

September 25, 2026

Whaleco Inc. d/b/a Temu Attn: Qin Sun, President c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808	Whaleco Inc. d/b/a Temu c/o CSC – Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833
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**60-DAY NOTICE OF VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)
(PROPOSITION 65)**

To Whom it May Concern:

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

SCL LAW FIRM represents Eco Future Advocates LLC (“Noticing Party”), acting in the interest of the public to promote awareness of exposures to toxic chemicals from the use of consumer products sold in California and to improve human health and the environment by reducing hazardous substances.

This 60-Day Notice of Violation (“Notice”) is being provided to Whaleco Inc. d/b/a Temu (“Whaleco”), as the alleged Violator, as well as to the California Attorney General’s Office, the District Attorneys’ Offices for all 58 counties, and the City Attorneys for San Francisco, San Diego, San Jose, Sacramento, and Los Angeles.

I. INTRODUCTION

Eco Future Advocates LLC identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986, codified at California Health & Safety Code §25249.5 et seq.

("Proposition 65"), based on the failure to provide a clear and reasonable health hazard warning in connection with the sale or use of the Covered Product identified below in the State of California. Whaleco is hereby given notice of the alleged violations of Proposition 65 described herein, arising from the alleged failure to provide a clear and reasonable warning in connection with the sale or use of the Covered Product in California, as required by California Health & Safety Code §25249.6. "No 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 a clear and reasonable warning to such individual." Without proper warnings about the toxic effects of exposures to listed chemicals, citizens in California lack the information necessary to make an informed decision as to whether or how to eliminate or reduce their risk of exposure from the reasonably foreseeable use of products containing listed chemicals.

II. NATURE OF ALLEGED VIOLATIONS

Covered Product and Associated Seller/Storefront: The consumer product giving rise to the alleged violation is the Gary Anti-Slip PVC Bath and Shower Safety Mat, Item ID JN619275 (the “Covered Product”), which was purchased and/or offered for sale in California through Whaleco Inc. d/b/a Temu. The seller/storefront associated with the Covered Product is identified on the Temu platform as “QYZXXLING.” QYZXXLING is identified herein as the seller/storefront associated with the Covered Product based on information displayed on the Temu platform.

Item ID	Seller/Storefront (as identified on Temu)	Alleged Violator
JN619275	QYZXXLING	Whaleco Inc. d/b/a Temu

Listed Chemical. The chemical that is the subject of this Notice is Di-n-butyl Phthalate (“DBP”). The State of California listed DBP as a chemical known to cause developmental toxicity, male reproductive toxicity, and female reproductive toxicity on December 2, 2005.

Routes of Exposure. The exposures subject to this Notice result from the purchase, acquisition, handling, and use of the Covered Product containing DBP. Exposures occur when consumers handle, touch, or otherwise use the Covered Product in accordance with its reasonably foreseeable and intended uses, resulting in exposure to DBP through dermal contact and ingestion through hand-to-mouth transfer. Consumers may ingest DBP when they handle or touch the Covered Product and subsequently transfer DBP from their hands or fingers to their mouths.

Violations and Time Period of Exposure.

The alleged violation identified in this Notice has occurred since at least December 10, 2024 and, to the extent the Covered Product remains available for sale in California without a clear and reasonable Proposition 65 warning, continues to the present.

III. RESOLUTION OF NOTICED CLAIMS

Based on the allegations set forth in this Notice, Eco Future Advocates LLC, through its counsel, SCL LAW FIRM, intends to file a citizen enforcement lawsuit against the alleged Violator unless such Violator enters into a binding written agreement to: (a) recall the Covered Product already sold or undertake best efforts to ensure that the requisite health hazard warnings are provided to those who have received the Covered Product; (b) provide “clear and reasonable warnings” for the Covered Product sold in the future or, preferably, reformulate the Covered Product to eliminate the DBP exposures (or undertake best efforts to ensure upstream selling entities in the chain of commerce, such as manufacturers, exporters, importers, or distributors, do so); and (c) pay an appropriate civil penalty based on the factors enumerated in California Health & Safety Code § 25249.7(b). If the alleged Violator is interested in resolving the claims described in this Notice without resorting to time-consuming and costly litigation, please contact Chang Liu as identified in Section V.

It should be noted Eco Future Advocates LLC cannot: (1) finalize any settlement until after the expiration of the 60-day Notice period; or (2) speak for the California Attorney General or any

District or City in receipt of this Notice. Therefore, while reaching an agreement with Eco Future Advocates LLC will satisfy its claims, the agreement may not satisfy any public prosecutors.

IV. GENERAL INFORMATION AND SUMMARY OF PROPOSITION 65

A copy of a summary of Proposition 65's provisions, prepared by the Office of Environmental Health Hazard Assessment ("OEHHA"), is enclosed with the copy of this Notice served on Whaleco for its reference. For further general information concerning Proposition 65, contact OEHHA's Proposition 65 Implementation Office at (916)445-6900.

V. CONTACT INFORMATION

Eco Future Advocates LLC has retained me as legal counsel in connection with this Notice. Please direct all questions, issues or communications regarding this 60-Day Notice of Violation and its potential resolution to Chang Liu at the following address:

Represented private enforcer's contact information:
Chang Liu
Address: 17870 Castleton St, Ste 240
Email: sophia@sophialiulaw.com
Telephone: (840) 777-8877

Sincerely,

A handwritten signature in black ink, appearing to read "Chang Liu", with a stylized flourish at the end.

Chang Liu

Attachments:

CERTIFICATE OF MERIT
CERTIFICATION OF SERVICE AND SERVICE LISTS
THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY; OEHHA/CAL EPA

CERTIFICATE OF MERIT

Health & Safety Code Section 25249.7(d)

I, Chang Liu, hereby declare:

(1) This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party identified in the notice has violated Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.

(2) I am the attorney for the noticing party, Eco Future Advocates 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 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 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.

Date: September 25, 2026

A handwritten signature in black ink, appearing to read 'Chang Liu', with a stylized flourish at the end.

Chang Liu, Esq.

Attorney for Eco Future Advocates LLC

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 over the age of 18 years and not a party to the within action. My business address is 17870 Castleton St, Ste 240, City of Industry, CA 91748. I am employed in Los Angeles County where the mailing occurred.

On September 25, 2026, I served the following documents:

1. 60-Day Notice of Violation under Health & Safety Code Section 25249.6
2. Certificate of Merit; Health & 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

on the alleged Violator, Whaleco Inc. d/b/a Temu, via First Class Mail through the United States Postal Service by placing true and correct copies in sealed envelopes addressed as set forth below and providing such envelopes to a United States Postal Service representative.

Whaleco Inc. d/b/a Temu
Attn: Qin Sun, President
c/o Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808
Whaleco Inc. d/b/a Temu
c/o CSC – Lawyers Incorporating Service
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

as well as by filing electronically a true and correct copy thereof as permitted through the website of the California Office of the Attorney General via link at oag.ca.gov/prop65:

State of California Department of Justice

Office of the Attorney General of California

Filing link: oag.ca.gov/prop65

Copies of the notice were also provided to the public enforcers by placing a true and correct copy thereof in a sealed envelope, addressed to each of the District Attorney and City Attorney offices on the attached Distribution List. The District Attorney and City Attorney offices that have requested electronic service only were served electronically via the email addresses on the Distribution List.

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

Executed September 25, 2026, in Irvine, California.

A handwritten signature in black ink, appearing to be 'Stephen Zhang', written in a cursive style.

Stephen Zhang

E-Mail Service List

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

Mail Service List

Amador County District Attorney 708 Court Street, #202 Jackson, CA 95642	Kern County District Attorney 1215 Truxtun Avenue Bakersfield, CA 93301	Mono County District Attorney P.O. Box 617 Bridgeport, CA 93517	Solano County District Attorney 675 Texas Street, Suite 4500 Fairfield, CA 94533
Butte County District Attorney 25 County Center Drive Oroville, CA 95965	Kings County District Attorney 1400 W. Lacey Blvd Hanford, CA 93230	San Benito County District Attorney 419 Fourth Street, 2nd Floor Hollister, CA 95023	Stanislaus County District Attorney 832 12th Street, Suite 300 Modesto, CA 95354
Colusa County District Attorney 547 Market Street Colusa, CA 95932	Lake County District Attorney 255 N. Forbes Street Lakeport, CA 95453	San Bernardino County District Attorney 316 N. Mountain View Avenue San Bernardino, CA 92415	Sutter County District Attorney 446 Second Street Yuba City, CA 95991
Del Norte County District Attorney 450 H Street, Ste. 171 Crescent City, CA 95531	Los Angeles County District Attorney 211 W. Temple St, Suite 1200 Los Angeles, CA 90012	San Mateo County District Attorney 400 County Center, 3rd Floor Redwood City, CA 94063	Tehama County District Attorney 444 Oak Street Red Bluff, CA 96080
Glenn County District Attorney P.O. Box 430 Willows, CA 95988	Madera County District Attorney 209 W. Yosemite Avenue Madera, CA 93637	Shasta County District Attorney 1525 Court Street Redding, CA 96001	Trinity County District Attorney P.O. Box 310 Weaverville, CA 96093
Humboldt County District Attorney 825 5th Street Eureka, CA 95501	Mendocino County District Attorney 100 North State Street, Room G-10 Ukiah, CA 95482	Sierra County District Attorney P.O. Box 457 Downieville, CA 95936	Tuolumne County District Attorney 423 N. Washington Street Sonora, CA 95370
Imperial County District Attorney 939 W. Main Street El Centro, CA 92243	Modoc County District Attorney 204 S. Court Street Alturas, CA 96101	Siskiyou County District Attorney 311 Fourth Street, Room 204 Yreka, CA 96097	Yuba County District Attorney 215 Fifth Street Marysville, CA 95901
Los Angeles City Attorney's Office 200 N. Main Street, Suite 1800 Los Angeles, CA 90012			

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and OEHHA implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: <http://oehha.ca.gov/prop65/law/P65law72003.html>. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001.¹ These implementing regulations are available online at: <http://oehha.ca.gov/prop65/law/P65Regs.html>.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Proposition 65 List." Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to

¹ All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: <http://www.oehha.ca.gov/prop65/law/index.html>.

female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

Clear and reasonable warnings. A business is required to warn a person before "knowingly and intentionally" exposing that person to a listed chemical unless an exemption applies. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. You should consult the current version of the statute and regulations (<http://www.oehha.ca.gov/prop65/law/index.html>) to determine all applicable exemptions, the most common of which are the following:

Grace Period. Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

Governmental agencies and public water utilities. All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all employees, not just those present in California.

Exposures that pose no significant risk of cancer. For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses "no significant risk." This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific "No Significant Risk Levels" (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA's website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of NSRLs, and Section 25701 *et seq.* of the regulations for information concerning how these levels are calculated.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the "no observable effect level" divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL). See OEHHA's website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of MADLs, and Section 25801 *et seq.* of the regulations for information concerning how these levels are calculated.

Exposures to Naturally Occurring Chemicals in Food. Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant² it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

Discharges that do not result in a "significant amount" of the listed chemical entering any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a "significant amount" of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount, except an amount that would meet the "no significant risk" level for chemicals that cause cancer or that is 1,000 times below the "no observable effect" level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

² See Section 25501(a)(4).

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27 and sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form.

A copy of the notice of special compliance procedure and proof of compliance form is included in Appendix B and can be downloaded from OEHHA's website at:
<http://oehha.ca.gov/prop65/law/p65law72003.html>.

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS...

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at
P65Public.Comments@oehha.ca.gov.

Revised: May 2017

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.