA 94102

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

District Attorney
Los Angeles County
210 West Temple St., Suite 18000
Los Angeles, CA 90012-3210

Office of the City Attorney
200 E. Santa Clara St., 16th Floor
San Jose, CA 95113-1905

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

District Attorney
Madera County
209 West Yosemite Avenue
Madera, CA 93637

District Attorney
Alameda County
Rene C. Davidson Courthouse
1225 Fallon Street, Rm. 900
Oakland, CA 94612

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

District Attorney
Marin County
3501 Civic Center Dr., Rm. 130
San Rafael, CA 94903

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

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

District Attorney
Mariposa County
5101 Jones Street
Mariposa, CA 95338

District Attorney
Amador County
708 Court Street
Jackson, CA 95642

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

District Attorney
Mendocino County
P.O. Box 1000
Ukiah, CA 95482

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

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

District Attorney
Merced County
650 W. 20th St.
Merced, CA 95340

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

District Attorney
Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

District Attorney
Modoc County
204 S. Court St., STE. 202
Alturas, CA 96101

District Attorney
Mono County
P.O. Box 617
Bridgeport, CA 93517

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

District Attorney
Napa County
931 Parkway Mall
Napa, CA 94559

District Attorney
Nevada County
110 Union St.
Nevada City, CA 95959

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

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

District Attorney
Plumas County
520 Main St., Rm. 404
Quincy, CA 95971

District Attorney
Riverside County
4075 Main Street
Riverside, CA 92501

District Attorney
Sacramento County
901 G Street
Sacramento, CA 95814

District Attorney
San Benito County
419 4th Street
Hollister, CA 95023-3801

District Attorney
San Bernardino County
316 N. Mountain View Ave
San Bernardino, CA 92415-0004

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

District Attorney
San Francisco County
850 Bryant Street, Room 325
San Francisco, CA 94103

District Attorney
San Joaquin County
P.O. Box 990
Stockton, CA 95201-0090

District Attorney
San Luis Obispo
1035 Palm St., Room 450
San Luis Obispo, CA 93408

District Attorney
San Mateo County
400 County Center, 3rd Floor
Redwood City, CA 94063-1662

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

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

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

District Attorney
Shasta County
1525 Court St., 3rd Floor
Redding, CA 96001

District Attorney
Sierra County
100 Courthouse Square, 2nd Floor
Downieville, CA 95936

District Attorney
Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney
Solano County
675 Texas Street, Suite 4500
Fairfield CA 94533-6340

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

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

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

District Attorney
Tehama County
444 Oak St., Rm. L
Red Bluff, CA 96080

District Attorney
Trinity County
11 Court St.
Weaverville, CA 96093

District Attorney
Tulare County
221 S. Mooney Ave., Rm 224
Visalia, CA 93291

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

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Ventura, CA 93009

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed June 30, 2021, at Long Beach, California.



Nina S. Vidal