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July 21, 2026

To: President or CEO – LAVA, Inc.  
President or CEO – LAVA Brand, Inc.  
Amazon.com Services LLC  
California Attorney General's Office  
District Attorney's Office for 58 counties  
City Attorney's for San Francisco, San Diego, San Jose, and Los Angeles  
(See attached Certificate of Service)

From: Center for Consumer Safety, LLC

**Re: Notice of Violations of California Health & Safety Code Section 25249.5 *et seq.***

Dear Addressees:

This firm represents Center for Consumer Safety, LLC ("CCS") in connection with this Notice of Violations of California's Safe Drinking Water and Toxic Enforcement Act, which is codified at California Health & Safety Code Section 25249.5 *et seq.* ("Proposition 65").

CCS is a California limited liability company dedicated to safeguarding the public from harmful and toxic chemicals found in everyday projects. This letter serves to provide notification of these violations to you and to the public enforcement agencies of Proposition 65.

This letter constitutes notice that the entity listed below has violated and continues to violate provisions of Proposition 65. Specifically, the entity listed below has violated and continues to violate the warning requirement at § 25249.6 of the California Health & Safety Code, which provides that "[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual..." A summary of Proposition 65, prepared by the California Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter sent to the Violators.

**Alleged Violators:** The name of the violators covered by this notice that violated Proposition 65 (hereinafter collectively referred to as the "Violators") is LAVA, Inc, LAVA Brand, Inc., and Amazon.com Services LLC.

**Listed Chemicals:** These violations involve exposure to the listed chemicals lead and cadmium. On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause

cancer. Cadmium was officially listed as a chemical known to cause developmental toxicity and male reproductive toxicity on May 1, 1997, while cadmium and cadmium compounds were listed as chemicals known to the State of California to cause cancer on October 1, 1987.

**Consumer Products:** The following specific product that is causing exposures in violation of Proposition 65 and is the subject of this notice is LAVA Premium Mocha Chocolate Syrup.

**Violation:** The alleged Violators knowingly and intentionally exposed and continue to expose consumers within the State of California to lead and cadmium without providing a Proposition 65 warning. The Violators have manufactured, marketed, distributed, and/or sold the listed product, which has exposed and continues to expose numerous individuals within California to the identified chemicals, lead and cadmium.

**Route of Exposure:** The consumer exposures that are the subject of this notice result from the recommended use of these products by consumers. The route of exposure to lead and cadmium is through ingestion.

Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead and cadmium. The listed product was purchased online. A Proposition 65-compliant warning should have appeared on the listed product's packaging and on the product display page and/or point of sale. The Violators violated Proposition 65 because they failed to provide an appropriate warning to persons using these products that they are being exposed to lead and cadmium. Each of these ongoing violations has occurred on every day since July 21, 2023, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to California Health & Safety Code § 25249.7(d), CCS intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violators agree in an enforceable written agreement to: (1) reformulate the listed products so as to eliminate further exposures to the identified chemicals; (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 products in the last three years. Consistent with the public interest goals of Proposition 65 and my client's objectives in pursuing this notice, CCS is interested in seeking a constructive resolution to this matter. Such resolution will avoid both further unwarned consumer exposures to the identified chemical and expensive and time-consuming litigation.

CCS is located at 2001 Addison St., Suite 300, #834, Berkeley, CA 94704. CCS has retained my firm in connection with this matter. It has designated me as its responsible person for purposes of this notice letter. Please direct all questions concerning this notice to me, Douglas

Notice of Violation of Cal. Health & Safety Code §§ 25249.5 *et seq.*

July 21, 2026

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Chermak, at [doug@lozeaudrury.com](mailto:doug@lozeaudrury.com), (510) 836-4200, Lozeau Drury LLP, 1939 Harrison St., Suite 150, Oakland, CA 94612.

Sincerely,



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Douglas J. Chermak

Attachments:

Certificate of Merit

Certificate of Service

OEHHA Summary (to Violators and their Registered Agents for Service of Process only)

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

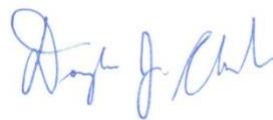
**CERTIFICATE OF MERIT**

**Re: Center for Consumer Safety, LLC 's Notice of Proposition 65 Violations by  
LAVA, Inc., LAVA Brand, Inc., and Amazon.com Services LLC**

I, Douglas J. Chermak, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party 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, Center for Consumer Safety, 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 alleged exposure to the listed chemicals that are the subject of the notice.
4. Based on the information obtained through those consultants, and 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 that 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. Along with the copy of this Certificate of Merit, additional factual information sufficient to establish the basis for this certificate has been served on the Attorney General, including the information identified in California 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: July 21, 2026



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Douglas J. Chermak

## **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:

I am a citizen of the United States and over the age of 18 years of age. My business address is 1939 Harrison St., Suite 150, Oakland, California. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Oakland, California.

On July 21, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; (2) CERTIFICATE OF MERIT; and (3) “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 with postage fully prepaid for delivery by Certified Mail, addressed to the entity listed below, and placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business’s practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

Ed Hong, Chief Executive Officer and  
Registered Agent for LAVA Brand, Inc., and  
LAVA, Inc., or current CEO  
LAVA Brand, Inc.  
27472 Portola Pkwy  
#205 153  
Foothill Ranch, CA 92610

CEO or President  
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

On July 21, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; (2) CERTIFICATE OF MERIT; and (3) ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** 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  
Oakland, CA 94612-0550

On July 21, 2026, I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; and (2) CERTIFICATE OF MERIT** on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

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  
P.O.Box 248  
Markleville, CA 96120  
prop65enf@alpinecountyca.gov

Barbara Yook, District Attorney  
Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249  
Prop65Env@co.calaveras.ca.us

Stacey Grassini, Deputy District Attorney  
Contra Costa County  
900 Ward Street  
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sgrassini@contracostada.org

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El Dorado County  
778 Pacific Street  
Placerville, CA 95667  
EDCDAPROP65@edcda.us

Lisa A. Smittcamp, District Attorney  
Fresno County  
2100 Tulare Street  
Fresno, CA 93721  
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Thomas L. Hardy, District Attorney  
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168 North Edwards Street  
Independence, CA 93526  
inyoda@inyocounty.us

Devin Chandler, Program Coordinator  
Lassen County  
2950 Riverside Dr  
Susanville, CA 96130  
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Lori E. Frugoli, District Attorney  
Marin County  
3501 Civic Center Drive, Suite 145  
San Rafael, CA 94903  
consumer@marincounty.gov

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P.O. Box 730  
Mariposa, CA 95338  
mcda@mariposacounty.org

Kimberly Lewis, District Attorney  
Merced County  
550 West Main St  
Merced, CA 95340  
Prop65@countyofmerced.com

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

Allison Haley, District Attorney  
Napa County  
1127 First Street, Ste C  
Napa, CA 94559  
CEPD@countyofnapa.org

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

Todd Spitzer, District Attorney  
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300 N Flower St  
Santa Ana, CA 92703  
Prop65notice@ocdapa.org

Morgan Briggs Gire, District Attorney  
Placer County  
10810 Justice Center Drive  
Roseville, CA 95678  
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David Hollister, District Attorney  
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520 Main St  
Quincy, CA 95971  
davidhollister@countyofplumas.com

Paul E. Zellerbach, District Attorney  
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Anne Marie Schubert, District Attorney  
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Summer Stephan, District Attorney  
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SanDiegoDAProp65@sdcda.org

Mark Ankorn, Deputy City Attorney  
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San Diego, CA 92101  
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Brooke Jenkins, District Attorney  
San Francisco District Attorney's Office  
350 Rhode Island Street  
San Francisco, CA 94103  
Prop65@sfgov.org

Henry Lifton, Deputy City Attorney  
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1390 Market Street, 7th Floor  
San Francisco, CA 94102  
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Tori Verber Salazar, District Attorney  
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222 E. Weber Avenue, Room 202  
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DAConsumer.Environmental@sjcda.org

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Government Center Annex, 4<sup>th</sup>  
Floor San Luis Obispo, CA 93408  
edobroth@co.slo.ca.us

Christopher Dalbey, Deputy District Attorney  
Santa Barbara County  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
DAProp65@co.santa-barbara.ca.us

Bud Porter, Supervising Deputy District Attorney  
Santa Clara County  
70 W Hedding St  
San Jose, CA 95110  
EPU@da.sccgov.org

Nora V. Frimann, City Attorney  
Santa Clara City Attorney  
200 E. Santa Clara Street, 16<sup>th</sup> Floor  
San Jose, CA 96113  
Proposition65notices@sanjoseca.gov

Jeffrey S. Rosell, District Attorney  
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701 Ocean Street  
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Prop65DA@santacruzcounty.us

Carla Rodriguez, District Attorney  
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Santa Rosa CA 95403  
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Phillip J. Cline, District Attorney  
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Visalia, CA 95370  
Prop65@co.tulare.ca.us

Gregory D. Totten, District Attorney  
Ventura County  
800 S Victoria Ave  
Ventura, CA 93009  
daspecialops@ventura.org

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

On July 21, 2026, I served the following documents: I served the following documents: **(1) NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; and (2) 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 with postage fully prepaid for delivery by First Class Mail, addressed to each of the entities on the Service List attached hereto, and placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

Executed on July 21, 2026 in Oakland, California.

  
Toyer Grear



### Service List

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

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

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

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

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

District Attorney, San Bernardino  
County  
303 West Third Street  
San Bernadino, CA 92415

District Attorney, Sierra County  
Post Office Box 457  
100 Courthouse Square, 2nd Floor  
Downieville, CA 95936

District Attorney, Stanislaus County  
832 12th Street, Ste 300  
Modesto, CA 95354

District Attorney, Trinity County  
Post Office Box 310  
Weaverville, CA 96093

Los Angeles City Attorney's Office  
City Hall East  
200 N. Main Street, Suite 800  
Los Angeles, CA 90012

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

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

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

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

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

District Attorney, San Mateo County  
400 County Ctr., 3rd Floor  
Redwood City, CA 94063

District Attorney, Siskiyou County  
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Yreka, CA 96097

District Attorney, Sutter County  
463 2nd Street  
Yuba City, CA 95991

District Attorney, Tuolumne County  
423 N. Washington Street  
Sonora, CA 95370

Office of the City Attorney, Sacramento  
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Sacramento, CA 95814

District Attorney, Colusa County  
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Colusa, CA 95932

District Attorney, Imperial County  
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El Centro, CA 92243

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County  
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