October 10, 2025

Re: 60-DAY NOTICE OF INTENT TO SUE

For violation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (California Health and Safety Code Section 25249.5 et seq.)

ALLEGED VIOLATORS

Mr. Andy Jassy
Amazon.com, Inc.
440 Terry Ave N
Seattle, WA 98109

To Whom it May Concern:

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

Law Offices of Martin Jerisat represents Chuck Hazan in the State of California acting in the public interest related to protecting consumers and the environment from chemical exposures.

This letter serves as notice that the parties listed above are in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, commencing with §25249.5 of the Health and Safety Code ("Proposition 65"). The violation has occurred and continues to occur because the alleged Violator(s) failed to provide a clear and reasonable health hazard warning in connection with the sale or use of the product(s) detailed below (the "Product(s)") in California.

This Notice satisfies a prerequisite to commence an action against the Violator(s) in any Superior Court of California.

DESCRIPTION OF THE VIOLATION

1. Enforcer: Chuck Hazan

2. Alleged Violator(s): Amazon.com. Inc.

3. Location of Purchase: The products were purchased from Whole Foods market store in Southern California.

4. Time Period of Exposure: Violations have been occurring since at least October 6, 2025 and are continuing to this day.

5. Listed Chemical(s): Lead. Lead is listed under Proposition 65 as a chemical known to the State to cause reproductive toxicity. Lead was listed on 02/27/1987 more than 12 months before plaintiff served this notice.

6. Product(s): Examples of the Product

365 Organic California Raisin

Note: The identified Product(s) above are identified to assist the recipient's investigation into, among other things, the breadth of potential exposures to the Listed Chemical from other items within the Product Type(s). **This is not intended to be a comprehensive identification of each offending Product.** Enforcer maintains the position that alleged Violator(s) is/are obligated to conduct a good faith investigation into other Products that may have been manufactured, distributed, sold, shipped or stored during the period to ensure full compliance.

7. Route(s) of Exposure: Exposures that are the subject of this Notice result from the purchase, acquisition, handling and normal use of this product.

8. Warnings Provided: As the Product(s) was/were purchased via the Internet, per §25602(b), Proposition 65-compliant, clear and reasonable warnings must be made on both the product packaging AND the product display page/point of sale page.

a. The Product(s) DO NOT contain Proposition 65-compliant, clear and reasonable warnings on the product packaging.

b. The Product(s) DO NOT contain Proposition 65-compliant, clear and reasonable warnings on the product display page/point of sale page.

RESOLUTION OF THE CLAIMS

Based on the allegations set forth in this Notice, we intend to file a citizen enforcement lawsuit on behalf of the Enforcer against the alleged Violator(s) unless such Violator(s) agree in a binding written agreement to:

1. Recall Product(s) sold in California; or

2. Provide Proposition 65 compliant exposure warnings for Product(s) sold in the future or formulate the Product(s) to eliminate exposures to the Listed Chemical(s); and

3. Pay an appropriate civil penalty based on the factors enumerated in Health & Safety Code §25249.7(b).

REQUEST TO PRESERVE EVIDENCE ADDITIONAL EXPECTATIONS PURSUANT TO THIS NOTICE

Alleged Violator(s) are hereby requested to preserve any and all evidence relating to the violations described herein. This includes, without limitation, preserving any and all:

- Warning materials concerning exposure
- Testing reports related to the Product(s)

● Advertising and marketing material related to the Product(s)

● Sales information related to the Product(s)

● Efforts to comply with Proposition 65 with respect to the Product(s)

● Communications with any person relating to the presence or potential presence of the Listed Chemical(s) in the Product(s).

DEMAND FOR RETAILER, PURSUANT TO §25600.2(g) TO IDENTIFY MANUFACTURER(S), PRODUCER(S), PACKAGER(S), IMPORTER(S), SUPPLIER(S), AND DISTRIBUTOR(S) OF PRODUCT(S)

Pursuant to §25600.2(g), "[t]he retail seller of a product that may cause a consumer product exposure shall promptly provide the name and contact information for the manufacturer, producer, packager, importer, supplier, and distributor of the product to the following persons on written request, to the extent that this information is reasonably available to the retail seller," including "[a]ny person who has served notice under Section §25249.7(d)(1) of the Act alleging that the consumer product causes an exposure that requires a warning under the Act".

Please accept this Notice as a formal demand for any non-manufacturing seller or distributor receiving this notice to promptly provide such information. This information should be provided by electronic mail to the address in the head of this Notice.

The retail seller noticed on this 60-Day Notice is hereby requested to promptly provide the names and contact information for any and all manufacturer(s), producer(s), packager(s), importer(s), supplier(s), and/or distributor(s) of the Product(s)

While we are interested in seeking resolution of the claim(s) in this Notice without engaging in costly and protracted litigation, we stand ready to file a civil complaint in superior court should no appropriate governmental authority take action and should resolution not be reached in 60 days.

The Enforcer has retained me as legal counsel in connection with this Notice. Please direct all communications regarding this notice to Law Offices of Martin Jerisat, 18650 Macarthur Blvd, Ste 300, Irvine, CA 92612, Email: mjerisat@jlawoffices.com.

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

Re: Notice of Proposition 65 Violations by Davids Natural Toothpaste LLC

I, Martin Jerisat, hereby declare:

1. This Certificate of Merit accompanies the attached sixty (60) day notice in which it is alleged that the parties identified in the notice have violated Health & 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 have reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of this action.

4. Based on the information obtained through those consultations, and all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that a "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 includes factual information sufficient to establish the basis for this certificate, including the information identified in Health & Safety Code § 25249.7(h)(2): (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.

Executed on October 10, 2025 at Irvine, California**.**

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

/s/Martin E. Jerisat
Martin Jerisat
Law Offices of Martin Jerisat
18650 Macarthur Blvd, Ste 300
Irvine, CA 92612-1269
mjerisat@jlawoffices.com

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this action. I am employed in the County of Orange, California, where the mailing occurs, and my business address is 18650 MacArthur Blvd., Ste. 300, Irvine, CA 92612.

On October 10, 2025, I served the following documents: (1) 60-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE SECTION 25249.7(d); (2) CERTIFICATE OF MERIT; (3) PROPOSITION 65: A SUMMARY; and (4) CERTIFICATE OF MERIT ATTACHMENT(served only on the Attorney General) on the parties listed below by placing a true and correct copy thereof in a sealed envelope, addressed to each party and depositing it at my business address with the U.S. Postal Service for delivery by Certified Mail with the postage thereon fully prepaid via Certified Mail:

Andy Jassy
Amazon.com, Inc.
440 Terry Ave N
Seattle, WA 98109

On October 10, 2025, I served the California Attorney General (via website Portal) by uploading a true and correct copy thereof as a PDF file via the California Attorney General's website.

On October 10, 2025, I transmitted via electronic mail the above-listed documents to the electronic mail addresses of the City and/or District Attorneys who have specifically authorized e-mail service and the authorization appears on the Attorney General's web site.

See Attached Service List

On October 10, 2025, I served the following persons and/or entities at the last known address by placing a true and correct copy thereof in a sealed envelope and depositing it at my business address with the U.S. Postal Service for delivery with the postage thereon fully prepaid, and addressed as follows:

See Attached Service List

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

Executed on October 10, 2025.

By: /s/Martin Jerisat
Martin Jerisat

VIA FIRST CLASS MAIL

Alpine County District Attorney PO Box 248 Markleeville, CA 96120	Los Angeles City Attorney 200 N Main Street, #800 Los Angeles, CA 90012	Solano County District Attorney 675 Texas Street, Suite 4500 Fairfield, CA 94533
Amador County District Attorney 708 Court, Suite 202 Jackson, CA 95642	Lake County District Attorney 255 N Forbes St Lakeport, CA 95453	Shasta County District Attorney 1355 West Street Redding, CA 96001
Butte County District Attorney 25 County Center Dr., Suite 245 Oroville CA 95965	Madera County District Attorney 300 S. G Street, Suite 300 Madera, CA 93637	Sierra County District Attorney 100 Courthouse Square Downieville, CA 95936
Colusa County District Attorney 310 6th Street Colusa, CA 95932	Tehama County District Attorney 444 Oak Street, Room L Red Bluff, CA 96080	Kings County District Attorney 1400 West Lacey Blvd. Hanford, CA 93230
Del Norte County District Attorney 450 H St., Room 171 Crescent City, CA 95531	Mendocino County District Attorney P.O. Box 1000 Ukiah, CA 95482	Stanislaus County District Attorney 832 12th Street, Suite 300 Modesto, CA 95353
Tuolumne County District Attorney 423 N. Washington St Sonora, CA 95370	Modoc County District Attorney 204 S. Court Street, Suite 202 Alturas, CA 96101	Siskiyou County District Attorney PO Box 986 Yreka, CA 96097
Glenn County District Attorney PO Box 430 Willows, CA 95988	Mono County District Attorney P.O. Box 2053 Mammoth Lakes, CA 93546	Trinity County District Attorney PO Box 310 Weaverville, CA 96093
Humboldt County District Attorney 825 5th St., 4th Floor Eureka, CA 95501	Sutter County District Attorney 463 2nd Street, Suite 102 Yuba City, CA 95991	Yuba County District Attorney 215 Fifth Street, Suite 152 Marysville, CA 95901
Imperial County District Attorney 940 West Main Street, Suite 102 El Centro, CA 92243	San Benito County District Attorney 419 4th St Hollister, CA 95023	Los Angeles County District Attorney 211 W Temple St, Suite 1200 Los Angeles, CA 90012
Kern County District Attorney 1215 Truxtun Ave. Bakersfield, CA 93301	San Bernardino County District Attorney 303 W 3rd St San Bernardino, CA 92415	

VIA ELECTRONIC SERVICE

Alameda County District Attorney CEPDProp65@acgov.org	Contra Costa County Deputy District Attorney sgrassini@contracostada.org	Calaveras County District Attorney Prop65Env@co.calaveras.ca.us
Monterey County District Attorney Prop65DA@co.monterey.ca.us	Inyo County District Attorney inyoda@inyocounty.us	Lassen County Program Coordinator dchandler@co.lassen.ca.us
Sacramento County District Attorney Prop65@sacda.org	Napa County District Attorney CEPD@countyofnapa.org	Riverside County District Attorney Prop65@rivcoda.org
San Luis Obispo County Deputy District Attorney edobroth@co.slo.ca.us	Santa Barbara County Deputy District Attorney DAProp65@co.santa-barbara.ca.us	Santa Clara Supervising Deputy District Attorney EPU@da.sccgov.org
San Francisco Deputy City Attorney Prop65@sfcityatty.org	Santa Cruz County District Attorney Prop65DA@santacruzcounty.us	San Diego Deputy City Attorney CityAttyProp65@sandiego.gov
Sonoma County District Attorney ECLD@sonoma-county.org	San Joaquin County District Attorney DAConsumer.Environmental@sjcda.org	San Francisco Assistant District Attorney alexandra.grayner@sfgov.org
Tulare County District Attorney Prop65@co.tulare.ca.us	Ventura County District Attorney daspecialops@ventura.org	Yolo County District Attorney cfepd@yolocounty.org
Mariposa County District Attorney mcda@mariposacounty.org	Merced County District Attorney Prop65@countyofmerced.com	Nevada County District Attorney DA.Prop65@co.nevada.ca.us
Placer County District Attorney prop65@placer.ca.gov	Plumas County District Attorney davidhollister@countyofplumas.com	Santa Clara City Attorney Proposition65notices@sanjoseca.gov
Fresno County District Attorney consumerprotection@fresnocountyca.gov	San Diego District Attorney SanDiegoDAProp65@sdcda.org	San Mateo County District Attorney PROP65@smcgov.org
El Dorado County District Attorney EDCDAPROP6S@edcda.us	Marin County District Attorney consumer@marincounty.gov	Orange County District Attorney Prop65Notice@ocdapa.org

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and OEHHA implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: http://oehha.ca.gov/prop65/law/P65law72003.html. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001.[1] These implementing regulations are available online at: http://oehha.ca.gov/prop65/law/P65Regs.html.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Proposition 65 List." Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

Clear and reasonable warnings. A business is required to warn a person before "knowingly and intentionally" exposing that person to a listed chemical unless an exemption applies. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. You should consult the current version of the statute and regulations (http://www.oehha.ca.gov/prop65/law/index.html) to determine all applicable exemptions, the most common of which are the following:

Grace Period. Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

Governmental agencies and public water utilities. All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all employees, not just those present in California.

Exposures that pose no significant risk of cancer. For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses "no significant risk." This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific "No Significant Risk Levels" (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA's website at: http://www.oehha.ca.gov/prop65/getNSRLs.html for a list of NSRLs, and Section 25701 et seq. of the regulations for information concerning how these levels are calculated.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the "no observable effect level" divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL).

See OEHHA's website at: http://www.oehha.ca.gov/prop65/getNSRLs.html for a list of MADLs, and Section 25801 et seq. of the regulations for information concerning how these levels are calculated.

Exposures to Naturally Occurring Chemicals in Food. Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant[2] it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

Discharges that do not result in a "significant amount" of the listed chemical entering any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a "significant amount" of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount, except an amount that would meet the "no significant risk" level for chemicals that cause cancer or that is 1,000 times below the "no observable effect" level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27 and sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to $2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form.

A copy of the notice of special compliance procedure and proof of compliance form is included in Appendix B and can be downloaded from OEHHA's website at: http://oehha.ca.gov/prop65/law/p65law72003.html.

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS…

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at P65Public.Comments@oehha.ca.gov.

Revised: May 2017

[1] All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: http://www.oehha.ca.gov/prop65/law/index.html.

[2] See Section 25501(a)(4).