

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Bisphenol S in Thermal Receipt Paper

June 30, 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 30, 2025



Patrick Carey
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
June 30, 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
See's Candies, Inc., See's Candy Shops, Incorporated 210 El Camino Real South San Francisco, CA 94080	See's Candies Receipt 1151 Galleria Boulevard Space 138 Roseville, CA 95678 (dated 6/10/2025)	Store No. 503 Register No. 2 Employee No. 620103 Transaction ID: 99208
Windsor Fashions, LLC 9603 John St. Santa Fe Springs, CA 90670	Windsor Receipt 1151 Galleria Blvd. Suite 113 Roseville, CA 95678 (dated 6/10/2025)	Store No. 0023 Transaction ID: 0014 Register No. 111 Associate ID: 21670
Terramar Capital, LLC Terramar Capital Management, Inc. 11812 San Vicente Blvd. STE 503 Los Angeles, CA 90049	Lolli & Pops Receipt 1151 Galleria Blvd. Space 116 Roseville, CA 95678 (dated 6/10/2025)	Ticket No. 10402- AA245281 Station No. 104-02 Sales Rep. KYEM
The Buckle, Inc. Buckle Brands, Inc. 2407 W 24th St Kearney, NE 68845	Buckle Receipt 1151 Galleria Blvd. Suite 211 Roseville, CA 95678 (dated 6/10/2025)	Store No. 275 Register No. 02 Transaction ID: 000167853
Tumi, Inc. 499 Thornall Street Edison, NJ 08837 Tumi Stores, Inc. 499 Thornall Street, 10th Floor Edison, NJ 08837	Tumi Receipt 1151 Galleria Rd. Roseville, CA 95678 (dated 6/10/2025)	Store No. 01212 Register No. 01 Transaction ID: 047083 Associate No. 015984

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Le Creuset of America, Inc. 114 Bob Gifford Blvd. Early Branch Hampton County, SC 29916	Le Creuset Receipt 3050 Paragon Outlets Dr. Livermore, CA 94551 (dated 6/12/2025)	Store No. US107 Register No. US107-01 Receipt No. US1070113472061225 Sales Associate ID: US107072
Cole Haan LLC 150 Ocean Road Greenland, NH 03840 Cole Haan Company Store, LLC 150 Ocean Road Greenland, NH 03840	Cole Haan Receipt 2776 Paragon Outlets Dr. Suite 770 Livermore, CA 94551 (dated 6/12/2025)	Store No. 157 Register No. 2 Transaction ID: 28455 Associate No. 311731
New Balance Athletics, Inc. 100 Guest St. Boston, MA 02135	New Balance Receipt 3234 Livermore Outlet Dr. Livermore, CA 94551 (dated 6/12/2025)	Store No. 00031 Register No. 03 Transaction ID: 100425 Associate No. 128973
Zwilling J.A. Henckels LLC 270 Marble Ave. Pleasantville, NY 10570	Zwilling Receipt 3330 Livermore Outlets Dr. Livermore, CA 94551 (dated 6/12/2025)	Store No. 4926 Terminal ID: 0008 Cashier No. 101303
Puma North America, Inc. 455 Grand Union Blvd. Somerville, MA 02145	Puma Receipt 3220 Livermore Outlets Dr. Livermore, CA 94551 (dated 6/12/2025)	Cashier No. 437002 Register No. 5 Transaction No. 128907
Clarins U.S.A. Inc. 15 Olympic Dr. Orangeburg, NY 10962	Clarins Receipt 3292 Livermore Outlets Dr. Livermore, CA 94551 (dated 6/12/2025)	Order No. 109090608 Register No. US109B

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
ECCO USA, Inc. 1 Northeastern Blvd Suite 200 Salem, NH 03079	Ecco Outlet Receipt 3754 Livermore Outlets Dr Livermore, CA 94551 (dated June 12, 2025)	Store No. 700070740A Terminal No. 80604570
Amer Sports Canada, Inc. 110-2220 Dollarton Hwy, North Vancouver, BC, V7H 1A8	Arc'teryx Receipt 2750 Livermore Outlets Dr Livermore, CA 94551 (dated June 12, 2025)	Register No. 002 Transaction No. 0044
SMCP USDA Retail West Inc. SMCP USA, Inc. 44 Wall Street, 12 th Floor New York, NY 10005	Maje Receipt 3668 Livermore Outlets Dr Livermore, CA 94551 (dated June 12, 2025)	Store No. 4243 Register No. 424302
Nugget Market, Inc. 311 Mace Blvd Davis, CA 95618	Nugget Market Receipt 4500 Post St, El Dorado Hills, CA 95762 (dated June 16, 2025)	Store No. 9 Register No. 11 Ticket No. 966
Rack Room Shoes, Inc. Rack Room Shoes of Virginia LLC 8310 Technology Drive Charlotte, NC 28262	Rack Room Receipt 13000 Folsom Blvd Ste 1002 Folsom, CA 95630 (dated June 13, 2025)	Store No. 0720 Register No. 01 Tran No. 079775
Wolverine World Wide, Inc. 9341 Courland Drive NE Rockford, MI 49351	Merrell Receipt 13000 Folsom Blvd Ste 1001 Folsom, CA 95630 (dated June 13, 2025)	Order No. WWW-0000462085 Store No. MO0766

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Samsonite, LLC Samsonite Company Stores, LLC 575 West Street, Suite 110 Mansfield, MA 02048	Samsonite Receipt 13000 Folsom Blvd Folsom, CA 95630 (dated June 13, 2025)	Transaction No. 000400 Store No. 071 Register No. 01
C. & J. Clark America, Inc. C. & J. Clark Retail, Inc. 140 Kendrick Street Building C, Level 1 Needham, MA 33408	Clarks Outlet Receipt 13000 Folsom Blvd Folsom, CA 95630 (dated June 13, 2025)	Ticket No. 112858739 Store No. A125
HanesBrands Inc. 1000 East Hanes Mill Rd. Winston-Salem, NC 27105 Hanesbrands Direct LLC 101 N Cherry Street Winston-Salem, NC 27101	Hanes Outlet Stores Receipt 13000 Folsom Blvd Folsom, CA 95630 (dated June 13, 2025)	Receipt No. xUMT
Carter's Inc. 3438 Peachtree Road NE, Suite 1800 Atlanta, GA 30326	Carter's Receipt 13000 Folsom Blvd Folsom, CA 95630 (dated June 13, 2025)	Store No. 00659 Register No. 04 Transaction No. 033034
Michael Kors (USA) Inc. Michael Kors Stores (California) LLC 11 West 42 nd Street, 28 th Floor New York, NY 10036	Michael Kors Receipt 13000 Folsom Blvd Folsom, CA 95630 (dated June 13, 2025)	Cashier No. 862210 Store No. 00233 Register No. 03 Transaction No. 317025
USA Miniso Depot Inc. Miniso Depot CA, Inc. 1050 Lakes Dr. STE 260 West Covina, CA 91790	MINISO Receipt 1151 Galleria Blvd Space 2170 Roseville, CA 95678 (dated June 12, 2025)	POS No. US47 Cashier No. US4702

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p>Psycho Bunny, Inc. 5001 Levy Street Ville Saint-Laurent Quebec, Canada H4R 2N9</p> <p>Eighteen Hundred, Inc. 320 W 37th Street, 7th Floor New York, NY 10018</p>	<p>Psycho Bunny Receipt 1173 Galleria Blvd Roseville, CA 95678 (dated June 12, 2025)</p>	<p>Receipt No. 560-16697</p>
<p>SLT Lending SPV, Inc. 6100 4th Ave S, Suite 500 Seattle, WA 98108</p>	<p>Sur la Table Receipt 1198 Roseville Parkway, Space 170 Roseville, CA 95678 (dated June 12, 2025)</p>	<p>Store No. 72 Ticket No. 425592 Register No. 1</p>
<p>Walmart Inc. 702 SW 8th Street Bentonville, AR 72716</p>	<p>Pen + GEAR Thermal Paper Rolls, 9 Count (date purchased: June 16, 2025)</p>	<p>UPC: 054034338219</p>

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Douglas McMillon, CEO*
Walmart Inc.
702 SW 8th Street
Bentonville, AR 72716

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 30, 2025, I served the following document(s) on all interested parties in this
7 action 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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9	Kimberly Lewis, Merced District Attorney	Henry Lifton, San Francisco Deputy City Attorney
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10 Todd Spitzer, District Attorney of Orange County
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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 30, 2025 at San Francisco, California.



Sophia Filipe