

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Bisphenol S in Thermal Receipt Paper

July 16, 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, LLP 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.

July 16, 2025



Patrick Carey
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
July 16, 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
Vitality Bowls 56 Diablo Road, Suite 120 Danville, CA 94526	Vitality Bowls Pickup Receipt 3988 Douglas Blvd., Suite 130 Roseville, CA 05661 (dated June 23, 2025)	Check No. 96
MG Restaurants, Inc. 563 Clay Street San Francisco, CA 94111	MIXT Receipt 2299 Broadway Oakland, CA 94612 (dated June 24, 2025)	Order ID AACATM2EAEB9 Order No. 764
Sportsman's Warehouse, Inc. Sportsman's Warehouse Southwest, Inc. 1475 West 9000 South, Ste. A West Jordan, UT 84088	Sportsman's Warehouse Receipt 10536 Trinity Parkway Stockton, CA 95219 (dated June 24, 2025)	Transaction Code 071 1JGN 002 00C5 Register: REG2
Old Navy, LLC 2 Folsom St. San Francisco, CA 94105	Old Navy Receipt 10640 Trinity Parkway, Space 10 Stockton, CA 95219 (dated June 24, 2025)	Transaction No. 7441 Store No.08379 Register No. 404
Sizzler USA Restaurants, Inc. 23352 Madero Road, Ste. B Mission Viejo, CA 92691	Sizzler Receipt 1862 E. Hammer Lane Stockton, CA 95210 (dated June 24, 2025)	Check No. 813710

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Maurices Incorporated 425 West Superior Street Duluth, MN 55802	Maurices Receipt 10742 Trinity Parkway, Suite A Stockton, CA 95219 (dated June 24, 2025)	Store No. 2320 Ticket No. 5092 Register 1
A&W Restaurants, Inc. A Great American Brand LLC 1648 McGrathiana Parkway, Suite 380 Lexington, KY 40511	A&W Pickup Receipt 216 E. Lodi Avenue Lodi, CA 95240 (dated June 24, 2025)	Station: FC Expo 31 Order No. 36195556203626496
Krispy Kreme, Inc. 2116 Hawkins Street Charlotte, NC 28203 Krispy Kreme Doughnut Corporation 370 Knollwood Street, Ste. 500 Winston-Salem, NC 27103	Krispy Kreme Receipt 2809 W. March Lane Stockton, CA 95219 (dated June 24, 2025)	Carryout Order 20045
Teaspoon Anywhere LLC 2129 University Avenue Berkeley, CA 94704	Teaspoon Receipt 2129 University Ave. Berkeley, CA 94704 (dated May 14, 2025)	Check No. 28
NorCal Noodles LLC 4917 Genesta Avenue Los Angeles, CA 91316	Noodles & Company Receipt 1110 Concord Avenue Concord, CA 94518 (dated April 14, 2025)	Confirmation No. 34484072102068225

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Ghayoor786, Inc. 1351 Amalfi Ct. San Ramon, CA 94583	Cold Stone Creamery Receipt 173 Plaza Drive, Suite 1007 Vallejo, CA 94591 (dated February 24, 2025)	Store No. 20406 Check No. 20
Trio Donut and Coffee Inc. 3299 Glencoe Circle San Ramon, CA 94582	Dunkin' Receipt 9601 Greenback Lane Folsom, CA 95630 (dated February 15, 2025)	Check No. 1837 PC# 360146
AJ & VJ, LLC 20560 Redwood Road Castro Valley, CA 94546	Baskin Robbins Receipt 20560 Redwood Road Castro Valley, CA 94546 (dated February 21, 2025)	Store No. 354648 Receipt No. 104594 Check No. 569
Team Drive In American Canyon, LLC 4634 Harrier Dr. Klamath Falls, OR 97601	Sonic Drive-In Receipt 6055 Main Street American Canyon, CA 94503 (dated February 24, 2025)	Store No. 5914 Check No. 311532 Stall No. 6
California Fuel Supply, Inc. 3669 Mount Diablo Blvd. Lafayette, CA 94549	76 Receipt 433 Divisadero Street San Francisco, CA 94117 (dated January 1, 2025)	Invoice 185637 REF No. 0101185637290 Term ID 5

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p>Hansol America, Inc. 400 Kelby Street, Suite 601 Fort Lee, NJ 07024</p> <p>Hansol Paper Co., Ltd. 23-24F, B-dong, Pine Avenue Bldg., 100 Eulji-ro (Euliji-ro 2ga) 04551 Jung-gu, Seoul South Korea</p>	<p>Vallarta Supermarkets Receipt 2771 W. Florida Avenue Hemet, CA 92545 (dated March 31, 2025)</p>	<p>Store No. 61 Receipt No. C0297- 0020</p>

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 July 16, 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.

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.

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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 July 16, 2025 at San Francisco, California.



Sophia Filipe

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