



JANUARY 28, 2021

**NOTICE OF VIOLATION OF
CALIFORNIA HEALTH & SAFETY CODE § 25249.5 ET SEQ.**

Attorney General Rob Bonta
c/o Proposition 65
Coordinator
Office of the Attorney
General
P.O. Box 70550
Oakland, CA 94612-0550

Paul Taylor, General Counsel
Ajinomoto Cambrooke, Inc.
4 Copeland Dr
Ayer, Massachusetts, 01432-
1751

Ajinomoto Cambrooke, Inc.
Ajinomoto Foods North
America, Inc.
Ajinomoto Health &
Nutrition North America, Inc.
c/o Kerry Shea
505 Montgomery Street
Suite 800
San Francisco, CA 94111-
6533

Re: Lead in “Cambrooke” Brand Food Products

As You Sow (“AYS”) is a 501(c)(3) non-profit corporation dedicated to, among other causes, toxics reduction, the promotion of and improvement of human health, the improvement of worker and consumer rights, environmental education and the protection of the environment, and corporate accountability. AYS is based in Berkeley, California, and was incorporated in 1992 under the laws of the State of California.

AYS has documented violations of California’s Safe Drinking Water & Toxic Enforcement Act of 1986 (“Proposition 65”), codified at Health & Safety Code section 25249.5 et seq; specifically Section 25249.6, which provides that “[n]o 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 providing a clear and reasonable warning to such individual ...” This letter serves to provide AYS’s notification of these violations to Ajinomoto Foods North America, Inc., Ajinomoto Health & Nutrition North America, Inc., and Ajinomoto Cambrooke, Inc. (collectively, “the Company”) and public enforcement agencies. Pursuant to section 25249.7(d) of the statute, AYS intends to bring an enforcement action sixty days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

A summary of the statute and its implementing regulations, which was prepared by the lead agency designated under the statute, is enclosed with the notices served upon the violator(s). The specific details of the violations that are the subject of this notice are provided below.

Alleged violator(s). The names of the violator(s) covered by this notice are:

- Ajinomoto Foods North America, Inc.
- Ajinomoto Health & Nutrition North America, Inc.

- Ajinomoto Cambrooke, Inc.

Chemical(s). These violations involve exposures to lead from the products listed below. The State of California has officially listed lead as known to cause cancer and birth defects or reproductive harm. *See* Chemicals Known to the State to Cause Cancer or Reproductive Toxicity, available at http://oehha.ca.gov/prop65/prop65_list/Newlist.html.

Consumer products. The products that are the subject of this notice are “Cambrooke” Brand Food Products that contain lead and are, at any time, manufactured, distributed, or sold by the alleged violator(s), including but not limited to the following:

SKU #	Product Description
10625	BAGEL BARS - FRENCH TOAST
10618	BAGELS - CINNAMON RAISIN
10622	BAGELS - PLAIN
10918	BROOKELYN DOGS
10410	CREAMY GARLIC & BROCCOLI RICE
10723	GINGERBREAD MIX
10821	INSTANT NOODLE SOUP - BEEF
10820	INSTANT NOODLE SOUP - CHICKEN
10431	INSTANT STIVALETTI ALFREDO
10920	MEDLEY MEALS - BARBECUE BAKE
10401	PASTA SOLO - ELBOWS
10412	PIEROGI
10345	READI-DOUGH
10340	SEASONED BREADCRUMBS
10631	THE BIGGER BAGEL - APPLE CINNAMON
10429	TOASTED PIEROGIES
10428	WHITE CHEDDAR MAC
10830	YUCA TATER HOME FRIES
10101	ARTISAN BREAD
10616	BROOKELYN DOG BUNS

10305	BURGER PATTY MIX
10124	CAMBURGER BUNS
10903	CHEESE PIZZA
10304	CHICKEN PATTY MIX
10111	CINNAMON RAISIN SWIRL BREAD
10915	CORNY DOGS
10638	CREAMY HOT CEREAL - CINNAMON
10639	CREAMY HOT CEREAL - VANILLA
10123	FOCACCIA STICKS - ITALIAN STYLE
10110	HOMESTYLE SLICED WHITE BREAD
10913	PB&J MINI POCKETS
10621	PITA POCKETS
10904	PIZZA BLANCA
10909	PIZZA MINI POCKETS
10908	PIZZA PRIMAVERA
10311	SAUSAGE PATTY MIX
10316	SEAFOOD PATTY MIX
10115	TUSCAN PIZZA CRUSTS
10902	TWEEKZ

Route of exposure. Use of the products identified in this notice result in human exposures to lead. The route of exposure is ingestion. No clear and reasonable warning is provided with the products regarding the health hazards of lead.

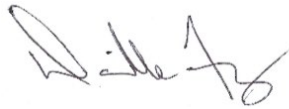
Duration of violation. These ongoing violations have occurred on every day since at least January 28, 2020, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until these known toxic chemicals are removed from the products.

Pursuant to Title 11, Cal. Code Regs. section 3100, a certificate of merit is attached hereto.

In keeping with its public interest mission and to expeditiously rectify this ongoing violation of California law, *As You Sow* is interested in seeking a constructive resolution of this matter without engaging in costly and protracted litigation. You may communicate directly with *As You Sow* to discuss an early resolution of this matter by contacting:

Danielle Fugere
President
As You Sow
2150 Kittredge St. Suite 450
Berkeley, CA 94704
Tel: (510) 735-8141
Email: dfugere@asyousow.org

Sincerely,

A handwritten signature in black ink, appearing to read 'Danielle Fugere', written in a cursive style.

Danielle Fugere

CERTIFICATE OF MERIT

(for *As You Sow*'s Notice of Proposition 65 Violation on Ajinomoto Foods North America, Inc., Ajinomoto Health & Nutrition North America, Inc., and Ajinomoto Cambrooke, Inc.)

I, Chelsea Linsley, declare:

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

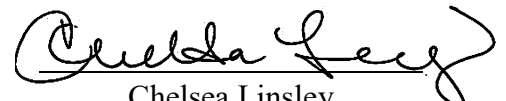
I am Staff Attorney of the noticing party.

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

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 that the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.

The copy of this Certificate of Merit served on the Attorney General has attached to it to it factual information sufficient to establish the basis for this certificate, including the information identified in section 25249.7(h)(2) of the Health and Safety Code, 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 28, 2021


Chelsea Linsley

Enclosure (Attorney General Copy only)

CERTIFICATE OF SERVICE

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. My business address is: Main Post Office, P.O. Box 751, Berkeley, CA 94701.

On January 28, 2021, I served the following documents:

- Notice of Violation of California Health & Safety Code section 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 via email and by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below, and depositing it at a United States Postal Service Office for delivery by Certified Mail:

Paul Taylor, General Counsel Ajinomoto Cambrooke, Inc. 4 Copeland Dr Ayer, Massachusetts, 01432- 1751 taylorp@ajiusa.com	Ajinomoto Cambrooke, Inc. Ajinomoto Foods North America, Inc. Ajinomoto Health & Nutrition North America, Inc. c/o Kerry Shea 505 Montgomery Street Suite 800 San Francisco, CA 94111- 6533 kerryshea@dwt.com
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On January 28, 2021, I served the following documents:

- Notice of Violation of California Health & Safety Code section 25249.5 et seq.
- Certificate of Merit

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

On January 28, 2021, I served the following documents on the Attorney General using the Attorney General’s Proposition 65 electronic Notice Filing Form (<https://oag.ca.gov/prop65/add-60-day-notice>):

- Notice of Violation of California Health & Safety Code section 25249.5 et seq.
- Certificate of Merit, including Supporting Documentation Required by Title 11, C.C.R. § 3102

Executed on January 28, 2021, at Berkeley, California.

A handwritten signature in black ink, appearing to be 'JD', enclosed in a light gray rectangular box.

Jesus Diaz