CLIFFWOOD LAW FIRM, PC

12100 WILSHIRE BLVD, SUITE 800 LOS ANGELES, CALIFORNIA 90025 (310)200-3227

60-DAY NOTICE OF INTENT TO SUE

for violations of the Safe Drinking Water and Toxic Enforcement Act of 1986

May 25, 2024

Current President or CEO Farsedakis Beauty Brands, LLC. 10290 Atlantic Ave. #481507 Delray Beach, FL, 33448

Current President/CEO
Blinc, Inc.;
Farsedakis Beauty Brands, LLC
% The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

President/CEO
Amazon.com Services, LLC
c/o CSC - Lawyers Incorporating Service, Agent
2710 Gateway Oaks Drive #150N
Sacramento, CA 95833

Re: NOTICE OF VIOLATION AGAINST FARSEDAKIS BEAUTY BRANDS, LLC., BLINC, INC.; AMAZON.COM SERVICES, LLC, of CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6

To Whom It May Concern and to Public Prosecutors:

We represent Clean Product Advocates, LLC ("CPA"), an organization in the State of California acting in the interest of the general public. This letter serves as notice that the parties listed above are in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, commencing with section 25249.5 of the Health and Safety Code ("Proposition 65"). In particular, the violations alleged by this notice consist of types of harm that may potentially result from exposures to the toxic chemical Titanium dioxide (airborne, unbound particles of respirable size) ("TiO2"). This chemical was listed as a carcinogen on September 2, 2011.

The specific type of product that is causing exposures in violation of Proposition 65 is Eyeshadow including but not limited to:

Product Name	Violative Chemical	Violators
Blinc Rare Gem Eyeshadow Palette	Titanium dioxide	Farsedakis Beauty Brands, LLC.
UPC: 854816000750	(TiO ₂)	Blinc, Inc.
		Amazon.com Services, LLC

The routes of exposure for the violations include inhalation by consumers. These exposures occur through the reasonably foreseeable use of the product. The sales of this product have been occurring since at least April 12, 2024, are continuing to this day and will continue to occur as long as the product subject to this notice is sold to and used by consumers.

Proposition 65 requires that a clear and reasonable warning is provided with these products regarding the exposures to TiO_2 caused by ordinary use of the product. The Parties are in violation of Proposition 65 by failing to provide such warning to consumers and as a result of the sales of this product, exposures to TiO_2 have been occurring without proper warnings.

Pursuant to Proposition 65, notice and intent to sue shall be provided to violators 60- days before filing a complaint. This letter provides notice of the alleged violation to the parties listed above and the appropriate governmental authorities. A summary of Proposition 65 is attached. CPA identifies Dekee Yangzom as a responsible individual within the entity; 2934 1/2 Beverly Glen Blvd., Suite 46, Los Angeles, CA 90077; 310-892-5658. Ms. Yangzom requests all communications be directed to

Please direct all communication regarding this notice to CPA's attorney, Elham Shabatian (ellie@cliffwoodlaw.com), Cliffwood Law Firm PC, 12100 Wilshire Blvd., Suite 800, Los Angeles, CA 90025, 310-200-3227.

Sincerely,

CPA's attorneys.

Elham Shabatian

CLIFFWOOD LAW FIRM, PC

Cc: see attached distribution list

Attachments:

- 1. Certificate of Merit;
- 2. Certificate of Service;
- 3. Appendix "A" "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary" (to the Noticed Parties only);
- 4. Certificate of Merit (Attorney General Copy); Factual information sufficient to establish basis of the certificate of merit (only sent to Attorney General)

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

Re: Clean Product Advocates, LLC's Notice of Proposition 65 Violations by Farsedakis Beauty Brands, LLC., Blinc, Inc.; Amazon.com Services, LLC

- I, Elham Shabatian, attorney at law, 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 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, and/or other data regarding the alleged exposures to the listed chemical that is the cause of 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 plaintiffs' 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.

Dated: May 25, 2024

PROOF OF SERVICE

I, Elham Shabatian, am over the age of 18 and am not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 12100 Wilshire Blvd, Suite 800, Los Angeles, CA 90025

On May 25, 2024, I served the following documents:

- 1. 60-Day Notice of Intent to Sue Under Health and Safety Code section 25249.6
- 2. Certificate of Merit; Health and Safety Code Section 25249.7 (d)
- 3. Certificate of Merit (Attorney General Copy); Factual information sufficient to establish the basis of the certificate of merit (only sent to Attorney General)
- 4. The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary on the alleged violator (s) listed below via First Class Mail through the United States Postal Service by placing a true and correct copy in a sealed envelope, addressed to the entity listed below and providing such envelope to a United States Postal Service Representative:

Current President or CEO	Current President/CEO	President/CEO
Farsedakis Beauty Brands, LLC.	Blinc, Inc.;	Amazon.com Services, LLC
10290 Atlantic Ave. #481507	Farsedakis Beauty Brands, LLC	c/o CSC - Lawyers Incorporating
Delray Beach, FL, 33448	% The Corporation Trust Company	Service
	1209 Orange Street	2710 Gateway Oaks Drive #150N
	Wilmington, DE 19801	Sacramento, CA 95833

as well as by filing electronically a true and correct copy thereof as permitted through the website of the California Office of the Attorney General via link at oag.ca.gov/prop65:

State of California Department of Justice Office of the Attorney General of California Filing link: oag.ca.gov/prop65

Copies of the notice were provided to the public enforcers by placing a true and correct copy thereof in a sealed envelope, addressed to each of the District Attorney and City Attorney offices the parties listed on the attached Distribution List. The District Attorney and City Attorney offices that have requested electronic service only were served electronically via the email addresses listed on the Distribution List.

I declare under penalty of perjury that under the laws of the State of California that the foregoing is true and correct.

Signature	
Elha	May 25, 2024
Elham Shabatian	, 20, 202

DISTRIBUTION LIST

District Attorney Alpine County PO Box 248 Markleeville, CA 96120 District Attorney Amador County PO Box 245 Markleeville, CA 96120 District Attorney Amador County PO Box 245 District Attorney Amador County POS Court Street, Suite 202 Jackson, CA 95642 Los Angeles, CA 90012 District Attorney Butte County 25 County Center Drive, Suite 245 Oroville, CA 95936 District Attorney Butte County 25 County Center Drive, Suite 245 Oroville, CA 959965 Madera, CA 93637 District Attorney Butte County 350 Civil Center Drive, Room 130 Solit Attorney Marin County 350 Civil Center Drive, Room 130 Solit Attorney Marin County 350 Civil Center Drive, Room 130 Solit Attorney Marin County 350 Civil Center Drive, Room 130 District Attorney Del Norte County 400 H Street, Suite 171 POR 80 1000 Ukiah, CA 95432 Usit Attorney Lorova County 778 Pacific Street Placerville, CA 95667 District Attorney Mendocino County 778 Pacific Street Placerville, CA 95667 District Attorney Mono County Post Office Box 617 Solitic Attorney Humboldt County Post Office Box 617 Solitic Attorney Humbold County Post Office Box 617 District Attorney Humboldt County Post Office Box 617 District Attorney Humboldt County Post Office Box 430 District Attorney Humboldt County Solitic Attorney San Bernardino County Outs Hall Read Post Sulfice Advances Civil Attorney San Bernardino County Outs Hall Read Post Sulfice Advances Civil Attorney Humboldt County Solitic Attorney San Bernardino County Outs Hall Read Post Sulfice Advances Civil Attorney Humboldt County Solitic Attorney Humboldt County Solitic Attorney San Bernardino County Outs Hall Bast 200 N. Main St., Sulfe Civil Attorney Humboldt County So	DISTRIBUTION LIST			
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APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA PROTECTION AGENCY THE SAFE

DRINKING WATER AND TOXIC ENFORCEMENT ACTION

1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the office of Environmental Health Hazard Assessment, the Lead and Toxic Enforcement Act 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 law. The reader is directed to the statue and its implementing regulations (See citations below) for further information.

Proposition 65 appears in California law as Health and Safety Code Sections 25249.5 through 25249.13. 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 Regulations, Sections 250000 through 27000.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Governor's List" Proposition 65 requires the Governor to publish a list of chemicals that are known to the State of California to cause cancer, or birth defects or other reproductive harm. This list must be updated at least once a year. Over 725 chemicals have been listed as of November 16, 2001. Only those chemicals that are on the list are regulated under this law. Businesses that produce, use, release, or otherwise engage in activities involving those 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. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved

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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.

Exposures are exempt from the warning requirement if they occur less than twelve months after the date of the listing of the chemical.

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. Discharges are exempt from this requirement if they occur less than twenty months after the date of the listing of chemicals.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. The law exempts:

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.

Exposures that pose no significant risk of cancer. For chemicals that are listed as known to the State to cause cancer ("carcinogens"), a warning is not required if the business 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 for more than 250 listed carcinogens.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause birth defects or other reproductive harm ("reproductive toxicants"), a warning is not required if the business 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 (NOEL)," divided by a 1,000-fold safety or uncertainty factor. The "no observable effect level" is the highest dose level which has not been associated with an observable adverse reproductive or developmental effect.

Discharge that does not result in a "significant amount" of the listed chemical entering into 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 list chemical has not, does not, or will not enter any drinking water source, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount; expect an amount that would meet the " no significant risk" or "no observable effect" test if an individual were exposed to such an 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 (those in cities with a population exceeding 750,000). 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. A notice must comply with the information and procedural requirements specified in regulations (Title 27. California Code of Regulations, Section 25903). A private party may not pursue an enforcement action directly under Proposition 65 if one of the governmental officials noted above initiates an action within sixty days of notice.

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 of law to stop committing the violation.

FOR FURTHER INFORMATION....

Contact the Office of Environmental Health Hazard Assessment=s Proposition 65 Implementation Office at (916)445-6900