

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Bisphenol S in Thermal Receipt Paper

June 9, 2025

This Notice of Violation (the "Notice") is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice is provided by the Center for Environmental Health ("CEH"), 2201 Broadway, Suite 508, Oakland, CA 94612, (510) 655-3900. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Shakoora Azimi-Gaylon is the Senior Director of the Toxic Exposures and Pollution Prevention program of and a responsible individual within CEH.

Description of Violation:

- Violators: The names and addresses of the violators are identified on the attached Exhibit 1.
- Time Period of Exposure: The violations have been occurring since at least December 29, 2024 and are continuing to this day.
- Provision of Proposition 65: This Notice covers the exposure/warning provision of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- Chemical(s) Involved: The name of the listed chemical involved in these violations is bisphenol S ("BPS"). Exposures to BPS occur from handling of the products identified in this Notice.
- Type of Product: The specific type of product causing these violations is thermal receipt paper. Non-exclusive examples of this specific type of product are identified on the attached Exhibit 1.
- Description of Exposure: This Notice addresses consumer exposures to BPS. Use of the products identified in this Notice results in human exposures to BPS. BPS is found on the surface of the products. Thermal receipt paper is treated with a surface coating of BPS. The routes of exposure for the violations are dermal absorption directly through the skin when consumers touch or handle the products, and ingestion via hand-to-mouth contact after consumers touch or

handle the products. No clear and reasonable Proposition 65 warning is provided with these products regarding the presence of BPS in the products.

Resolution of Noticed Claims:

Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against the alleged violators unless such violators agree in a binding written instrument to: (1) provide clear and reasonable warnings for products sold or otherwise provided to consumers in the future or reformulate such products to eliminate the BPS exposures; and (2) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If the alleged violators are interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact CEH through its counsel identified below. It should be noted that CEH cannot: (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 CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Preservation of Relevant Evidence:

This Notice also serves as a demand that the alleged violators preserve and maintain all relevant evidence, including all electronic documents and data, pending resolution of this matter. Such relevant evidence includes but is not limited to all documents relating to the presence or potential presence of BPS in thermal receipt paper; purchase and usage information for such products; efforts to comply with Proposition 65 with respect to such products; communications with any person relating to the presence or potential presence of BPS in such products; and representative exemplars of any such products provided to customers or consumers by the alleged violator in the year preceding this Notice through the date of any trial of the claims alleged in this Notice.

Please direct any inquiries regarding this Notice to CEH's counsel Patrick Carey or Joseph Mann at Lexington Law Group, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, pcarey@lexlawgroup.com, jmann@lexlawgroup.com.

CERTIFICATE OF MERIT
Health & Safety Code §25249.7(d)

I, Patrick Carey, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party identified in the notice has violated Health & Safety Code §25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney with the Lexington Law Group, LLP, and I represent the noticing party, the Center for Environmental Health.
3. Members of my firm and I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposures to the listed chemical that is the subject of the action.
4. 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 the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of the 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 & Safety Code §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.

June 9, 2025



Patrick Carey
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
June 9, 2025 Notice of Violation
Bisphenol S in Thermal Receipt Paper

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
American Dairy Queen Corporation 8331 Norman Center Drive 8000 Tower, Suite 700 Bloomington, MN 55437	Dairy Queen Receipt 4463 Clayton Road Concord, CA 94521 (dated March 27, 2025)	Check No. 129 Order ID AACKAMUUACDU
VSI, Inc. Vallarta Food Enterprises, Inc. 28480 Avenue Stanford Santa Clarita, CA 91355	Vallarta Supermarkets Receipt 2771 W. Florida Avenue Hemet, CA 92545 (dated March 31, 2025)	Store No. 61 Receipt No. C0297- 0020
CAVA Group, Inc. Cava Foods, LLC 14 Ridge Square NW, Suite 500 Washington, D.C. 20016	CAVA Receipt 12510 Day Street, Suite A-3 Moreno Valley, CA 92553 (dated March 27, 2025)	Order ID AC2UGMUUACA7 Check No. 29
Checkers Drive-In Restaurants, Inc. 4300 W. Cypress Street, Suite 600 Tampa, FL 33607	Rally's Receipt 12721 Moreno Beach Drive Moreno Valley, CA 92555 (dated March 27, 2025)	Store No. 3527 Check No. 2W703
Ralphs Grocery Company 1014 Vine Street Cincinnati, OH 45202	Ralphs Receipt 30125 Antelope Road Sun City, CA 92355 (dated March 23, 2025)	Cashier CHEC 513 Check No. 140 513 56 999999513

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Einstein and Noah Corp. Einstein Noah Restaurant Group, Inc. 1720 S. Bellaire Street, Suite Skybox Denver, CO 80222	Einstein Bros Bagels Receipt 1850 N. Perris Blvd., Suite 20 Perris, CA 92571 (dated March 22, 2025)	Store No. 4267 Order No. 10072
RARE Hospitality International, Inc. Darden Restaurants, Inc. 1000 Darden Center Drive Orlando, FL 32837	Longhorn Steakhouse Receipt 79705 Highway 111 La Quinta, CA 92253 (dated March 28, 2025)	Check No. 805690 ID No. 5917-90865-5959
Bristol Farms Good Food Holdings, LLC 915 E. 230th Street Carson, CA 90745	Bristol Farms Receipt 73101 Country Club Drive Palm Desert, CA 92260 (dated March 28, 2025)	Cashier: SCO 64 Transaction No. 9900190640106250328 1710
Gong Cha Tea, LLC Cafe POS LLC 206 Terminal Drive Plainview, NY 11803	Gong Cha Receipt 1501 Park Street Alameda, CA 94501 (dated April 1, 2025)	Order No. 28861890
Berkeley Bowl Produce, Inc. 920 Heinz Avenue Berkeley, CA 94710	Berkeley Bowl Receipt 920 Heinz Avenue Berkeley, CA 94710 (dated April 1, 2025)	Checker: Angela
Costco Wholesale Corporation 999 Lake Drive Issaquah, WA 98027	Costco Receipt 4801 Central Avenue Richmond, CA 94804 (dated April 1, 2025)	Costco No. 482 Invoice No. 74274 Transaction ID No. 509109074274

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Paris Baguette U.S.A., Inc. Paris Baguette America, Inc. 141 West Commercial Avenue Moonachie, NJ 07084	Paris Baguette Receipt 7150 Regional Street Dublin, CA 94568 (dated April 4, 2025)	Location No. 3502 Check No. 34318821620924418
Jimmy John's LLC Jimmy John's Enterprises, LLC Jimmy John's Franchise, LLC 2202 Fox Drive Champaign, IL 61820	Jimmy John's Receipt 1927 Douglas Blvd., Suite 103 Roseville, CA 95661 (dated April 7, 2025)	Order No. 34391265372127232
Gosh Enterprises, Inc. 5000 Arlington Center Blvd., Suite 5300 Columbus, OH 43220	Charleys Cheesesteaks Receipt 17 Southland Mall Hayward, CA 94545 (dated March 28, 2025)	Store No. 00155 Order ID AC2E3MUX9QAK
Amy's Kitchen OpCo, LLC Amy's Kitchen, LLC Amy's Kitchen Restaurant Operating Company LLC 109 Kentucky Street Petaluma, CA 94952	Amy's Drive Thru Receipt 5839 Paradise Drive Corte Madera, CA 94925 (dated April 4, 2025)	Order ID 3130768731672582 Order No. 8
Sweetgreen, Inc. 3102 West 36th Street Los Angeles, CA 90018	Sweetgreen Receipt 2040 Chestnut Street San Francisco, CA 94123 (dated April 4, 2025)	Order ID ADA4PMVCAEBS
Cracker Barrel Old Country Store, Inc. CBOCS West, Inc. 305 S. Hartmann Drive Lebanon, TN 37087	Cracker Barrel Receipt 4630 Sierra College Blvd. Rocklin, CA 95677 (dated April 7, 2025)	Order No. 34391765467447298 Receipt No. 467447298

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Golden Corral Corporation Golden Corral Franchising Systems, Inc. 5400 Trinity Road, Suite 309 Raleigh, NC 27607	Golden Corral Receipt 2050 Diamond Blvd. Concord, CA 94520 (dated April 14, 2025)	Order No. 34483617103986691 Check No. 250414175000774
Dreyer's Grand Ice Cream, Inc. 590 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94596	Haagen Dazs Receipt 108 Broadway Lane Walnut Creek, CA 94596 (dated April 14, 2025)	Invoice No. 172821
Noodles & Company 520 Zang Street, Suite D Broomfield, CO 80021	Noodles & Company Receipt 1110 Concord Avenue Concord, CA 94518 (dated April 14, 2025)	Confirmation No. 34484072102068225
Ghirardelli Chocolate Company 1111 139th Avenue San Leandro, CA 94578	Ghirardelli Chocolate Receipt 1111 139th Avenue San Leandro, CA 94578 (dated April 14, 2025)	Receipt No. 001GH0614042510100 0058
Ben & Jerry's Homemade, Inc. 30 Community Drive South Burlington, VT 05403	Ben & Jerry's Receipt 1480 Haight Street San Francisco, CA 94117 (dated April 3, 2025)	Receipt ID nRDC
The Container Store, Inc. The Container Store Group, Inc. 500 Freeport Parkway Coppell, TX 75019	The Container Store Receipt 219 Corte Madera Town Center Corte Madera, CA 94925 (dated April 4, 2025)	Receipt No. 03124212513

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Euromarket Designs, Inc. 1250 Techny Road Northbrook, IL 60062	Crate & Barrel Receipt 320 Corte Madera Town Center Corte Madera, CA 94925 (dated April 4, 2025)	Receipt No. 60260162562
Vuori, Inc. 5600 Avenida Encinas, Suite 100 Carlsbad, CA 92008	Vuori Clothing Receipt 1618 Redwood Hwy. Corte Madera, CA 94925 (dated April 4, 2025)	Receipt No. 498-10104
Apple, Inc. One Apple Park Way Cupertino, CA 95014	Apple Receipt 2125 Chestnut Street San Francisco, CA 94123 (dated April 4, 2025)	Receipt No. 20250404R2171199058
Arby's Restaurant Group, Inc. Arby's Franchisor, LLC Three Glenlake Parkway NE Atlanta, GA 30328	Arby's Receipt 4400 Rocklin Road Rocklin, CA 95677 (dated April 7, 2025)	Order No. 1000018931725 Order ID AAEJ6MVK9QAJ
Texas Roadhouse Inc. Texas Roadhouse Holdings LLC 6040 Dutchmans Lane Louisville, KY 40205	Texas Roadhouse Receipt 6309 Sunrise Blvd. Citrus Heights, CA 95610 (dated April 7, 2025)	Order No. 34392047056191490
Firehouse of America, LLC Firehouse Restaurant Group, LLC 12735 Gran Bay Parkway, Suite 150 Jacksonville, FL 32258	Firehouse Subs Receipt 2680 Fifth Street, Suite B Alameda, CA 94501 (dated March 28, 2025)	Order No. 1000033

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
BJ's Restaurants, Inc. BJ's Restaurant Operations Company 7755 Center Avenue, Suite 300 Huntington Beach, CA 92647	BJ's Restaurant Receipt 3620 Fallon Road Dublin, CA 94568 (dated March 31, 2025)	Order No. 35548263
Perfect 85 Degrees C, Inc. 1415 Moonstone Brea, CA 92821	85C Bakery Café Receipt 1299 Washington Avenue, C-1 San Leandro, CA 94577 (dated March 31, 2025)	Order No. 03256
BBDI LLC Bear Tracks Holdings, LLC BBD Opco LLC 280 Hemsted Drive, Suite 200 Redding, CA 96002	Black Bear Diner Receipt 5100 Hopyard Road Pleasanton, CA 94588 (dated March 31, 2025)	Order No. 34226099986644992 Check No. 990067
Wells Fargo Bank, N.A. 464 California Street San Francisco, CA 94104	Wells Fargo ATM Receipt 3157 Danville Blvd. Alamo, CA 94507 (dated January 6, 2025)	ATM 0233E Transaction No. 905
Khou and Lim Inc. 3679 Madrone Way Sacramento, CA 95834	Wetzel's Pretzels Receipt 1151 Galleria Blvd., Suite 1027 Roseville, CA 95678 (dated February 14, 2025)	Check No. 83
Three Valley Investments, LLC 3211 Danville Blvd. Alamo, CA 94507	Ace Hardware Receipt 3211 Danville Blvd. Alamo, CA 94507 (dated January 6, 2025)	Store No. 14970 Customer No. 43077

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Kamdhenu LLC 5469 Mountain Ridge Way Antioch, CA 94531	Del Taco Receipt 4490 Delta Gateway Blvd. Pittsburg, CA 94565 (dated January 3, 2025)	Order No. 98 Store No. 886
Global Restaurant Hospitality Group, LLC 111 West Ocean Blvd., Suite 400 Long Beach, CA 90802	Church's Chicken Receipt 1920 Solano Ave Vallejo, CA 94590 (dated February 24, 2025)	Store No. 1876 Order No. 0137

1 **PROOF OF SERVICE**

2 I, Sophia Filipe, declare:

3 I am a citizen of the United States and employed in the County of San Francisco, State of
4 California. I am over the age of eighteen (18) years and not a party to this action. My business
5 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is
sfilipe@lexlawgroup.com.

6 On June 9, 2025, I served the following document(s) on all interested parties in this action
7 by placing a true copy thereof in the manner and at the addresses indicated below:

8 **NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND
TOXIC ENFORCEMENT ACT;**

9 **CERTIFICATE OF MERIT;** and

10 **THE SAFE DRINKING AND TOXIC ENFORCEMENT ACT OF 1986**
11 **(PROPOSITION 65): A SUMMARY** (only sent to those on service list marked with an
asterisk).

12 ☒ **BY MAIL:** I am readily familiar with the firm's practice for collecting and processing mail
13 with the United States Postal Service ("USPS"). Under that practice, mail would be deposited
14 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the
ordinary course of business. On this date, I placed sealed envelopes containing the above
mentioned documents for collection and mailing following my firm's ordinary business practices.

15 *Please see attached service list.*

16 ☒ **BY ELECTRONIC UPLOAD:** I transmitted a PDF version of the document(s) listed above,
17 as well as a Confidential Supporting Certificate of Merit, to the Office of the Attorney General of
California via the Proposition 65 60-Day Notice Search website at [https://oag.ca.gov/prop65/60-](https://oag.ca.gov/prop65/60-day-notice-search)
18 [day-notice-search](https://oag.ca.gov/prop65/60-day-notice-search).

19 ☒ **BY ELECTRONIC MAIL:** I transmitted a PDF version of the document(s) listed above via
20 email to the email address(es) indicated on the attached service list [or noted above] before 5 p.m.
on the date executed.

21 Pamela Y. Price, Alameda District Attorney
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CEPDProp65@acgov.org

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4	Lori E. Frugoli, Marin District Attorney	Summer Stephan, San Diego District Attorney
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6	San Rafael, CA 94903	San Diego, CA 92101
	consumer@marincounty.gov	SanDiegoDAProp65@sdcda.org
7	Walter W. Wall, Mariposa District Attorney	Mark Ankorn, San Diego Deputy City Attorney
8	P.O. Box 730	1200 Third Avenue
	Mariposa, CA 95338	San Diego, CA 92101
	mcda@mariposacounty.org	CityAttyProp65@sandiego.gov
9	Kimberly Lewis, Merced District Attorney	Henry Lifton, San Francisco Deputy City Attorney
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11	Merced, CA 95340	San Francisco, CA 94102
	Prop65@countyofmerced.com	Prop65@sfcityatty.org
12	Jeannine M. Pacioni, Monterey District Attorney	Alexandra Grayner, San Francisco Assistant District Attorney
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14	Monterey, CA 93940	San Francisco, CA 94103
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15	Allison Haley, Napa District Attorney	Tori Verber Salazar, San Joaquin District Attorney
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	Napa, CA 94559	Stockton, CA 95202
	CEPD@countyofnapa.org	DAConsumer.Environmental@sjcda.org
17	Clifford H. Newell, Nevada District Attorney	Eric J. Dobroth, San Luis Obispo Deputy District Attorney
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19	Nevada City, CA 95959	San Luis Obispo, CA 93408
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20	Morgan Briggs Gire, Placer District Attorney	Christopher Dalbey, Santa Barbara Deputy District Attorney
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26	Paul E. Zellerbach, Riverside District Attorney	
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10 Todd Spitzer, District Attorney of Orange County
11 300 N Flower St
12 Santa Ana, CA 92703
13 Prop65Notice@ocdapa.org

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

14 Executed on June 9, 2025 at San Francisco, California.



Sophia Filipe

SERVICE LIST

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P.O. Box 248
Markleeville, CA 96120

District Attorney of Amador County
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