



SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)

DATE: September 17, 2021

To: Amazon.com; The Surf Source, Inc.

California Attorney General's Office;

District Attorney's Office for 58 Counties; and

City Attorney's Office for Los Angeles, San Diego, San Jose and San Francisco.

From: Masonek Law.

Masonek Law Firm

Address: 11100 4th st. suite H 108 Rancho Cucamonga, CA 91730

Telephone: +1 9492008661

Email Address: legalservices@masonekinternational.com

September 17, 2021

VIA U.S. MAIL

Rob Bonta, Attorney General Office of the Attorney
General Attn: Health & Safety Code § 25249.7(d)(1)
(Proposition 65) Notice 1300 "I" Street Sacramento,
California 95814-2919

**SELLER IN CALIFORNIA: AMAZON
AMAZON INC.**

Amazon CEO Doug Jeff Bezos
410 Terry Ave N, Seattle, WA 98109, Estados Unidos
www.amazon.com

**OWNER COMPANY: The Surf Source, Inc.
The Surf Source, Inc.**

DIRECTOR: Dale Christenson

REGISTERED AGENT: Dale Christenson

52 W 3rd St, Atlantic Beach, FL 32233, US

www.surfsource.net www.dingall.com

Ding all epoxy repair kit



[District & City Attorneys Copied]

Re: Notice Pursuant to Cal. Health & Safety Code §§ 25249.7(a) & (d)(1) Violation or Threatened Violation of Proposition 65 Warning by Raymond Vineyard & Cellar, Inc.

To Whom it may Concern and Public Prosecutors:

We represent California consumer Alejandra Stanzione (“AS” “plaintiff”), acting on her behalf and in the interest of the general public. As described below, citizen AS has detected violations of California SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT of 1986 (“Proposition 65” or “act”), codified at California Health and Safety Code §§ 25249.5 *et seq.* by collectively (the violators). This letter serves to provide the plaintiff’s notification of these violations to the violators and elected prosecutors. Is the plaintiff’s intention to notify you as to **The Surf Source, Inc. and AMAZON INC.** violation, or threatened violation, of § 25249.6, *i.e.*, Proposition 65. The violations alleged by this Notice consist of types of harm that may potentially result from exposures to the toxic chemical **Styrene**, which was listed as a known hazardous substance in April of 2016.

Listed Chemical	Styrene
Routes of exposure	Inhalation, ingestion, or dermal absorption
Types of harm	Cancer

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NATURE OF ALLEGED VIOLATION

Duration of the Violations

The violations have been occurring since at least May 2017 and are ongoing.

Provision of Proposition 65

This Notice of Violation covers the “warning provision” of Proposition 65, which is found at California Health and Safety Code Section 25249.6.

Proposition 65 information

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment (“OEHHA”) in the Proposition 65 Implementation Office at (916) 445-6900, or to visit their website at <http://oehha.ca.gov/proposition-65>.

Listed Chemical(s)

The listed chemical involved in these violations is **Styrene**, known to the State of California to cause cancer.

Type of Product and Route of Exposure

Product	Retailer/Distributor	Manufacturer
Ding All 3 Oz (84ml) Super Epoxy Repair Kit for Small to Medium Size Epoxy and Polyester Surfboards Repairs	Amazon	The Surf Source, Inc.

The type of product causing these violations is an epoxy repair kit for surfboards. The consumer is exposed to the Listed Chemical as a result of using the product as described in the instructions by mixing the substances and applying them to the surfboard.

It has been proven the presence of Styrene in the product and that the quantity exceeds de NSRL even if used in small quantities or at the minimum levels of the provided measuring cup. In reality, in order to achieve the purpose for what the product is intended, a person would most likely use the whole bottle or a significant portion of it. By using the product, a person would be exposed to more than eight times the NSRL, and no warning is provided by the manufacturer or the retailer.

The type of products are pictured below as they are offered for sale on the seller's and distributor's website. Also attached, there are photographs of the product when received by the plaintiff.



Description of Violation

Ding All is a brand owned by **The Surf Source, Inc**, producing and selling these products that allegedly are in violation of the requirements set by the State of



California. According to their own website information, they distribute the products via **AMAZON INC.** selling all types of products to residents of California through their websites. One of those products is: Ding All 3 Oz (84ml) Super Epoxy Repair Kit for Small to Medium Size Epoxy and Polyester Surfboards Repairs, produced by a US company incorporated in Florida and selling/distributing their products in California. No clear and reasonable Proposition 65 warning is provided with these products, neither on the product offering web pages from the seller nor in the packaging, regarding the presence of the Listed Chemical in the products.

CONTACT INFORMATION

Please direct all questions concerning this Notice to our counsel's offices at the following address:

Masonek Law offices or the designated attorney.

**11100 4th st. suite H 108
Rancho Cucamonga, CA 91730**

Telephone: +1 9492008661

Email: legalservices@masonekinternational.com

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RESOLUTION OF NOTICED CLAIMS

Based on the allegations set forth in this Notice, plaintiff AS intends to file a citizen enforcement lawsuit against **The Surf Source, Inc. and AMAZON INC.** unless they agree in a binding written agreement to: (1) recall products already sold or otherwise provided to consumers; (2) provide clear and reasonable warnings for products sold or otherwise provided to consumers in the future to eliminate unknowing exposures or reformulate such products to eliminate Listed Chemicals exposures; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If **The Surf Source, Inc and AMAZON INC.** are interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact us directly on behalf of the plaintiff. It should be noted that neither Alejandra Stanzione nor us can: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received this Notice. Therefore, while reaching an agreement with the plaintiff on this matter will resolve its claims, such agreement may not satisfy the public prosecutors.

If the alleged Violator is interested in resolving this dispute please contact the Law Firm identified above.

Sincerely,

Masonek Law offices.

11100 4th st. suite H 108
Rancho Cucamonga, CA 91730

Telephone: +1 9492008661

Email: legalservices@masonekinternational.com



Attachment: Certificate of Merit (Cal. Health & Safety Code § 25249.7(d)(1))

cc: City and District Attorneys, as follows:

Stacey Grassini, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 sgrassini@contracostada.org	Nora V. Frimann, City Attorney 200 E. Santa Clara Street, 16th Floor San Jose, CA 96113 Proposition65notices@sanjoseca.gov	Nancy O'Malley, District Attorney, Alameda County 7776 Oakport Street, Suite 650 Oakland, CA 94621 CEPDProp65@acgov.org
Allison Haley , District Attorney 1127 First Street, Suite C Napa , CA 94559 CEPD@countyofnapa.org	Jeannine M. Pacioni, District Attorney 1200 Aguajito Road Monterey , CA 93940 Prop65DA@co.monterey.ca.us	Stephan R. Passalacqua District Attorney, Sonoma County 600 Administration Drive, Rm. 212J Sonoma, CA 95403 jbarnes@sonoma-county.org
Phillip J. Cline District Attorney, Tulare County 221 S. Mooney Avenue, Rm. 224 Visalia, CA 93291 Prop65@co.tulare.ca.us	Gregory D. Totten District Attorney, Ventura County 800 South Victoria Avenue Ventura, CA 93009 daspecialops@ventura.org	Paul E. Zellerbach District Attorney, Riverside County 3072 Orange Street Riverside, CA 92501 Prop65@rivcoda.org
Barbara Yook District Attorney, Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249 Prop65Env@co.calaveras.ca.us	Thomas L. Hardy District Attorney, Inyo County 168 North Edwards Street Independence, CA 93526 inyoda@inyocounty.us	Michelle Latimer Program Coordinator, Lassen County 220 S. Lassen Street, Ste. 8 Susanville, CA 96130 mlatimer@co.lassen.ca.us
Anne Marie Schubert District Attorney, Sacramento County 901 "G" Street Sacramento, CA 95814 Prop65@sacda.org	Mark Ankcom Deputy City Attorney 1200 Third Avenue San Diego, CA 92101 CityAttyProp65@sandiego.gov	Valerie Lopez Deputy City Attorney 1390 Market Street, 7th Floor San Francisco, CA 94102 Valerie.Lopez@sfcityatty.org
Alethea M. Sargent , Assistant District Attorney 350 Rhode Island Street San Francisco, CA 94103 alethea.sargent@sfgov.org	Tori Verber Salazar, District Attorney 222 E. Weber Avenue, Room 202 Stockton, CA 95202 San Joaquin County DAConsumer.Environmental@sjcda.org	Eric J. Dobroth Deputy District Attorney County Government Center Annex, 4th Floor San Luis Obispo, CA 93408 edobroth@co.slo.ca.us
Christopher Dalbey Deputy District Attorney 1112 Santa Barbara St.Santa Barbara, CA 93101 DAProp65@co.santa-barbara.ca.us	Jeffrey S. Rosell District Attorney 701 Ocean Street Santa Cruz , CA 95060 Prop65DA@santacruzcounty.us	Jeff W. Reisig District Attorney 301 Second Street Woodland, CA 95695 cfepd@yolocounty.org



District Attorney of Stanislaus County 832 12th Street, Ste. 300 Modesto, CA 95354	District Attorney of Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney of Kings County 1400 West Lacey Blvd. Hanford, CA 93230
District Attorney of Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney of Butte County Administration Building 25 County Center Drive Oroville, CA 95965	District Attorney of Los Angeles County 210 W. Temple Street, Ste. 1800 Los Angeles, CA 90012
District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney of Marin County 3501 Civic Center Drive, Rm. 130 San Rafael, CA 94903	Walter W. Wall , District Attorney P.O. Box 730 Mariposa, CA 95338 Phone: (209) 966-3626 mcda@mariposacounty.org
District Attorney of Mendocino County P.O. Box 1000 Ukiah, CA 95482	Kimberly Lewis, District Attorney 550 West Main Street Merced, CA 95340 Prop65@countyofmerced.com	District Attorney of Modoc County 204 S. Court Street, Rm. 202 Alturas, CA 96101
District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93546	Clifford H. Newell , District Attorney 201 Commercial Street Nevada City , CA 95959 DA.Prop65@co.nevada.ca.us	District Attorney of Orange County 401 Civic Center Drive West Santa Ana, CA 92701
Morgan Briggs Gire, District Attorney 10810 Justice Center Drive Roseville, CA 95678 Phone: 916-543-8000 prop65@placer.ca.gov	David Hollister, District Attorney 520 Main St. Quincy, CA 95971 Phone: (530) 283-6303 davidhollister@countyofplumas.com	District Attorney of Amador County 708 Court Street, Ste. 202 Jackson, CA 95642
District Attorney of San Benito County 419 Fourth Street, 2nd Fl. Hollister, CA 95023	District Attorney of San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415	Summer Stephan , District Attorney 330 West Broadway San Diego, CA 92101 SanDiegoDAProp65@sdca.org
District Attorney of El Dorado County 778 Pacific Street Placerville, CA 95667	District Attorney of Fresno County 2220 Tulare Street, Ste. 1000 Fresno, CA 93721	District Attorney of Glenn County P.O. Box 430 Willows, CA 95988
District Attorney of San Mateo County 400 County Center, 3rd Fl. Redwood City, CA 94063	District Attorney of Humboldt County 825 5th Street Eureka, CA 95501	District Attorney of Imperial County 939 Main Street, Ste. 102 El Centro, CA 92243
District Attorney of Shasta County 1355 West Street. Redding, CA 96001	District Attorney of Sierra County Courthouse 100 Courthouse Sq., 2nd Fl. Downieville, CA 95936	District Attorney of Siskiyou County P.O. Box 986 Yreka, CA 96097



District Attorney of Solano County 675 Texas Street, Ste. 4500 Fairfield, CA 94533	District Attorney of Sutter County 446 Second Street Yuba City, CA 95991	District Attorney of Tehama County P.O. Box 519 Red Bluff, CA 96080
District Attorney of Trinity County P.O. Box 310 11 Court Street Weaverville, CA 96093	District Attorney of Tuolumne County 423 N. Washington Street Sonora, CA 95370	San Jose City Attorney's Office 200 East Santa Clara Street San Jose, CA 95113
District Attorney of Yuba County 215 Fifth Street Marysville, CA 95901	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Rm. 800 Los Angeles, CA 90012	District Attorney of Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932

District Attorney of Del Norte County 450 H Street, Ste. 171 Crescent City, CA 95531	District Attorney, Alpine County P.O. Box 248 Markleeville, CA 96120	California Attorney General's Office Attention: Proposition 65 Coordinator and Robert Thomas 1515 Clay Street, Ste. 2000 P.O. Box 70550 Oakland, CA 94612-0550
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Bud Porter, Supervising Deputy District Attorney 70 W Hedding St San Jose, CA 95110 EPU@da.sccgov.org	Summer Stephan , District Attorney 330 West Broadway San Diego, CA 92101 SanDiegoDAProp65@sdca.org	Mark Ankcorn, Deputy City Attorney 1200 Third Avenue San Diego, CA 92101 CityAttyProp65@sandiego.gov
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September 17, 2021

**CERTIFICATE OF MERIT PURSUANT TO CAL. HEALTH & SAFETY CODE §
25249.7(d)(1)**

I Jeffrey Masonek hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

2. I, in representation of Masonek Law Firm, am the attorney for the noticing party.

3. We have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on all other information in my possession, We believe there is a reasonable and meritorious case for the private action. We 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 violator 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.

By Masonek Law Firm:
Jeffrey Masonek

A handwritten signature in black ink, appearing to read 'Jeffrey Masonek', is written over a horizontal line.



[Attachments for Attorney General Only]



CERTIFICATE OF SERVICE

I, **María Alejandra Stanzione**, declare that I am over the age of 18 years, My California address is 5333 Balboa Blvd, apt 124, Encino CA 91316 and I am a neighbor from the county where the service was posted.

On September 17th, I served the following documents:

(1) 60 DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH AND SAFETY CODE SECTION 25249.7(d);

(2) CERTIFICATE OF MERIT;

(3) PROPOSITION 65: A SUMMARY and,

(4) CERTIFICATE OF MERIT ATTACHMENTS (served only on the Attorney General) on the parties listed below by placing a true and correct copy thereof in a sealed envelope, addressed to each party and depositing it with the U.S. Postal Service for delivery by Certified Mail with the postage thereon fully prepaid:

Via U.S. Mail

AMAZON INC.
Amazon CEO Doug Jeff Bezos
410 Terry Ave N, Seattle, WA 98109

The Surf Source, Inc.
DIRECTOR: Dale Christenson
REGISTERED AGENT: Dale Christenson
52 W 3rd St, Atlantic Beach, FL 32233, US

On September 17th, I served the California Attorney General (via website Portal) by uploading a true and correct copy thereof as a PDF file via the California Attorney General's website.

On September 17th, I transmitted via electronic mail the above-listed documents to the electronic mail addresses of the City and/or District Attorneys who have specifically authorized e-mail service.

On September 17th, I served the following persons and/or entities at the last known address by placing a true and correct copy thereof in a sealed envelope and depositing it with the U.S. Postal Service for delivery with the postage thereon fully prepaid, and addressed as follows:



*See Attached 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 September 17th, at **Rancho Cucamonga**, California.

Maria Stanzione

Signature: 
Maria Stanzione (Sep 17, 2021 22:01 PDT)

Email: alejandrastanzione@hotmail.com