

## NOTICE OF VIOLATION

### California Safe Drinking Water and Toxic Enforcement Act

#### Lead and Cadmium in Integrated Clothing Accessories and Embellishments Such as Brooches, Pins, Charms, and Buckles

February 26, 2026

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 February 26, 2023 and are continuing to this day.
- Provision of Proposition 65: This Notice covers the warning provision of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- Chemical(s) Involved: The names of the listed chemicals involved in these violations are lead and cadmium.
- Type of Product: The specific type of product causing these violations is integrated clothing accessories and embellishments such as brooches, chains, pins, charms, and buckles. Non-exclusive examples of this specific type of product are listed on the attached Exhibit 1.
- Description of Exposure: Ordinary use of the products identified in this Notice results in human exposures to lead and cadmium. The routes of exposure for the violations are ingestion via hand-to-mouth contact after consumers touch or handle the products; direct ingestion when consumers place the products in their mouths; and dermal absorption directly through the skin when consumers touch,

handle, or wear the products. These exposures occur in homes, workplaces and everywhere else throughout California where these products are worn, handled or used. No clear and reasonable Proposition 65 warning is provided with these products regarding the presence of lead and cadmium 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 lead and cadmium exposures; and (2) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). Alleged violators should contact CEH through its counsel identified below to discuss resolution of this matter. 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 CEH's 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 lead and cadmium in integrated clothing accessories and embellishments such as brooches, pins, charms, and buckles; purchase and sales 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 lead and cadmium in such products; and representative exemplars of any such products sold 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 Jacob Janzen at Lexington Law Group, LLP, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, [pcarey@lexlawgroup.com](mailto:pcarey@lexlawgroup.com), [jjanzen@lexlawgroup.com](mailto:jjanzen@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 chemicals that are 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.

February 26, 2026



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Patrick Carey  
Attorney for CENTER FOR  
ENVIRONMENTAL HEALTH

**EXHIBIT 1**  
**February 26, 2026 Notice of Violation**  
**Lead and Cadmium in Integrated Clothing Accessories and Embellishments**

| <b>Names and Addresses of Responsible Parties</b>   | <b>Non-Exclusive Examples of the Products</b>   | <b>Further Description of Non-Exclusive Exemplar</b> |
|---|---|--|
| <p><b>Ross Stores, Inc.</b><br/>           5130 Hacienda Drive<br/>           Dublin, CA 94568</p> <p><b>Mark-Edwards Apparel Inc.</b><br/>           8480 Rue Jeanne-Mance<br/>           Montreal, Quebec H2P2S3 Canada</p> | <p>Integrated accessory bow pins or brooches attached to “Orange Kiss” brand tank top</p> | <p>UPC # 400287932795</p>                            |
| <p><b>The TJX Companies, Inc.</b><br/>           770 Cochituate Road<br/>           Framingham, MA 01701</p> <p><b>TCB Brands, LLC</b><br/>           463 7<sup>th</sup> Avenue<br/>           New York, NY 10018</p>         | <p>Brooch attached to integrated accessory pearl necklaces of “Joie” brand tank top</p>   | <p>UPC # 856874</p>                                  |

1 **PROOF OF SERVICE**

2 I, Kaitlyn M. Carpenter, 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  
kcarpenter@lexlawgroup.com.

6 On July 18, 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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22 CEPDProp65@acgov.org

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| 6  | Walter W. Wall, Mariposa District Attorney<br>P.O. Box 730<br>Mariposa, CA 95338<br>mcda@mariposacounty.org                       | Mark Ankcorn, San Diego Deputy City<br>Attorney<br>1200 Third Avenue<br>San Diego, CA 92101<br>CityAttyProp65@sandiego.gov   |
| 9  | Kimberly Lewis, Merced District Attorney<br>550 West Main Street<br>Merced, CA 95340<br>Prop65@countyofmerced.com                 | Henry Lifton, San Francisco Deputy City<br>Attorney<br>1390 Market Street, 7th Floor<br>San Francisco, CA 94102<br>Prop65@sfcityatty.org                           |
| 11 | Jeannine M. Pacioni, Monterey District<br>Attorney<br>1200 Aguajito Road<br>Monterey, CA 93940<br>Prop65DA@co.monterey.ca.us      | Alexandra Grayner, San Francisco Assistant<br>District Attorney<br>350 Rhode Island Street<br>San Francisco, CA 94103<br>alexandra.grayner@sfgov.org               |
| 14 | Allison Haley, Napa District Attorney<br>1127 First Street, Suite C<br>Napa, CA 94559<br>CEPD@countyofnapa.org                    | Tori Verber Salazar, San Joaquin District<br>Attorney<br>222 E. Weber Avenue, Room 202<br>Stockton, CA 95202<br>DAConsumer.Environmental@sjcda.org                 |
| 17 | Clifford H. Newell, Nevada District<br>Attorney<br>201 Commercial Street<br>Nevada City, CA 95959<br>DA.Prop65@co.nevada.ca.us    | Eric J. Dobroth, San Luis Obispo Deputy<br>District Attorney<br>County Government Center Annex, 4th<br>Floor<br>San Luis Obispo, CA 93408<br>edobroth@co.slo.ca.us |
| 20 | Morgan Briggs Gire, Placer District<br>Attorney<br>10810 Justice Center Drive<br>Roseville, CA 95678<br>prop65@placer.ca.gov      | Christopher Dalbey, Santa Barbara Deputy<br>District Attorney<br>1112 Santa Barbara St.<br>Santa Barbara, CA 93101<br>DAProp65@co.santa-barbara.ca.us              |
| 23 | David Hollister, Plumas District Attorney<br>520 Main St.<br>Quincy, CA 95971<br>davidhollister@countyofplumas.com                | Nora V. Frimann, Santa Clara City Attorney<br>200 E. Santa Clara Street, 16th Floor<br>San Jose, CA 96113<br>Proposition65notices@sanjoseca.gov                    |
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13 I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct.

14 Executed on July 18, 2025 at San Francisco, California.

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Kaitlyn M. Carpenter

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## SERVICE LIST

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