

# LAW OFFICE OF GEORGE RIKOS

555 West Beech Street, Suite 500 • San Diego, California 92101

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August 31, 2026

## **SIXTY-DAY NOTICE OF INTENT TO SUE FOR VIOLATION OF THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986**

(Cal. Health & Safety Code § 25249.5, et seq.)

(“Proposition 65”)

Erin Haggerty  
Cogency Global, Inc.  
Registered Corporate 1505 Agent  
Agent for Service of Process for  
Navitas, LLC  
1325 J Street, Suite 1550  
Sacramento, CA 95814

Ira Haber, Member  
Navitas, LLC  
15 Pamaron Way  
Novato, California 94949

Amanda Garcia  
1505 CT Corporation System  
Agent for Service of Process for  
Mrs. Gooch’s Natural Food Markets, Inc.  
330 North Brand Blvd  
Glendale, CA 91203

Keith Manbeck, CEO  
Mrs. Gooch’s Natural Food Markets, Inc.  
550 Bowie Street,  
Austin, Texas, 78703

## **AND THE PUBLIC PROSECUTORS LISTED ON THE DISTRIBUTION LIST ACCOMPANYING THE ATTACHED CERTIFICATE OF SERVICE**

**Re: Violations of Proposition 65 concerning Navitas Organics Organic Cacao Sweet  
Nibs, 8 oz (227 g)**

To Whom it May Concern:

Adam Green, the noticing party, serves this Notice of Violation (“Notice”) upon Navitas, LLC and Mrs. Gooch’s Natural Food Markets, Inc. (collectively, “Violators”) pursuant to and in compliance with Proposition 65. Adam Green’s contact information is as follows: 1315 Ethel Street, Glendale, California 91207; Telephone (818) 281-3381. However, Mr. Green has retained counsel whose contact information is: George Rikos, Esq., 555 West Beech Street, Suite 500, San Diego, California 92101, Telephone No. (858) 342-9161, email: [George@georgerikoslaw.com](mailto:George@georgerikoslaw.com). This Notice satisfies a prerequisite for Mr. Green to commence an action against Violators in any Superior Court of California to enforce Proposition 65. The violations addressed by this Notice occurred at numerous locations in each county in California as reflected in the district attorney addresses listed in the attached distribution list. Mr. Green

is serving this Notice upon each person or entity responsible for the alleged violations, the California Attorney General, the district attorney for each county where alleged violations occurred, and the City Attorney for each city with a population (according to the most recent decennial census) of over 750,000 located within counties where the alleged violations occurred.

Adam Green is an individual residing in the State of California and is a “person” within the meaning of California Health & Safety Code § 25249.11(a). By sending this Notice, Mr. Green is acting “in the public interest” pursuant to California Health & Safety Code § 25249.7(d). Mr. Green is dedicated to protecting the environment, improving human health, and supporting environmentally sound practices.

- This Notice concerns violations of the warning prong of Proposition 65, which states 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 ...” Cal. Health & Safety Code § 25249.6.
- Navitas Organics Organic Cacao Sweet Nibs, 8 oz (227 g) (“Product”) contains Cadmium, which is known to the State of California to cause cancer and reproductive toxicity (developmental toxicity and male reproductive toxicity). Cadmium was added to the Proposition 65 list as a carcinogen on October 1, 1987, and as a reproductive toxicant on May 1, 1997. On information and belief this violation has been ongoing for well over one year and at least since one year from the date of this Notice of Violation (August 24, 2025 to the present).
  - An exemplar of the violations includes but is not limited to: Navitas Organics Organic Cacao Sweet Nibs
- This Notice addresses consumer products exposures. A “[c]onsumer products exposure” is an exposure which results from a person’s acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or any exposure that results from receiving a consumer service. Cal. Code Regs. tit. 27, § 25602(b).

Violators caused consumer product exposures in violation of Proposition 65 by producing, distributing, or making available for distribution or sale in California to consumers the Product. The packaging for the Product (meaning any label or other written, printed or graphic matter affixed to or accompanying the product or its container or wrapper) contains no Proposition 65-compliant warning. Nor did Violators, with regard to the Product, provide a system of signs, public advertising identifying the system and toll-free information services, or any other system, which provided clear and reasonable warnings. Nor did Violators, with regard to the Product, provide identification of the Product at retail outlets in a manner that provided a warning through shelf labeling, signs, or a combination thereof.

The principal route of exposure was through ingestion. Consumers who purchase and consume the Product as intended and in a reasonably foreseeable manner are exposed to Cadmium in amounts that exceed the Maximum Allowable Dose Level for Cadmium (oral) of 4.1 micrograms per day established by the Office of Environmental Health Hazard Assessment. Cal. Code Regs. tit. 27, § 25805(b).

A Certificate of Merit pursuant to California Health & Safety Code § 25249.7(d)(1) and Cal. Code Regs. tit. 27, § 25903(b)(2)(A) accompanies this Notice. The factual information supporting the Certificate of Merit, including the laboratory analysis and exposure assessment

on which it is based, is attached to the copy of the Certificate of Merit served on the California Attorney General only, as required by California Health & Safety Code § 25249.7(h)(2).

Proposition 65 requires that notice of intent to sue be given to the violator(s) sixty (60) days before the suit is filed. Cal. Health & Safety Code § 25249.7(d)(1). With this letter, Mr. Green gives notice of the alleged violations to Violators and the appropriate governmental authorities. In the absence of any action by the appropriate governmental authorities within sixty (60) calendar days of the sending of this Notice (plus five (5) calendar days if the address is within the State of California or ten (10) days if the address is outside of California but within the United States) Mr. Green may file suit. See Cal. Health & Safety Code § 25249.7(d)(1); Cal. Code Regs. tit. 27, § 25903(d)(1); Cal. Code Civ. Proc. § 1013. Mr. Green remains open to discussing resolution prior to filing suit.

With the copy of this Notice submitted to the Violators, a copy of the following is attached: The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary; Certificate of Merit; Certificate of Service

Dated: August 31, 2026

  
\_\_\_\_\_  
George Rikos, Esq.  
Attorney for Adam Green

**Navitas Organics Organic Cacao Sweet Nibs containing Cadmium**

**CERTIFICATE OF MERIT**

Health & Safety Code Section 25249.7(d)

I, George Rikos, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the party(s) identified in the notice(s) has 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.
3. I have consulted with at least one person with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is 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: August 31, 2026

By: George Rikos  
George Rikos

## CERTIFICATE OF SERVICE

Health & Safety Code Section 25249.7(d)

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 555 West Beech St., Suite 500, San Diego, California 92101.

ON THE DATE SHOWN BELOW, I SERVED THE FOLLOWING:

- 1) 60-Day Notice of Intent to Sue Under Health & Safety Code Section 25249.6
- 2) Certificate of Merit: Health and Safety Code Section 25249.7(d)
- 3) Certificate of Merit (Attorney General Copy): Factual information sufficient to establish the basis of the certificate of merit (*only sent to Attorney General*)
- 4) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary by enclosing copies of the same in a sealed envelope, addressed to each person shown below and depositing the envelope in the U.S. mail with the postage fully prepaid. Place of Mailing: San Diego, California. However, for those public prosecutors who have consented to electronic service, electronic service was made upon their designated email addresses as reflected on the distribution list on the same date (between the hours of 9 a.m. and 5 p.m.) as reflected below.

### Name and address of each party to whom documents were mailed:

Erin Haggerty  
Cogency Global, Inc.  
Agent for Service of Process for  
Navitas, LLC  
1325 J Street, Suite 1550  
Sacramento, CA 95814

Ira Haber, Member  
Navitas, LLC  
15 Pamaron Way  
Novato, California 94949

Amanda Garcia  
1505 CT Corporation System  
Agent for Service of Process for  
Mrs. Gooch's Natural Food Markets, Inc.  
330 North Brand Blvd  
Glendale, CA 91203

Keith Manbeck, CEO  
Mrs. Gooch's Natural Food Markets, Inc.  
550 Bowie Street,  
Austin, Texas, 78703

### Name and address of each public prosecutor to whom documents were mailed or emailed<sup>1</sup>:

SEE ATTACHED SERVICE LIST

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

Date of Mailing: August 31, 2026 By:



George Rikos

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<sup>1</sup> Electronic service was issued to those parties who have agreed to electronic service to the email addresses reflected on the distribution list.

## Distribution List — Page 1

### SERVED BY ELECTRONIC MAIL

|                                                                      |                                                                      |                                                                            |
|----------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------------------------------|
| Alameda County District Attorney<br>CEPDProp65@acgov.org             | Alpine County District Attorney<br>prop65enf@alpinecountyca.gov      | Calaveras County District Attorney<br>Prop65Env@co.calaveras.ca.us         |
| Contra Costa County District Attorney<br>sgrassini@contracostada.org | El Dorado County District Attorney<br>EDCDAPROP65@edcda.us           | Fresno County District Attorney<br>consumerprotection@fresnocountyca.gov   |
| Inyo County District Attorney<br>inyoda@inyocounty.us                | Lassen County District Attorney<br>dchandler@co.lassen.ca.us         | Marin County District Attorney<br>consumer@marincounty.gov                 |
| Mariposa County District Attorney<br>mcda@mariposacounty.org         | Merced County District Attorney<br>Prop65@countyofmerced.com         | Monterey County District Attorney<br>Prop65DA@co.monterey.ca.us            |
| Napa County District Attorney<br>CEPD@countyofnapa.org               | Nevada County District Attorney<br>DA.Prop65@co.nevada.ca.us         | Orange County District Attorney<br>Prop65Notice@ocdistrictattorney.gov     |
| Placer County District Attorney<br>prop65@placer.ca.gov              | Plumas County District Attorney<br>davidhollister@countyofplumas.com | Riverside County District Attorney<br>Prop65@rivcoda.org                   |
| Sacramento County District Attorney<br>Prop65@sacda.org              | San Diego County District Attorney<br>SanDiegoDAProp65@sdcdca.org    | San Diego City Attorney<br>CityAttyProp65@sandiego.gov                     |
| San Francisco County District Attorney<br>Prop65@sfgov.org           | San Francisco City Attorney<br>Prop65@sfcityatty.org                 | San Joaquin County District Attorney<br>DAConsumer.Environmental@sjcda.org |
| San Jose City Attorney<br>Proposition65notices@sanjoseca.gov         | San Luis Obispo County District Attorney<br>edobroth@co.slo.ca.us    | Santa Barbara County District Attorney<br>DAProp65@co.santa-barbara.ca.us  |
| Santa Clara County District Attorney<br>EPU@da.sccgov.org            | Santa Cruz County District Attorney<br>Prop65DA@santacruzcounty.us   | Sonoma County District Attorney<br>ECLD@sonoma-county.org                  |
| Tulare County District Attorney<br>TCDAProp65@tularecounty.ca.gov    | Tuolumne County District Attorney<br>DA@tuolumnecounty.ca.gov        | Ventura County District Attorney<br>daspecialops@ventura.org               |
| Yolo County District Attorney<br>cfepd@yolocounty.org                |                                                                      |                                                                            |

### SERVED ELECTRONICALLY BY UPLOAD TO:

Office of the Attorney General  
Proposition 65 Enforcement Reporting  
Attn: Prop 65 Coordinator  
<https://oag.ca.gov/prop65/add-60-day-notice>  
(Electronic submission accepted in lieu of hard copy; see Cal. Code Regs. tit. 27, § 25903(c)(1) and AG Prop 65 FAQ.)

## Distribution List — Page 2

### SERVED BY FIRST-CLASS U.S. MAIL

|                                                                                              |                                                                                                   |                                                                                                          |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Amador County District Attorney<br>708 Court Street, Suite 202<br>Jackson, CA 95642          | Butte County District Attorney<br>25 County Center Drive, Suite 245<br>Oroville, CA 95965         | Colusa County District Attorney<br>310 Sixth Street<br>Colusa, CA 95932                                  |
| Del Norte County District Attorney<br>450 H Street, Room 171<br>Crescent City, CA 95531      | Glenn County District Attorney<br>P.O. Box 430<br>Willows, CA 95988                               | Humboldt County District Attorney<br>825 5th Street, 4th Floor<br>Eureka, CA 95501                       |
| Imperial County District Attorney<br>940 W. Main Street, Suite 102<br>El Centro, CA 92243    | Kern County District Attorney<br>1215 Truxtun Avenue, 4th Floor<br>Bakersfield, CA 93301          | Kings County District Attorney<br>Gov't Center, 1400 W. Lacey Blvd.<br>Hanford, CA 93230                 |
| Lake County District Attorney<br>255 N. Forbes Street<br>Lakeport, CA 95453-4790             | Los Angeles County District Attorney<br>211 W. Temple Street, Suite 1200<br>Los Angeles, CA 90012 | Los Angeles City Attorney<br>City Hall East, 200 N. Main Street,<br>Suite 800<br>Los Angeles, CA 90012   |
| Madera County District Attorney<br>300 S. G Street, Suite 300<br>Madera, CA 93637            | Mendocino County District Attorney<br>P.O. Box 1000<br>Ukiah, CA 95482                            | Modoc County District Attorney<br>204 S. Court Street, Suite 202<br>Alturas, CA 96101                    |
| Mono County District Attorney<br>P.O. Box 617<br>Bridgeport, CA 93517                        | San Benito County District Attorney<br>419 4th Street<br>Hollister, CA 95023                      | San Bernardino County District Attorney<br>303 W. 3rd Street, 6th Floor<br>San Bernardino, CA 92415-0502 |
| San Mateo County District Attorney<br>500 County Center, 3rd Floor<br>Redwood City, CA 94063 | Shasta County District Attorney<br>1355 West Street<br>Redding, CA 96001                          | Sierra County District Attorney<br>P.O. Box 457<br>Downieville, CA 95936-0457                            |
| Siskiyou County District Attorney<br>311 Fourth Street, Room 204<br>Yreka, CA 96097          | Solano County District Attorney<br>675 Texas Street, Suite 4500<br>Fairfield, CA 94533            | Stanislaus County District Attorney<br>832 12th Street, Suite 300<br>Modesto, CA 95354                   |
| Sutter County District Attorney<br>463 Second Street, Suite 102<br>Yuba City, CA 95991       | Tehama County District Attorney<br>444 Oak Street, Room L<br>Red Bluff, CA 96080                  | Trinity County District Attorney<br>P.O. Box 310<br>Weaverville, CA 96093                                |
| Yuba County District Attorney<br>215 5th Street, Suite 152<br>Marysville, CA 95901           |                                                                                                   |                                                                                                          |