



**Environmental Research Center**  
3111 Camino Del Rio North, Suite 400  
San Diego, CA 92108  
619-500-3090

May 22, 2026

**NOTICE OF VIOLATIONS OF  
CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 ET SEQ.  
(PROPOSITION 65)**

Dear Alleged Violator and the Appropriate Public Enforcement Agencies:

I represent Environmental Research Center, Inc. (“ERC”). ERC is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

ERC has identified violations of California’s Safe Drinking Water and Toxic Enforcement Act of 1986 (“Proposition 65”), which is codified at California Health & Safety Code §25249.5 *et seq.*, with respect to the product identified below. These violations have occurred and continue to occur because the alleged Violator identified below failed to provide required clear and reasonable warnings with this product. This letter serves as a notice of these violations to the alleged Violator and the appropriate public enforcement agencies. Pursuant to Section 25249.7(d) of the statute, ERC intends to file a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

**General Information about Proposition 65.** A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is attached with the copy of this letter served to the alleged Violator identified below.

**Alleged Violator.** The name of the company covered by this notice that violated Proposition 65 (hereinafter the “Violator”) is:

**Outlier Health, Inc., individually and dba Complement**

**Consumer Product and Listed Chemical.** The specific type of product causing the violation is a dietary and/or nutritional protein powder that contains Perfluorooctanoic Acid (PFOA) (“Product”). An Exemplar of the Product that is the subject of this notice and the specific chemical in that Product identified as exceeding allowable levels includes but is not limited to:

- **Complement Vanilla Organic Protein Plant-Based Protein Powder Made with Real Food Ingredients - Perfluorooctanoic Acid (PFOA)**

On November 10, 2017, the State of California officially listed Perfluorooctanoic Acid (PFOA) as a chemical known to cause developmental toxicity. On February 25, 2022, the State of California officially listed Perfluorooctanoic Acid (PFOA) as a chemical known to cause cancer.

It should be noted that ERC may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

**Route of Exposure.** The consumer exposures that are the subject of this notice result from the recommended use of this product. Consequently, the route of exposure to this chemical has been and continues to be through ingestion.

**Approximate Time Period of Violations.** Ongoing violations have occurred every day since at least May 22, 2023, as well as every day since the product was introduced into the California marketplace and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is either removed from or reduced to allowable levels in the product. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemical. The method of warning should be a warning that appears on the product label. The Violator violated Proposition 65 because it failed to provide persons ingesting this product with appropriate warnings that they are being exposed to this chemical.

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, ERC is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violator to: (1) reformulate the identified product so as to eliminate further exposures to the identified chemical, or provide appropriate warnings on the labels of this product; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above product in the last three years. Such a resolution will prevent further unwarned consumer exposures to the identified chemical, as well as expensive and time-consuming litigation.

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ERC's Executive Director is Chris Heptinstall, and is located at 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. 619-500-3090. ERC has retained me as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention at the office address and telephone number indicated on the letterhead or at [mjtamblyn@gmail.com](mailto:mjtamblyn@gmail.com)** or Chris Heptinstall, Executive Director of ERC, or Charles Poss, In-House Counsel for ERC, at [charles.poss@erc501c3.org](mailto:charles.poss@erc501c3.org).

Sincerely,



Mark J. Tamblyn

Attorney for Environmental Research Center

Attachments

Certificate of Merit

Certificate of Service

OEHHA Summary (to Outlier Health, Inc., individually and dba Complement and its Registered Agents for Service of Process only)

Additional Supporting Information for Certificate of Merit (to AG only)

**CERTIFICATE OF MERIT**

**Health and Safety Code Section 25249.7 (d)**

**Re: Environmental Research Center, Inc.'s Notice of Proposition 65 Violations by Outlier Health, Inc., individually and dba Complement**

I, Mark J. Tamblyn, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

2. I am the attorney for the noticing party, Environmental Research Center.

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 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 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 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.

Dated: May 22, 2026

  
Mark J. Tamblyn

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States and over the age of 18 years of age. My business address is 306 Joy Street, Fort Oglethorpe, Georgia 30742. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Fort Oglethorpe, Georgia.

On May 22, 2026, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; “THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY”** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties listed below and depositing it in a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

A. Matthew Tullman, Chief Executive Officer  
or Current President or CEO  
Outlier Health, Inc., individually and dba Complement  
7795 E 28<sup>th</sup> Avenue  
Denver, CO 80238

A. Matthew Tullman, Chief Executive Officer  
or Current President or CEO  
Outlier Health, Inc., individually and dba  
Complement  
230 Adams Street  
Denver, CO 80206

A. Matthew Tullman, Chief Executive Officer  
or Current President or CEO  
Outlier Health, Inc., individually and dba Complement  
PO Box 2518  
Edwards, CO 81632

Registered Agent Solutions, Inc.  
(Registered Agent for Outlier Health, Inc.,  
individually and dba Complement)  
838 Walker Rd, Ste 21-2  
Dover, DE 19904

A. Matthew Tullman  
(Registered Agent for Outlier Health, Inc.,  
individually and dba Complement)  
PO Box 2518  
Edwards, CO 81632

On May 22, 2026, between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General’s website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice> :

Office of the California Attorney General  
Prop 65 Enforcement Reporting  
1515 Clay Street, Suite 2000  
Post Office Box 70550  
Oakland, CA 94612-0550

On May 22, 2026, between 8:00 a.m. and 5:00 p.m. Eastern Time, verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

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Ursula Jones Dickson, District Attorney  
Alameda County  
7677 Oakport Street, Suite 650  
Oakland, CA 94621  
CEPDProp65@acgov.org

Robert K. Priscaro, District Attorney  
Alpine County  
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Markleville, CA 96120  
prop65enf@alpinecountyca.gov

Barbara Yook, District Attorney  
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891 Mountain Ranch Road  
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Prop65Env@co.calaveras.ca.us

Stacey Grassini, Deputy District Attorney  
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sgrassini@contracostada.org

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Lisa A. Smittcamp, District Attorney  
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Lori E. Frugoli, District Attorney  
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Mariposa, CA 95338  
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Kimberly Lewis, District Attorney  
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550 West Main St  
Merced, CA 95340  
Prop65@countyofmerced.com

Jeannine M. Pacioni, District Attorney  
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1200 Aguajito Road  
Monterey, CA 93940  
Prop65DA@co.monterey.ca.us

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CEPD@countyofnapa.org

Clifford H. Newell, District Attorney  
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201 Commercial St  
Nevada City, CA 95959  
DA.Prop65@co.nevada.ca.us

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Morgan Briggs Gire, District Attorney  
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10810 Justice Center Drive  
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Prop65@placer.ca.gov

David Hollister, District Attorney  
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Quincy, CA 95971  
davidhollister@countyofplumas.com

Paul E. Zellerbach, District Attorney  
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Riverside, CA 92501  
Prop65@rivcoda.org

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Sacramento County  
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Summer Stephan, District Attorney  
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San Diego, CA 92101  
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Mark Ankcorn, Deputy City Attorney  
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1200 Third Avenue  
San Diego, CA 92101  
CityAttyProp65@sandiego.gov

Brooke Jenkins, District Attorney  
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Tori Verber Salazar, District Attorney  
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Christopher Dalbey, Deputy District Attorney  
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Jeff W. Reisig, District Attorney  
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301 Second Street  
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cfepd@yolocounty.org

Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

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On May 22, 2026, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the Service List attached hereto, and depositing it with the U.S. Postal Service with the postage fully prepaid for delivery by First Class Mail.

Executed on May 22, 2026, in Fort Oglethorpe, Georgia.

A handwritten signature in cursive script that reads "Morgan Ralls". The signature is written in black ink and is positioned above a horizontal line.

Morgan Ralls

**Service List**

District Attorney, Amador  
County  
708 Court Street, Suite 202  
Jackson, CA 95642

District Attorney, Butte  
County  
25 County Center Drive, Suite  
245  
Oroville, CA 95965

District Attorney, Colusa  
County  
310 6<sup>th</sup> St  
Colusa, CA 95932

District Attorney, Del Norte  
County  
450 H Street, Room 171  
Crescent City, CA 95531

District Attorney, Glenn  
County  
Post Office Box 430  
Willows, CA 95988

District Attorney, Humboldt  
County  
825 5th Street 4<sup>th</sup> Floor  
Eureka, CA 95501

District Attorney, Imperial  
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El Centro, CA 92243

District Attorney, Kern County  
1215 Truxtun Avenue  
Bakersfield, CA 93301

District Attorney, Kings  
County  
1400 West Lacey Boulevard  
Hanford, CA 93230

District Attorney, Lake County  
255 N. Forbes Street  
Lakeport, CA 95453

District Attorney, Los Angeles  
County  
Hall of Justice  
211 West Temple St., Ste 1200  
Los Angeles, CA 90012

District Attorney, Madera  
County  
300 South G Street, Ste 300  
Madera, CA 93637

District Attorney, Mendocino  
County  
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Ukiah, CA 95482

District Attorney, Modoc  
County  
204 S Court Street, Room 202  
Alturas, CA 96101-4020

District Attorney, Mono  
County  
Post Office Box 617  
Bridgeport, CA 93517

District Attorney, San Benito  
County  
419 Fourth Street, 2nd Floor  
Hollister, CA 95023

District Attorney, San  
Bernardino County  
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San Bernadino, CA 92415

District Attorney, San Mateo  
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Redwood City, CA 94063

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Redding, CA 96001

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Fairfield, CA 94533

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City Hall East  
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