



February 23, 2026

J.C. Penney Corporation, Inc.  
c/o CT Corporation System  
330 N. Brand Blvd., Ste 700  
Glendale, CA 91203

Re: NOTICE OF VIOLATION AGAINST J.C. PENNEY CORPORATION, INC. OF CALIFORNIA  
HEALTH & SAFETY CODE SECTION 25249.6

To Whom It May Concern and to Public Prosecutors:

Ecological Alliance, LLC, a California limited liability company ("Alliance") is a California company acting in the interest of the general public seeking to further, among other causes, the protection of the environment, toxics reduction, the promotion and improvement of human health, the improvement of workers and consumer rights, environmental education and corporate accountability. As described below, Alliance has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Act"), codified at Cal. Health & Safety Code §25249.5 *et seq.* by J.C. Penney Corporation, Inc. (collectively the "Violators"). This letter serves to provide Alliance's notification of these violations to the Violators and elected prosecutors. Pursuant to §25249.7(d) of the statute, Alliance intends to bring an enforcement action sixty (60) days or more after effective service of this notice unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

The products which are causing an exposure without a warning in violation of Proposition 65, are St. John's Bay shirts (PFOS), including but not limited to UPC #198275131526, and St. John's Bay jackets (PFOA), including but not limited to UPC #198275432043 ("Products") manufactured/distributed and offered for sale by retailers, including J.C. Penney Corporation, Inc., to California consumers.

A copy of the Proposition 65 summary prepared by the Office of Environmental Health Hazard Assessment is attached, to the copy of this letter served to the Violators.

Because of this lack of a warning, consumers were exposed to the following chemicals without the proper required Proposition 65 warnings: 1) Perfluorooctanoic Acid [PFOA] & 2) Perfluorooctane sulfonate [PFOS]. The routes of exposure for this chemical are ingestion and dermal. Such exposure can cause birth defects and other reproductive harm. Exposures to the listed chemical from the use of

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the Products have been occurring without the clear and reasonable warnings required by Proposition 65, dating as far back as February 23, 2025, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is removed from the Products. Without proper warnings regarding the toxic effects of exposures to the listed chemical resulting from contact with 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 reasonable foreseeable use of the Products.

Alliance intends to file a private enforcement action as provided for in the Act for the alleged violations by the Violators, unless Violators agree in an enforceable written instrument to: (1) recall the listed products so as to eliminate further exposures to the identified chemicals; or (2) affix clear and reasonable Proposition 65 warning labels for products sold in the future or reformulate such products to eliminate the exposures; and (3) pay an appropriate civil penalty.

Consistent with the public interest goals of Proposition 65, Alliance is interested in seeking a constructive resolution to this matter, and invites Violators, should they seek early resolution of this matter, to communicate directly with Alliance's attorneys. Such resolution will avoid further unwarned consumer exposures, as well as resource intensive litigation.

Please direct all questions concerning this notice to Alliance's attorney, Vineet Dubey (dubey@cd-lawyers.com), Custodio & Dubey LLP, 445 S. Figueroa St., Suite 2520, Los Angeles, CA 90071, 213-593-9095. Ecological Alliance's contact information is: c/o Harmony Welsh, 26092 Hitching Rail, Laguna Hills, CA 92653, 949-235-4782.

Sincerely,



Vineet Dubey  
Custodio & Dubey LLP

cc: see attached distribution list

Attachments:  
Proposition 65 summary  
Certificate of Merit  
Certificate of Service

**CERTIFICATE OF MERIT**  
Health and Safety Code Section 25249.7(d)

**Re: Ecological Alliance, LLC's Notice of Proposition 65 Violations by J.C. Penney Corporation, Inc.**

I, Vineet Dubey, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an 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 is the cause of the action.
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 plaintiffs' 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, 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.

Dated: February 23, 2026

  
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Vineet Dubey, Attorney at Law

**CERTIFICATE OF SERVICE**

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 445 S. Figueroa St., Ste 2520, Los Angeles, CA 90071.

On the date shown below, I served the following:

- 1) 60-Day Notice of Intent to Sue Under Health and Safety Code section 25249.6
- 2) Certificate of Merit; Health and Safety Code Section 25249.7(d)
- 3) Certificate of Merit (Attorney General Copy); Factual information sufficient to establish the basis of the certificate of merit (*only sent to Attorney General*)
- 4) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65); A Summary

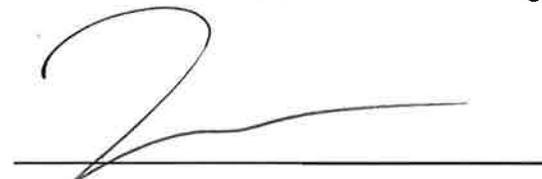
on the alleged violator listed below via First Class Mail through the United States Postal Service by placing a true and correct copy in a sealed envelope, addressed to the entity listed below and providing such envelope to a United States Postal Service Representative:

J.C. Penney Corporation, Inc.  
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as well as providing copies of the notice to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to the parties listed on the attached Distribution List.

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

February 23, 2026



Vineet Dubey