



June 23, 2026

VIA CERTIFIED MAIL

ALLEGED VIOLATOR(S)	
Current CEO/President Tony’s Chocolonely Inc. 243 Canal St, 6th Floor New York, NY 10013	Current CEO/President Tony’s Chocolonely Inc. 450 Broadway, 4th Floor New York, NY, 10013
Andy Jassy Amazon.com Services LLC c/o CSC – Lawyers Incorporating Service 2710 Gateway Oaks Drive Sacramento, CA 95833	Andy Jassy Amazon.com Services LLC 410 Terry Ave N Seattle, WA 98109

Notice sent to alleged Violator(s) above and the public prosecutors listed on the service list accompanying the attached Certificate of Service.

Re: 60-Day Notice of Violation of California Safe Drinking Water and Toxic Enforcement Act (Proposition 65)

To Whom It May Concern:

We represent the Center for Consumer Safety, LLC (“CCS”), an organization in the State of California acting in the interest of the general public. CCS’ responsible individual within the entity is Mike White (email: mike@centerforconsumersafety.com | phone: (510) 636-5051), at 2001 Addison St, Ste 300 #834, Berkeley, CA 94704.

This letter serves as notice that the parties listed above are in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (“Prop 65”) codified at California Health & Safety Code § 25249.5, *et seq.* This 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 in California.

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

I. Description of the Violation

- a. **Enforcer:** Center for Consumer Safety, LLC. 2001 Addison St, Ste 300, Berkeley, CA 94704.
- b. **Alleged Violator(s):** Tony’s Chocolonely Inc.; Amazon.com Services LLC.
- c. **Time Period of Exposure:** Violations have been occurring since at least November 12, 2025, and are continuing to this day.
- d. **Listed Chemical(s):** Lead. Lead is listed under Proposition 65 as a chemical known to the State of California to cause cancer and birth defects or other reproductive harm.
- e. **Product(s):**

Product Type(s)	Non-Exhaustive Example(s) of the Product ¹
Dark Chocolate	Tony's Chocolonely Dark Chocolate 70% puur 180g

- f. **Route(s) of Exposure:** Exposures that are the subject of this Notice result from the purchase, acquisition, handling, and normal and reasonably foreseeable use of this product. Exposures from the Product(s) include: Ingestion.
- g. **Warnings Provided:** As the Product(s) was/were purchased via the Internet, per Cal. Code Regs. Tit. 27, § 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.

II. Proposition 65 Information

For the alleged Violator(s)' reference, enclosed is a copy of "Proposition 65: A Summary" that has been prepared by the Office of Environmental Health Hazard Assessment ("OEHHA"). For more information concerning the provisions of Proposition 65, contact OEHHA at (916) 445-6900 or <https://www.p65warnings.ca.gov/contact-us-proposition-65-help-desk>.

III. Obligation to Preserve Evidence Given Anticipated Litigation Pursuant to this Notice

The 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 provided to consumers regarding the Product(s) or Product Type(s) listed above,
- Testing reports relating to the Product(s) or Product Type(s) listed above,
- Advertising or marketing materials relating to the Product(s) or Product Type(s) listed above,
- Information regarding the sale of the Product(s) or Product Type(s) listed above in California or to California consumers,
- Efforts to comply with Proposition 65 with respect to the Product(s) or Product Type(s) listed above, and,
- Communications with any person or entity relating to the presence or potential presence of the Listed Chemicals in the Product(s) or Product Type(s) listed above.

¹ The specifically identified example of the Product in this Notice is to assist the recipients' investigation into, among other things, the magnitude and 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. CCS maintains the position that the 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.

IV. Demand for Retailer, Pursuant to Cal. Code Regs. Tit. 27, § 25600.2(g), to Identify Manufacturer(s), Producer(s), Packager(s), Importer(s), Supplier(s), and Distributor(s) of Product(s)

Pursuant to Cal. Code Regs. Tit. 27, § 25600.2(g), “The 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 the names and contact information for any and all manufacturers, producers, packagers, importers, suppliers, and/or distributors of the Product(s) listed above. This information should be provided by electronic mail to ctusan@ctusanlaw.com.

V. Resolution of Claims

Based on the allegations set forth in this Notice, Tusan Law intends to file a citizen enforcement lawsuit on behalf of CCS against the alleged Violator(s) should no appropriate governmental authority take action and should no resolution be reached by September 1, 2026. However, consistent with the public interest goals of Proposition 65 and the desire to have these violations of California law quickly rectified, CCS is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation. If you are interested in discussing a potential pre-filing resolution of these claims, please contact me promptly.

CCS has retained Tusan Law in connection with this Notice and, therefore, all communications relating to this Notice or to this matter should be directed to **Christina Tusan** via:

- Email: ctusan@ctusanlaw.com (copying my law partner, Adrian Barnes at abarnes@ctusanlaw.com, and my legal assistant Amy Saturday at asaturday@ctusanlaw.com)
- Phone: (626) 418-8203
- Mail: Christina Tusan, Tusan Law, P.C., 680 E. Colorado Blvd. #180, Pasadena, CA 91101

Sincerely,



Christina Tusan

cc: Adrian Barnes, Esq.

Attachments:

- Certificate of Merit
- Certificate of Service

Enclosure:

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary

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

I, Christina Tusan, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated 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(s) that is/are the subject of the action.
4. Based on the information obtained through these 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(s) 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 information identified in Health & 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: June 23, 2026



Christina Tusan
Attorneys for CCS

CERTIFICATE OF SERVICE

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

1. I am a citizen of the United States.
2. I am over the age of 18.
3. I am not a party to this case or action.
4. My business address is Tusan Law, P.C., 680 E. Colorado Blvd. #180, Pasadena, CA 91101. I am a resident of Jefferson County, Alabama, where the service by e-mail and mailing occurred.

On June 23, 2026, I caused the following documents to be served:

1. 60-Day Notice of Violation sent in compliance with Health & Safety Code section 25249.7(d);
2. Certificate of Merit;
3. Certificate of Service;
4. Proposition 65: A Summary; (**sent only to the alleged Violator(s)**), and
5. Certificate of Merit Attachment (**served only on the Attorney General**)

The above-listed documents were served as follows:

To the parties below (the alleged Violator(s)) by placing a true and correct copy thereof in a sealed envelope (addressed to each party at the party’s respective last known address as set out below), and depositing it with the United States Postal Service for delivery by First Class Certified Mail with Return Receipt Requested with the postage thereon fully prepaid:

Current CEO/President Tony’s Chocolonely Inc. 243 Canal St, 6th Floor New York, NY 10013	Current CEO/President Tony’s Chocolonely Inc. 450 Broadway, 4th Floor New York, NY, 10013
Andy Jassy Amazon.com Services LLC c/o CSC – Lawyers Incorporating Service 2710 Gateway Oaks Drive Sacramento, CA 95833	Andy Jassy Amazon.com Services LLC 410 Terry Ave N Seattle, WA 98109

To 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.

To District and City Attorneys who have specifically authorized e-mail service and for whom authorization appears on the California Attorney General’s website by transmission of true and correct copies thereof via electronic mail to the email addresses on the attached service list

To District and City Attorneys who have not specifically authorized e-mail service, by placing a true and correct copy thereof in a sealed envelope (addressed to each party at the party’s respective last known address as set out on the attached service list), and depositing it with the United States Postal Service for delivery by First Class Mail with the postage thereon fully prepaid.

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

Date: June 23, 2026

Name: Amy Leigh Saturday

Signature: *AmyLeighSaturday*

VIA FIRST CLASS MAIL

District Attorney Lake County 255 North Forbes Street Lakeport, CA 95453	District Attorney Sierra County PO Box 457 Downieville, CA 95936	District Attorney Amador County 708 Court Street, Suite 202 Jackson, CA 95642
District Attorney Los Angeles County 211 W. Temple St. Ste 1200 Los Angeles, CA 90012	District Attorney Siskiyou County PO Box 986 Yreka, CA 96097	District Attorney Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965
District Attorney Madera County 300 South G Street, Suite 300 Madera, CA 93637	District Attorney Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533	District Attorney Colusa County 310 6th Street Colusa, CA 95932
District Attorney Stanislaus County 832 12th Street, Ste 300 Modesto, CA 95354	District Attorney Del Norte County 450 H Street, Suite 171 Crescent City, CA 95531	District Attorney Mendocino County PO Box 1000 Ukiah, CA 95482
District Attorney Sutter County 463 2nd Street, Ste 102 Yuba City, CA 95991	District Attorney Modoc County 204 S Court Street, Room 202 Alturas, CA 96101-4020	District Attorney Tehama County PO Box 519 Red Bluff, CA 96080
District Attorney Mono County Post Office Box 2053 Mammoth Lakes, CA 93546	District Attorney Trinity County Post Office Box 310 Weaverville, CA 96093	District Attorney Glenn County Post Office Box 430 Willows, CA 95988
District Attorney San Benito County 419 4th Street Hollister, CA 95023	District Attorney Humboldt County 825 5th Street 4th Floor Eureka, CA 95501	District Attorney San Bernardino County 303 West Third Street, 6 th Floor San Bernardino, CA 92415
District Attorney Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901	District Attorney Imperial County 940 West Main Street, Suite 102 El Centro, CA 92243	District Attorney San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063
Los Angeles City Attorney's Office City Hall East, Room 800 200 N. Main St., Los Angeles, CA 90012	District Attorney Kern County 1215 Truxtun Avenue, 4 th Floor Bakersfield, CA 93301	District Attorney Shasta County 1355 West Street Redding, CA 96001
District Attorney Kings County 1400 West Lacey Blvd. Hanford, CA 93230		

VIA ELECTRONIC MAIL

Alameda County District Attorney CEPDProp65 @acgov.org	Calaveras County District Attorney Prop65Env@co.calaveras.ca.us	Contra Costa County District Attorney Bill.Washam@contracostada.org
Inyo County District Attorney inyoda@inyocounty.us	Lassen County District Attorney dhandler@co.lassen.ca.us	Mariposa County District Attorney mcda@mariposacounty.org
Merced County District Attorney Prop65@countyofmerced.com	Monterey County District Attorney Prop65DA@co.monterey.ca.us	Napa County District Attorney CEPD@countyofnapa.org
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
Riverside County District Attorney Prop65@rivcoda.org	Sacramento County District Attorney Prop65@sacda.org	San Diego City Attorney CityAttyProp65@sandiego.gov
San Diego County District Attorney SanDiegoDAProp65@sdcdca.org	San Francisco County District Attorney Prop65@sfgov.org	San Francisco City Attorney Prop65@sfcityatty.org
San Joaquin County District Attorney DA DAConsumer.Environmental@sjcda.org	San Luis Obispo County District Attorney edobroth@co.slo.ca.us	Santa Barbara County District Attorney DAProp65@co.santa-barbara.ca.us
Santa Clara County District Attorney EPU@da.sccgov.org	Santa Cruz County District Attorney Prop65DA@santacruzcounty.us	Sonoma County District Attorney ECLD@sonoma-county.org
Tulare County District Attorney damail@tularecounty.ca.gov	Ventura County District Attorney daspecialops@ventura.org	Yolo County District Attorney cfepd@yolocounty.org
Santa Clara City Attorney proposition65notices@sanjoseca.gov	District Attorney Fresno consumerprotection@fresnocountyca.gov	Tuolumne County District Attorney DA@tuolumnecounty.ca.gov
Alpine County District Attorney Prop65enf@alpinecountyca.gov	El Dorado Assistant District Attorney EDCDAPROP65@edcda.us	Marin County District Attorney consumer@marincounty.gov
Orange County District Attorney Prop65notice@ocdistrictattorney.gov		