



# AVJUSTICE LAW FIRM

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December 19, 2024

**NOTICE OF VIOLATION OF  
CALIFORNIA HEALTH & SAFETY CODE SECTION  
25249.5 ET SEQ.  
(PROPOSITION 65)**

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

We represent Keep America Safe and Beautiful ("KASB"), 10512 Sycamore Ave Stanton, CA 90680, (657-621-3809). KASB's Chief Executive Officer is Lance Nguyen. KASB is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

KASB has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), which is codified at California Health & Safety Code §25249.5 et seq., with respect to the products identified below. These violations have occurred and continue to occur because the alleged Violators identified below failed to provide required clear and reasonable warnings with these products. This letter serves as a notice of these violations to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Health and Safety Code Section 25249.7(d), KASB intends to pursue a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

**General Information about Proposition 65.**

A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with this letter served to the alleged Violators identified below.

**Alleged Violators.**

The names of the person/company covered by this notice that violated Proposition 65 (hereinafter the "Violators") are:

Nordic Ware and Northland Aluminum Products, Inc.  
5005 Country Road 25  
Minneapolis, Minnesota 2274

Amazon.com, Inc. and Amazon.com Services LLC  
410 Terry Avenue N.  
Seattle, Washington 98109

**Consumer Products and Listed Chemical.**

The products that are the subject of this notice and the chemical in those products identified as exceeding allowable levels are: Nordic Ware Cinnamon Spice Bundt Cake Mix.

On May 1, 1997, the State of California officially listed cadmium as a chemical known to cause developmental toxicity, and male reproductive toxicity. On October 1, 1987, the State of California officially listed cadmium and cadmium compounds as chemicals known to cause cancer

It should be noted that KASB may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

**Route of Exposure.**

The consumer exposures that are the subject of this notice result from the recommended use of these products. Consequently, the route of exposure to this chemical has been and continues to be through ingestion.

**Approximate Time Period of Violations.**

Ongoing violations have occurred every day since at least January 29, 2024, as well as every day since the products were introduced into the California marketplace and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is either removed from or reduced to allowable levels in the products. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemical. The method of warning should be a warning that appears on the product label. The Violators violated Proposition 65 because they failed to provide persons ingesting these products with appropriate warnings that they are being exposed to this chemical.

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, KASB is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violators to: (1) reformulate the identified products so as to eliminate further exposures to the identified chemical, or provide appropriate warnings on the labels of these products; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above products in the last three years. Such a resolution will prevent further unwarned consumer

KASB has retained us as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention at the law office address and telephone number indicated on the letterhead or at [padilla@avjustice.com](mailto:padilla@avjustice.com)**

Sincerely,



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Arturo Padilla

Attachments:

- Certificate of Merit
- Certificate of Service
- OEHHA Summary (to Alleged Violators only)
- Factual Information in Support of Certificate of Merit (to AG only)



December 19, 2024

**CERTIFICATE OF MERIT**

**Re: Keep America Safe and Beautiful's Notice of Proposition 65 Violation by Lee Kum Kee (USA), Inc., Nordic Ware and Northland Aluminum Products, Amazon.com, Inc. and Amazon.com Services LLC**

I, Arturo Padilla, declare:

1. This Certificate of Merit accompanies the attached 60-day notice in which it is alleged that the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the notice.
4. I have reviewed the laboratory testing results for the chemical subject to the Notice and rely on these results. The testing was conducted by a reputable accredited testing laboratory and by experienced scientists with doctoral and other degrees in relevant sciences. The facts, studies and other data derived through this investigation overwhelmingly demonstrate that the alleged violators have exposed persons to the listed chemical that is the subject of the Notice and is known to the State of California to cause reproductive and/or developmental harm, and/or cancer.
5. Based on the information obtained through those consultations, and on 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 Violators will be able to establish any of the affirmative defenses set forth in the statute.
6. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California Health & Safety Code §25249.7(h)(2), i.e., (1) the identities or persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: December 19, 2024

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Arturo Padilla  
padilla@avjustice.com

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

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 of age. My business address is 591 Plaza Dr. West Covina, CA 91790. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

On December 19, 2024, between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I served the following documents: **NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE §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 by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties listed below and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified First Class Mail:

Nordic Ware and Northland Aluminum Products, Inc.  
5005 Hwy 7  
Minneapolis, Minnesota 55416

Amazon.com, Inc. and Amazon.com Services LLC  
410 Terry Avenue N.  
Seattle, Washington 98109

Executed on December 19, 2024, in Los Angeles, California.



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Yessenia Ramirez

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

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I am a citizen of the United States and over the age of 18 years of age. My business address is 591 Plaza Dr. West Covina, CA 91790. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at West Covina, California.

On December 19, 2024 between 8:00 a.m. and 5:00 p.m. Pacific Standard Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT INCLUDING A SUMMARY OF CONFIDENTIAL FACTUAL INFORMATION; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice>:

Office of the California Attorney General  
Prop 65 Enforcement Reporting  
1515 Clay Street, Suite 2000  
Oakland, CA 94612-0550

Executed on December 19, 2024, in Los Angeles, California



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Yessenia Ramirez

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Pamela Price, District Attorney Alameda County 7677 Oakport Street, Suite 650 Oakland, CA 94621 <a href="mailto:CEPDProp65@acgov.org">CEPDProp65@acgov.org</a>	Barbara Yook, District Attorney Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249 <a href="mailto:Prop65Env@co.calaveras.ca.us">Prop65Env@co.calaveras.ca.us</a>
Stacey Grassini, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 <a href="mailto:sgrassini@contracostada.org">sgrassini@contracostada.org</a>	James Clinchard El Dorado County 778 Pacific Street Placerville, CA 95667 <a href="mailto:edcdaprop65@EDCDA.US">edcdaprop65@EDCDA.US</a>
Lisa A. Smittcamp, District Attorney Fresno County 2100 Tulare Street Fresno, CA 93721 <a href="mailto:Consumerprotection@fresnocountyca.gov">Consumerprotection@fresnocountyca.gov</a>	Thomas L. Hardy, District Attorney Inyo County 168 North Edwards Street Independence, CA 93526 <a href="mailto:inyoda@inyocounty.us">inyoda@inyocounty.us</a>
Michelle Latimer, Program Coordinator Lassen County 220 S. Lassen Street Susanville, CA 96130 <a href="mailto:mlatimer@co.lassen.ca.us">mlatimer@co.lassen.ca.us</a>	Lori Frugoli, District Attorney Marin County 3501 Civic Center Drive, Room 145 San Rafael, CA 94903 <a href="mailto:consumer@marincounty.gov">consumer@marincounty.gov</a>
Walter W. Wall, District Attorney Mariposa County P.O. Box 730 Mariposa, CA 95338 <a href="mailto:mcdca@mariposacounty.org">mcdca@mariposacounty.org</a>	Kimberly Lewis, District Attorney Merced County 550 West Main Street Merced, CA 95340 <a href="mailto:Prop65@countyofmerced.com">Prop65@countyofmerced.com</a>
Jeannine M. Pacioni, District Attorney Monterey County 1200 Aguajito Road Monterey, Ca 93940 <a href="mailto:Prop65DA@co.monterey.ca.gov">Prop65DA@co.monterey.ca.gov</a>	Alison Haley, District Attorney Napa County 1127 First Street, suite C Napa CA 94559 <a href="mailto:CEPD@countyofnapa.org">CEPD@countyofnapa.org</a>

<p>Clifford H. Newell, District Attorney Nevada County 201 Commercial Street Nevada City, CA 95959 <a href="mailto:DA.Prop65@co.nevada.ca.us">DA.Prop65@co.nevada.ca.us</a></p>	<p>Morgan Briggs Gire, District Attorney Placer County 10810 Justice Center Drive Roseville, CA 95678 <a href="mailto:Prop65@placer.ca.gov">Prop65@placer.ca.gov</a></p>
<p>David Hollister, District Attorney Plumas County 520 Main St Quincy, CA 95971 <a href="mailto:davidhollister@countyofplumas.com">davidhollister@countyofplumas.com</a></p>	<p>Paul E. Zellerbach, District Attorney Riverside County 3072 Orange Street Riverside, CA 92501 <a href="mailto:Prop65@rivcoda.org">Prop65@rivcoda.org</a></p>
<p>Anne Marie Schubert, District Attorney Sacramento County 901 G. Street Sacramento, CA 95814 <a href="mailto:Prop65@sacda.org">Prop65@sacda.org</a></p>	<p>Summer Stephan, District Attorney San Diego County 330 West Broadway San Diego, CA 92101 <a href="mailto:SanDiegoDAProp65@sdacda.org">SanDiegoDAProp65@sdacda.org</a></p>
<p>Mark Ankcorn, Deputy City Attorney San Diego City Attorney 1200 Third Avenue San Diego, CA 92101 <a href="mailto:CityAttyProp65@sandiego.gov">CityAttyProp65@sandiego.gov</a></p>	<p>Alexander Grayner, Asst. District Attorney San Francisco County 350 Rhode Island Street San Francisco, CA 94103 <a href="mailto:alexandra.grayner@sfgov.org">alexandra.grayner@sfgov.org</a></p>
<p>Tori Verber Salazar, District Attorney San Joaquin County 222 E. Weber Avenue, Room 202 Stockton, CA 95202 <a href="mailto:DAConsumer.Environmental@sjcda.org">DAConsumer.Environmental@sjcda.org</a></p>	<p>Eric J. Dobroth, Deputy District Attorney San Luis Obispo County County Government Center Annex, 4th Floor San Luis Obispo, CA 93408 <a href="mailto:edobroth@co.slo.ca.us">edobroth@co.slo.ca.us</a></p>
<p>Christopher Dalbey, Deputy District Attorney Santa Barbara County 1112 Santa Barbara Street Santa Barbara, CA 93101 <a href="mailto:DAProp65@co.santa-barbara.ca.us">DAProp65@co.santa-barbara.ca.us</a></p>	<p>Bud Porter, Supervising Deputy District Attorney Santa Clara County 70 W Hedding St San Jose, CA 95110 <a href="mailto:EPU@da.sccgov.org">EPU@da.sccgov.org</a></p>
<p>Nora V. Frimann, City Attorney 200 E. Santa Clara Street, 16<sup>th</sup> Floor San Jose, CA 96113 <a href="mailto:Proposition65notices@sanjoseca.gov">Proposition65notices@sanjoseca.gov</a> <a href="mailto:ov">ov</a></p>	<p>Jefferey S. Rosell, District Attorney Santa Cruz County 701 Ocean Street Santa Cruz, CA 95060 <a href="mailto:Prop65@santacruzcounty.us">Prop65@santacruzcounty.us</a></p>
<p>Jill Ravitch, District Attorney Sonoma County 600 Administration Dr Santa Rosa, CA 95403 <a href="mailto:Jeannie.Barnes@sonoma-county.org">Jeannie.Barnes@sonoma-county.org</a></p>	<p>Phillip J. Cline, District Attorney Tulare County 221 S Mooney Blvd Visalia, CA 95370 <a href="mailto:Prop65@co.tulare.ca.us">Prop65@co.tulare.ca.us</a></p>



Gregory D. Totten, District Attorney Ventura County 800 S Victoria Ave Ventura, CA 93009 daspecialops@ventura.org	Jeff W. Reisig, District Attorney Yolo County 30 I Second Street Woodland, CA 95695 cfepd@yolocounty.org
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Executed December 19, 2024, in Los Angeles, California



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Yessenia Ramirez

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**Service List**

Robert Priscaro, District Attorney Alpine County P.O. Box 248 Markleeville, CA 96120	Todd Riebe, District Attorney Amador County 708 Court Street, #202 Jackson, CA 905642	Michael L. Ramsey, District Attorney Butte County 25 Country Center Drive – Administration Building Orville, CA 95965
Brenden Farrell, District Attorney Colusa County 310 6 <sup>th</sup> Street Colusa, CA 95932	Katherine Micks, District Attorney Del Norte County 450 H Street, Room 171 Crescent City, CA 95531	Dwayne Stewart, District Attorney Glenn County P.O. Box 430 Willows, CA 95988
Stacey Eads, District Attorney Humboldt County 825 5 <sup>th</sup> Street Eureka, CA 95501	George Marquez, District Attorney Imperial County 940 W. main St, Suite 102 El Centro, CA 92243	Cynthia Zimmer, District Attorney Kern County 1215 Truxtun Avenue Bakersfield, CA 93301
Sarah Hacker, District Attorney Kings County 1400 West Lacey Blvd. Hanford, CA 93230	Susan Krones, District Attorney Lake County 255 N. Forbes Street Lakeport, CA 95453	George Gascon, District Attorney Los Angeles County 211 W. Temple Street, Suite 1200 Los Angeles, CA 90012
Sally O. Moreno, District Attorney Madera County 300 South G. Street, Suite 300 Madera, CA 93637	C. David Eyster, District Attorney Mendocino County P.O. Box 1000 Ukiah, CA 95482	District Attorney of Modoc County 204 S. Court Street Room 202 Alturas, CA 96101

David Anderson, District Attorney Mono County P.O. Box 2053 Mammoth Lakes, CA 93546	Todd Spitzer, District Attorney Orange County 300 N. Flower Street Santa Ana, CA 92703	Joel Buckingham, District Attorney San Benito County 419 4 <sup>th</sup> Street Hollister, CA 95023
Jason Anderson, District Attorney San Bernardino County 303 W. Third Street San Bernardino, CA 92415	James Kirk Andrus, District Attorney San Mateo County 400 County Center, Third Floor Redwood City, CA 94063	Stephanie A. Bridgette, District Attorney Shasta County 1355 West Street Redding, CA 96001
Sandra Groven, District Attorney Sierra County 100 Courthouse Square Downieville, CA 95936	James Kirk Andrus, District Attorney Siskiyou County P.O. Box 986 Yreka, CA 96097	Krishna, A. Abrams District Attorney Solano County 675 Texas Street, Suite 4500 Fairfield, CA 94533
Jeff Laugero, District Attorney Stanislaus County 832 12 <sup>th</sup> Street, Suite 300 Modesto, CA 95353	Jennifer Dupre, District Attorney Sutter County 462 2 <sup>nd</sup> Street, Suite 102 Yuba City, CA 95991	Matthew Rogers, District Attorney Tehama County P.O. Box 519 Red Bluff, CA 96080
David Brady, District Attorney Trinity County P.O. Box 310 Weaverville, CA 96093	Cassandra Jenecke, District Attorney Tuolumne County 423 N. Washington Street Sonora, CA 95370	Clint Curry, District Attorney Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901
Mike Feuer, District Attorney City of Los Angeles 200 N. Main St. Los Angeles, CA 90012		

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Yessenia Ramirez