

SUPPLEMENTAL SIXTY-DAY NOTICE OF VIOLATION

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

DATE: June 20, 2025

TO: Daniel Pidgeon, CEO –Transform SR Brands, LLC
Daniel Pidgeon, CEO – Transform Holdco, LLC
California Attorney General’s Office;
District Attorneys and Certain City Attorneys Throughout California

FROM: Jay Epps

My name is Jay Epps. I am a citizen of the State of California acting in furtherance of the public interest. I seek to promote awareness of exposures to certain toxic chemicals in products sold in California and, if possible, to improve human health by reducing hazardous substances contained in such items. This notice supplements the Sixty-Day Notice of Violation sent on May 29, 2025 (2025-01687), and is provided to the public agencies listed above pursuant to California Health & Safety Code §25249.6 et seq. (Proposition 65). As noted above, this letter is also being provided to the alleged violator, Transform SR Brands, LLC and Transform Holdco LLC (collectively “Violator”) as the owner of two of its subsidiary brands (Sears and Kmart) and in its role as online retailers. The Violator is a person in the course of doing business in California. The violations covered by this notice consist of the products at issue, route of exposure and type of harm potentially resulting from exposure to the hazardous substance identified below (listed chemical), as follows:

Products:	Soldering Wire Containing Lead
Listed Chemical:	Lead
Route of Exposure:	Inhalation, Ingestion and Dermal
Types of Harm:	Birth Defects and Other Reproductive Harm

I. NATURE OF ALLEGED VIOLATION (CONSUMER PRODUCT EXPOSURE)

The specific products that are causing consumer exposures and potentially occupational exposures, in violation of Proposition 65, and that are covered by this letter shall be referred to hereinafter as the “Products.” Exposures to the listed chemical from the use of the Products have been occurring without the “clear and reasonable warning” required by Proposition 65, dating as far back as June 20, 2021. Without proper warnings regarding the toxic effects of exposures to the listed chemical resulting from the use of the Products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the listed chemical from a reasonably foreseeable use of the Products.

California citizens, through the act of buying, acquiring, receiving and/or utilizing the Products, are exposed to the listed chemical. By way of example, consumers and other individuals, including women of childbearing age, ingest the listed chemical when they, among other activities, touch the Products and transfer the listed chemical from the Products to their mouths through hand-to-mouth activities that may

continue to occur for a significant period after one or more contacts with the Products ceases. Further, there are reasonably foreseeable uses of the Products that result in direct ingestion and inhalation of fumes containing lead.

Additionally, consumers, workers and other individuals, including women of childbearing age, are exposed to the listed chemical through direct dermal contact when they, among other activities, handle, touch or otherwise use the Products.

The California State Plan for Occupational Safety and Health incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions with regard to occupational exposures on Proposition 65, including that it does not apply to the conduct of manufacturers, by which the Products are branded (e.g., manufacturer's name appears on Product label), occurring outside the State of California so long as the named manufacturer is in the United States. The approval also provides that a United States employer may use the means of compliance in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement be subject to the supervision of the California Occupational Safety and Health Administration.

Any settlement, civil complaint or substantive court orders in this matter must be submitted to the state Attorney General. It is important to note that the sale of the Products through online sales means each transaction must provide the customer with a clear and reasonable warning for the risk of reproductive toxicity pursuant to Proposition 65 and its implementing regulations prior to purchase. The Violator's role alleged in its notice is limited to that of an online retail seller through two of its platforms, namely sears.com and kmart.com.

II. CONTACT INFORMATION

Please direct all questions concerning this notice to me through my counsel's office at the following address, email and/or telephone number:¹

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c/o Clifford A. Chanler
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New Canaan, CT 06840-3801
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clifford@chanlerllc.com

Jay Epps
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Steven Y. Chen, APLC
2650 River Avenue, Unit A
Rosemead, California 91770
Telephone: (626) 782-5017
schen@schenlaw.com

III. PROPOSITION 65 INFORMATION

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment's (OEHHA) Proposition 65 Implementation Office

¹ Should your attempt to contact me through my counsel be unsuccessful, I can be reached by mail at 1010 Liberty Drive, Suisun, CA 94585, or by phone at (415) 849-6181.

at (916) 445-6900. For the Violator's reference, I have attached a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary" which has been prepared by OEHHA.

IV. POTENTIAL RESOLUTION OF NOTICED CLAIMS

Based on the assertions set forth in this notice, I intend to file a citizen enforcement action against the Violator unless it enters into a binding written agreement (and/or upstream parties enter into an agreement that covers all of the Products) to: (a) recall Products already sold; (b) provide "clear and reasonable warnings" for Products to be sold online in the future or, preferably, undertake best efforts to ensure upstream selling entities in the chain of commerce reformulate such Products to eliminate the lead content in the Products; or delist the offending Products from the Violator's website; and (c) pay an appropriate civil fine, if any, based on the factors enumerated in California Health & Safety Code §25249.7(b). If the alleged Violator is particularly interested in resolving this dispute without resorting to litigation, please feel free to contact my counsel identified in Section II above. It should be noted that neither my counsel nor I can finalize any settlement with any Violator until after the statutory sixty-day notice period has expired for the covered Products; nor speak for the state Attorney General, any state district attorney or the city attorneys whom received this supplemental notice.

V. ADDITIONAL NOTICE INFORMATION

Examples of the Products that were recently purchased by California consumers and remain available for purchase or use in California are identified on Exhibit A. I allege that the sale of the offending Products has also occurred without the requisite Proposition 65 "clear and reasonable warning," as far back as June 20, 2021.

The examples on the attachment are for the recipients' benefit to assist in its investigation of, among other things, the magnitude of potential exposures to the listed chemical from other items within the product category at issue. To reiterate, the exemplars noted on Exhibit A are not meant to be a list of each specific offending Product within the specific type of soldering wire containing lead.

The alleged Violator is obligated to conduct a good faith investigation into Products in addition to the exemplars that were offered for sale on sears.com and kmart.com especially since the notice recipient has had actual notice of the lead content, since June 20, 2021, to determine whether a clear and reasonable warning was provided for reproductive toxicity. The requisite warning shall be prominently placed on the product display pages prior to each Product purchased by a California citizen (or purchases made by non-California residents, but shipped to an address in California). Further, such investigation should also ensure that all online offering pages for the Products going forward contain the requisite conspicuous placement of, and clear language for, the risk of reproductive toxicity associated with exposure to lead.

EXHIBIT A

<i>Products</i>	<i>Item #</i>
HengTianMei Tin Lead 63/37 Rosin core Low Temp Solder Wire For Electronics Components And DIY repair 0.8mm 50g	SPM16438271024 (sold on sears.com)
Mandala Crafts Rosin Core Solder Wire with 60-40 Tin Lead, 0.8mm 50g	SPM10070445802 (sold on sears.com)
SONEAK 60/40 Tin Lead Solder With Rosin core For Electrical Soldering 1.0mm 50g	SPM16420126124 (sold on sears.com)
Maiyum 63-37 Tin Lead Rosin Core Solder Wire for Electrical Soldering 0.8mm 50g	SPM16393338524 (sold on sears.com)
Mandala Crafts Rosin core Solder Wire with 60-40 Tin Lead for Electrical, Electronic, PcB Soldering By Mandala crafts 50g 08mm	SPM10070445802 (sold on kmart.com)
SONEAK 6040 Tin Lead Solder With Rosin core For Electrical Soldering 10mm 50g	SPM16420126124 (sold on kmart.com)
MAIYUM 63-37 Tin Lead Rosin Core Solder Wire for Electrical Soldering (0 8mm 50g)	SPM16393338524 (sold on kmart.com)

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am over the age of 18 years and not a party to the within action. I am a resident or employed in the county where the mailing occurred. My business address is 2650 River Avenue, Unit A, Rosemead, CA 91770.

On **June 20, 2025**, I caused to be served the following documents:

SUPPLEMENTAL SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE § 25249.7(d); CERTIFICATE OF MERIT; AND THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

XXXX **By Certified Mail** through the United States Postal Service by placing true and correct copies of the above documents in a sealed envelope, addressed to each alleged violator and their agents listed below and providing such envelope to a United States Postal Service representative.

Daniel Pidgeon, CEO
Transform SR Brands, LLC
5407 Trillium Blvd
Hoffman Estates, IL 60192

Daniel Pidgeon, CEO
Transform Holdco LLC
5407 Trillium Blvd
Hoffman Estates, IL 60192

On **June 20, 2025**, I caused to be served the following documents:

SUPPLEMENTAL SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE § 25249.7(d); AND CERTIFICATE OF MERIT

XXXX **By Electronic Mail** by sending true and correct copies of the above documents to the electronic notification addresses on the attached "Email Service List."

On **June 20, 2025**, I caused to be served the following documents:

SUPPLEMENTAL SIXTY-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE § 25249.7(d); CERTIFICATE OF MERIT; AND CERTIFICATE OF MERIT ATTACHMENTS

XXXX **By Electronic Upload** by causing true and correct copies of the above documents to be uploaded to the California Attorney General's website at the web address on the attached "Electronic Upload Service List."

Executed on **June 20, 2025**, in Rosemead, California.



Steven Chen

CERTIFICATE OF MERIT

California Health & Safety Code §25249.7(d)

I, Clifford A. Chanler, 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 and Safety Code §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 has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that are the subject of this action and/or the listed chemical in substantially similar products and exposes individuals through the same potential routes;
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 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 under Health and Safety Code §25249.7(h)(2) including (i) the identity of the persons consulted with and relied on by the certifier, and (ii) certain facts, studies, or other data reviewed by those persons.

Dated: June 20, 2025



Clifford A. Chanler

EMAIL SERVICE LIST

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ELECTRONIC UPLOAD SERVICE LIST

Office of the California Attorney General
Proposition 65 Enforcement Reporting
ATTN: Prop 65 Coordinator
P.O. Box 70550
Oakland, CA 94612-0550
<https://oag.ca.gov/prop65/add-60-day-notice>