

# NOTICE OF VIOLATION

## California Safe Drinking Water and Toxic Enforcement Act

### LEAD IN PROTEIN POWDER

May 22, 2026

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

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act (“Proposition 65”), see the attached summary provided by the Office of Environmental Health Hazard Assessment (copies of summary not provided to public enforcement agencies).
- This Notice is provided by Public Protection Alliance LLC, 2450 Colorado Ave, Suite 100E, Santa Monica, CA 90404. Public Protection Alliance is a California company acting in the interest of the general public seeking to further, among other causes, the protection of the environment, toxin reduction, the promotion and improvement of human health, the improvement of consumer rights, and corporate accountability. Public Protection Alliance designates its counsel, Emily Culbertson, as the responsible individual with regard to this Notice.

#### **Description of Violation:**

- Violators: The names and addresses of the violators are identified in the table below.
- Time Period of Exposure: The violations have been occurring since at least October 14, 2025, 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 name of the listed chemical involved in these violations is lead.
- Type of Product: The specific type of product causing the violation is protein powder. Non-exclusive examples of this specific type of product are listed in the table below.
- Description of Exposure: Ordinary use of the products identified in this Notice results in human exposures to lead because lead is found in the protein powder. The route of exposure for the violation is ingestion. These exposures occur in homes,

workplaces, and everywhere else throughout California where consumers may be exposed to protein powder.

- No clear and reasonable Proposition 65 warning is provided with these products regarding the presence of lead in the products.

**Violators and Products Subject to this Notice**

Names and Addresses of Violators	Non-Exclusive Examples of the Products	UPC or Further Description of the Non-Exclusive Exemplar
Gains In Bulk, LLC 8150 E Germann Rd Ste 115 Mesa, AZ 85212	Gains in Bulk Lean Protein Powder with Collagen Peptides	ASIN B0F259FNLX
Amazon.com Services LLC 410 Terry Avenue North Seattle, WA 98109	Gains in Bulk Lean Protein Powder with Collagen Peptides	ASIN B0F259FNLX

**Resolution of Noticed Claims:**

- Public Protection Alliance intends to file a citizen enforcement lawsuit against the alleged violators unless such violators agree in a binding written instrument to: (1) recall all products already sold; (2) provide clear and reasonable warnings for products sold or otherwise provided to consumers in the future or reformulate such products to eliminate the lead exposures; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code § 25249.7(b).
- Alleged violators should contact Public Protection Alliance through its counsel identified below to discuss resolution of this matter. It should be noted that Public Protection Alliance 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 Public Protection Alliance’s 60-day Notice. Therefore, while reaching an agreement with Public Protection Alliance 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 related to the presence or potential presence of lead in protein powder; purchase and sales information for such products; efforts to comply with Proposition 65 with respect to such products; advertising and marketing material related to such products; testing reports related to such products; communications with any person relating to the presence or potential presence of lead in such products; any

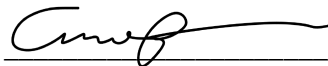
representative exemplars of any such products sold to customers or consumers by the alleged violator in the year preceding this Notice through the date of any trial of the claims alleged in this Notice.

**Request for Names and Contact Information**

- The retailer is hereby requested to promptly provide the names and contact information for the manufacturers, producers, packagers, importers, suppliers, and/or distributors of the products identified in this Notice per Cal. Code Regs. tit. 27, §25600.2(g).

Please direct any inquiries regarding this Notice to Public Protection Alliance’s counsel, Emily Culbertson, at Akempis P.C., 730 Arizona Ave, 2<sup>nd</sup> Floor, Santa Monica, CA 90401, (424) 433-4760, [emilyculbertson@akempis.com](mailto:emilyculbertson@akempis.com).

AKEMPIS P.C.



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Emily Culbertson  
Attorney for Public Protection Alliance LLC

Enclosures:

Certificate of Merit

Certificate of Service

Appendix A (“The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary”) (sent only to the Violators)

Factual information sufficient to establish the basis of the Certificate of Merit (sent only to Attorney General)

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

I, Emily Culbertson, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney with Akempis P.C., and I represent the noticing party, Public Protection Alliance LLC.
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 exposure to the listed chemical that is the subject 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 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 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 and Safety Code section 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.

May 22, 2026



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Emily Culbertson  
Attorney for Public Protection Alliance LLC

## **CERTIFICATE OF SERVICE**

I, Brady Williams, hereby declare under California law:

I am over the age of eighteen (18) years and not a party to this action. My business address is 730 Arizona Ave, 2<sup>nd</sup> Floor, Santa Monica, CA 90401 and my email address is brady@akempis.com.

On May 22, 2026, I served the following documents on all interested parties in this action by placing a true copy thereof in the manner and at the addresses indicated below:

**BY CERTIFIED MAIL:** I am readily familiar with the practice for collection and processing for correspondence for certified mailing by LetterStream, a printing and mailing company that sends certified mail via the U.S. Postal Service. I transmitted a PDF version of the documents noted below to LetterStream on May 22, 2026 for printing and mailing in the ordinary course of business to the names and addresses on the attached service list. The printed correspondence will be deposited by LetterStream in the mail with the U.S. Postal Service.

***Please see attached service list for recipients sent by Certified Mail.***

***Contents mailed:*** NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT; CERTIFICATE OF MERIT; THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY.

**BY MAIL:** I am readily familiar with the practice for collection and processing for correspondence for mailing by LetterStream, a printing and mailing company that sends mail via the U.S. Postal Service. I transmitted a PDF version of the documents noted below to LetterStream on May 22, 2026 for printing and mailing in the ordinary course of business to the names and addresses on the attached service list. The printed correspondence will be deposited by LetterStream in the mail with the U.S. Postal Service.

***Please see attached service list for recipients sent by Mail.***

***Contents mailed:*** NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT; CERTIFICATE OF MERIT.

**BY ELECTRONIC MAIL:** I transmitted a PDF version of the documents noted below via email to the email address(es) indicated on the attached service list on the date executed.

***Please see attached service list for recipients sent by Electronic Mail.***

***Contents emailed:*** NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT; CERTIFICATE OF MERIT.

**BY ELECTRONIC UPLOAD:** I transmitted a PDF version of the documents noted below to the Office of Attorney General of California via the Proposition 65 File a 60-Day Notice website at <https://oag.ca.gov/prop65/add-60-day-notice> on the date executed.

**Contents uploaded:** NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT; CERTIFICATE OF MERIT; CONFIDENTIAL SUPPORTING EVIDENCE FOR CERTIFICATE OF MERIT.

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

Executed on May 22, 2026 at Los Angeles, California.

*Brady Williams*

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Brady Williams

**SERVICE LIST BY CERTIFIED MAIL:**

Amazon.com Services LLC  
410 Terry Avenue North  
Seattle, WA 98109

Amazon.com Services LLC  
c/o Registered Agent  
CSC - Lawyers Incorporating  
Service  
2710 Gateway Oaks Drive  
Sacramento, CA 95833

Gains In Bulk, LLC  
c/o Registered Agent  
United States Corporation Agents  
17470 N Pacesetter Way  
Scottsdale, AZ 85255

Gains In Bulk, LLC  
8150 E Germann Rd Ste 115  
Mesa, AZ 85212

**SERVICE LIST BY MAIL:**

Amador County DA  
708 Court Street, #202  
Jackson, CA 95642

Del Norte County DA  
450 H Street, Ste. 171  
Crescent City, CA 95531

Imperial County DA  
940 West Main Street, Ste. 102  
El Centro, CA 92243

Lake County DA  
255 N. Forbes Street  
Lakeport, CA 95453

Madera County DA  
300 South G Street, Ste. 300  
Madera, CA 93637

Mono County DA  
P.O. Box 2053  
Mammoth Lakes, CA 93546

San Mateo County DA  
500 County Center, Third Floor  
Redwood City, CA 94063

Siskiyou County DA  
P.O. Box 986  
Yreka, CA 96097

Sutter County DA  
463 2nd Street, Ste. 102  
Yuba City, CA 95991

Yuba County DA  
215 5th Street, Ste. 152  
Marysville, CA 95901

Butte County DA  
25 County Center Drive, Ste. 245  
Oroville, CA 95965

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P.O. Box 430  
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1215 Truxtun Ave., 4th Floor  
Bakersfield, CA 93301

City of LA, City Atty  
200 N. Main Street #800  
Los Angeles, CA 90012

Mendocino County DA  
P.O. Box 1000  
Ukiah, CA 95482

San Benito County DA  
419 4th Street  
Hollister, CA 95023

Shasta County DA  
1355 West Street  
Redding, CA 96001

Solano County DA  
675 Texas Street, Ste. 4500  
Fairfield, CA 94533

Tehama County DA  
P.O. Box 519  
Red Bluff, CA 96080

Colusa County DA  
310 6th Street  
Colusa, CA 95932

Humboldt County DA  
825 5th Street, 4th Floor  
Eureka, CA 95501

Kings County DA  
1400 West Lacey Blvd.  
Hanford, CA 93230

LA County DA  
211 W. Temple St, Ste. 1200  
Los Angeles, CA 90012

Modoc County DA  
204 S. Court Street, Room 202  
Alturas, CA 96101

San Bernardino County DA  
303 W. Third Street  
San Bernardino, CA 92415

Sierra County DA  
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Downieville, CA 95936

Stanislaus County DA  
832 12th Street, Ste. 300  
Modesto, CA 95354

Trinity County DA  
P.O. Box 310  
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**SERVICE LIST BY ELECTRONIC MAIL:**

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3501 Civic Center Dr, Rm 145  
San Rafael, CA 94903  
consumer@marincounty.gov

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Prop65@rivcoda.org

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