BARBARA J. CHISHOLM (SBN 224656)
TONY LOPRESTI (SBN 289269)
ALTSHULER BERZON LLP
177 Post Street, Suite 300
San Francisco, CA 94108
Tel: (415) 421-7151
Fax: (415) 362-8064
E-Mails: bchisholm@altshulerberzon.com
tlopresti@altshulerberzon.com

ELLISON FOLK (SBN 149232)
LAURA D. BEATON (SBN 294466)
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, CA 94102
Tel: (415) 552-7272
Fax: (415) 552-5816
Emails: folk@smwlaw.com
beaton@smwlaw.com

Attorneys for Plaintiff As You Sow

MELISSA A. JONES (SBN 205576)
BAO M. VU (SBN 277970)
STOEL RIVES LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814-3361
Tel: (916) 319-4658
Fax: (916) 447-4781
E-mail: melissa.jones@stoel.com
bao.vu@stoel.com

Attorneys for Earth Circle Organics

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

AS YOU SOW, Plaintiff, v. EARTH CIRCLE ORGANICS Defendant.	Case No. *** [PROPOSED] CONSENT JUDGMENT Civil Case

This Consent Judgment is entered into by and between Plaintiff As You Sow ("As You Sow" or "Plaintiff") and Earth Circle Organics ("Earth Circle" or "Defendant"), to resolve claims against the Defendant raised in the Complaint in the above-captioned action, filed on _____, 2017. This Consent Judgment shall be effective upon entry. As You Sow and Earth Circle (collectively "the Parties") agree to the terms and conditions set forth below.

1. GENERAL PROVISIONS

1.1 Parties

As You Sow is a non-profit corporation dedicated to, among other causes, the protection of the environment, the promotion of human health, the improvement of worker and consumer rights, environmental education, and corporate accountability. Earth Circle, since July 18, 2013, has employed 10 or more persons and has been a person in the course of doing business for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986, California Health & Safety Code § 25249.5, *et seq*. ("Proposition 65").

1.2 Allegations

As You Sow alleges that Earth Circle has manufactured, imported, distributed, and/or sold in the State of California certain products containing at least one chemical known to the State of California to cause birth defects and other reproductive harm.

1.3 Product Description

The products covered by this Consent Judgment are defined as:

a) Earth Circle Foods Raw & Wildcrafted Dulse (in both leaf and flake form)

b) Earth Circle Organics Balinese Cacao Nibs

c) Organic Raw 70% Dark Chocolate Raw Cacao Dehydrated Palm Nectar

d) Organic Balinese Cacao Cashew Clusters

e) Organic Raw White Mulberries

f) Organic Ecuador Cacao Powder

g) Raw & Organic Goji Berries

h) Organic Black Maca Powder

i) Organic Red Maca Powder

j) Raw Organic Yellow Maca Powder

k) Organic Nori Sheets Raw Vegan

These products are collectively referred to herein as the "Covered Products." Solely for purposes of this Consent Judgment, the Parties agree that the Covered Products are or were manufactured, imported, distributed, sold, and/or offered for sale by Earth Circle in the State of California.

1.4 Notices of Violation

On July 18, 2014, As You Sow served Earth Circle and various public enforcement agencies with a document entitled *Notice of Violation of California Health & Safety Code §25249.5, et seq.*, alleging that Earth Circle was in violation of California Health & Safety Code §25249.6 for failing to warn consumers that Earth Circle Organics Balinese Cacao Nibs expose users in California to cadmium, a reproductive toxin.

On September 17, 2014, As You Sow served Earth Circle and various public enforcement agencies with a document entitled *Notice of Violation of California Health & Safety Code §25249.5, et seq.*, alleging that Earth Circle was in violation of California Health & Safety Code §25249.6 for failing to warn consumers that Earth Circle Foods Raw & Wildcrafted Dulse exposes users in California to cadmium, a reproductive toxin.

On April 12, 2017, As You Sow served Earth Circle and various public enforcement agencies with a document entitled *Notice of Violation of California Health & Safety Code § 25249.5, et seq.*, alleging that Earth Circle was in violation of California Health & Safety Code § 25249.6 for failing to warn consumers that nine additional Covered Products expose users in California to cadmium or lead, both of which are reproductive toxins, as follows: Organic Raw 70% Dark Chocolate Raw Cacao Dehydrated Palm Nectar (cadmium); Organic Balinese Cacao Cashew Clusters (cadmium); Organic Raw White Mulberries (lead); Organic Ecuador Cacao Powder (cadmium); Raw & Organic Goji Berries (lead); Organic Black Maca Powder (lead); Organic Red Maca Powder (lead); Raw Organic Yellow Maca Powder (lead); and, Organic Nori Sheets Raw Vegan (cadmium).

No public enforcer has diligently prosecuted the allegations set forth in any of these Notices of Violation.

1.5 No Admission

Earth Circle denies the material, factual, and legal allegations contained in As You Sow's Notices of Violation and maintains that the Covered Products sold and distributed in California have been and are in compliance with all laws. Nothing in this Consent Judgment shall be construed as an admission by Earth Circle of any fact, finding, issue of law, or violation of law, nor shall compliance with this Consent Judgment constitute or be construed as an admission by Earth Circle of any fact, finding, conclusion, issue of law, or violation of law. However, this Section shall not diminish or otherwise affect the obligations, responsibilities, and duties under this Consent Judgment.

1.6 Compliance Date

The term "Compliance Date," as used herein, shall be 15 days from the date the Court enters this Consent Judgment.

2. INJUNCTIVE RELIEF

2.1 Product Warnings

No later than the Compliance Date, Earth Circle shall provide the following warning statement on the packaging of all Covered Products produced, distributed, and/or sold in the State of California:

> **WARNING**: This Product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

2.2 On or prior to August 30, 2018, Earth Circle shall replace the warning in Paragraph 2.1 with the warning statement in this Paragraph. If the Notice of Violation for a Covered Product specified that the product contains lead, then the warning statement shall so specify by replacing the bracketed text in the warning statement with the term "lead." If the Notice of Violation for a Covered Product specified that the product contains cadmium, then the warning statement shall so specify by replacing the bracketed text in the warning statement with the term "cadmium."

⚠ **WARNING:** This product can expose you to chemicals including [cadmium or lead], which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

2.3 Earth Circle shall prominently affix or print the warning statement, as set forth in Paragraph 2.1 and 2.2, on the Covered Products' packaging and labeling. The warning statement shall be displayed with such conspicuousness, as compared with other words, statements, designs, or devices on the packaging or labeling of the Covered Products, so as to render the warning statement likely to be read and understood by an ordinary individual under customary conditions of purchase and use.

2.4 The Parties agree that the content and the placement of the warning statement as shown in Exhibits A and C-K, attached hereto, meet the requirements of Paragraph 2.3 of this Consent Judgment. The Parties further agree that the content and the placement of the warning statement as shown in Exhibit B, attached hereto, meets the requirements of Paragraph 2.3 of this Consent Judgment, provided that the formatting of the word "**WARNING**" shall be changed so that it has the same size, font, and spacing as the other text in the warning statement, and is not obscured by any text in the remainder of the warning statement.

2.5 If Earth Circle sells any or all of the Covered Products (wholesale or retail) to customers located in California via an internet site over which it exercises or has the right to exercise control, Earth Circle shall also prominently display the respective warning statements, as set forth in Paragraph 2.1 and 2.2, on the internet site in conjunction with the Covered Product(s). The warning statement shall be displayed in the same type size as the surrounding, non-heading text, either: (a) on the same page, without scrolling, as the order form for the Covered Product(s); (b) on the same page, without scrolling, as the price for the Covered Product(s); or (c) in a dialogue box that appears and is visible when a California address for delivery is provided by the consumer, so long as the dialogue box appears prior to the completion of the internet sale and requires the consumer affirmatively to accept receipt of the warning statement set forth in the dialogue box (the warning statement in the dialogue box shall be displayed in the same type size as the surrounding,

non-heading text on the screen at the time of the appearance of the dialogue box), as a condition precedent to completing the sale.

2.6 If Earth Circle sells any or all of the Covered Products (wholesale or retail) through the website of any internet retailer, or has actual knowledge that any or all of the Covered Products are sold through the website of any internet retailer, Earth Circle shall send by first class mail or overnight delivery, prior to the Compliance Date, a letter requesting that the internet retailer provide a warning statement in the same manner as required under Paragraph 2.5. In the letter, Earth Circle shall request that the internet retailer respond with a written acknowledgement that it will comply with Earth Circle's request. If Earth Circle complies with its obligation to send the letter request described in this Paragraph, Earth Circle shall not be in violation of this Consent Judgment if an internet retailer fails to provide the warnings required under Paragraph 2.5.

2.7 Notwithstanding the above, if As You Sow gives notice to Earth Circle that an internet retailer is selling any or all Covered Products after the Compliance Date without adequate warning, as specified in Paragraphs 2.5 and 2.6, Earth Circle shall notify the retailer that it must provide adequate warning within 60 days of As You Sow's notice to Earth Circle. If the internet retailer does not provide adequate warning within 60 days of As You Sow's notice to Earth Circle, Earth Circle shall no longer sell the Covered Product(s) to that retailer, until such retailer provides written acknowledgement that it will provide the warnings required under Paragraph 2.5.

2.8 If Earth Circle sells any or all of the Covered Products (wholesale or retail) via mail order to customers located in California, Earth Circle shall prominently display the warning statement as required in Paragraph 2.1 or 2.2 in the mail order catalogue in conjunction with the description and/or listing of the Covered Product(s). The warning statement shall appear either on the same page as the order form for the Covered Product(s), or on the same page upon which the price is listed, in the same type size as the surrounding, non-heading text. The warning statement shall be added in the first print run of the mail order catalogue on or after the Compliance Date.

3. **MONETARY RELIEF**

3.1 As reimbursement for As You Sow's attorneys' fees and costs and for civil penalties and additional settlement payments, Earth Circle agrees to make a total payment of $65,960.00 ("Total Monetary Relief") according to the following breakdown:

3.2 Civil Penalties: Earth Circle shall pay a total of $11,500 as a civil penalty pursuant to California Health & Safety Code §25249.12(c)(1) & (d), with 75% of the funds to be remitted to the California Office of Environmental Health Hazard Assessment by As You Sow.

3.3 Additional Settlement Payment: Earth Circle shall pay $8,500 to be used by As You Sow for grants to California non-profit organizations and by the As You Sow Environmental Enforcement Fund. These funds shall be used to reduce or remediate exposures to toxic chemicals and to increase consumer, worker, and community awareness of the health hazards posed by toxic chemicals in California. In deciding among grant proposals, the As You Sow Board of Directors ("Board") takes into consideration a number of important factors, including: (1) the nexus between the harm done in the underlying case(s) and the grant program work; (2) the potential for toxics reduction, prevention, remediation, or educational benefits to California citizens from the proposal; (3) the budget requirements of the proposed grantee and the alternate funding sources available to it for its project; and, (4) the Board's assessment of the proposed grantee's chances for success in its program work. As You Sow shall ensure that all funds will be disbursed and used in accordance with As You Sow's mission statement, articles of incorporation, bylaws, and applicable state and federal laws and regulations.

3.4 Attorneys' Fees and Costs: Earth Circle shall pay $45,960 for attorneys' fees and costs.

3.5 Schedule of Payment: The funds set forth above shall be paid according to the following schedule and in the following form of payment, except that Earth Circle may accelerate any of these payments at any time if it so chooses:

a. $21,480 within 60 days of the date the Court approves this Consent Judgment in the form of: one check made payable to As You Sow in the amount of $20,000 and one check made payable to Altshuler Berzon in the amount of $1,480.

b. $11,480 within six (6) months of the date the Court approves this Consent Judgment in the form of: one check made payable to Altshuler Berzon in the amount of $8,500 and one check made payable to Shute, Mihaly & Weinberger in the amount of $6,480.

c. $11,000 within twelve (12) months of the date the Court approves this Consent Judgment in the form of: one check made payable to Altshuler Berzon in the amount of $5,500 and one check made payable to Shute, Mihaly & Weinberger in the amount of $5,500.

d. $11,000 within eighteen (18) months of the date the Court approves this Consent Judgment in the form of: one check made payable to Altshuler Berzon in the amount of $5,500 and one check made payable to Shute, Mihaly & Weinberger in the amount of $5,500.

e. $11,000 within twenty-four (24) months of the date the Court approves this Consent Judgment in the form of: one check made payable to Altshuler Berzon in the amount of $5,500 and one check made payable to Shute, Mihaly & Weinberger in the amount of $5,500.

4. CLAIMS COVERED AND RELEASED

4.1 As You Sow's Release of Earth Circle

As to the chemical identified in the Notice of Violation for each Covered Product, this Consent Judgment is a full, final, and binding resolution between Earth Circle and As You Sow, on behalf of itself and in the public interest, of any violation of Proposition 65 that was or could have been asserted by As You Sow, and its past and current agents, representatives, attorneys, successors and/or assignees, against Earth Circle, and each of its parents, subsidiaries, affiliated entities under common ownership, directors, officers, members, shareholders, equity holders, employees, and attorneys, for that Covered Product as it was manufactured, imported, distributed, sold, and/or offered for sale by Earth Circle in California before the Compliance Date.

Furthermore, this Consent Judgment is a full, final, and binding resolution between Earth Circle and each entity to whom Earth Circle directly or indirectly distributes or sells any or all of the Covered Products including, but not limited to, downstream distributors, wholesalers, customers, retailers, franchisees, cooperative members, and licensees, based on their failure to warn about alleged exposures to the chemical identified in the Notice of Violation for each Covered Product manufactured, imported, distributed, sold, and/or offered for sale by Earth Circle

in California before the Compliance Date.

This release is provided by As You Sow and is not a release on behalf of the public.

4.2 Earth Circle's Release of As You Sow

Earth Circle and its past and current agents, representatives, attorneys, successors, and/or assignees hereby waive any and all claims against As You Sow and its parents, subsidiaries, officers, directors, employees, agents, insurers and representatives, and its successors and assigns ("As You Sow Releasees"), for any and all actions taken or statements made (or those that could have been taken or made) by As You Sow and its attorneys and other representatives, whether in the course of investigating Proposition 65 claims or seeking to enforce Proposition 65 against them in this matter or with respect to the Covered Products.

5. SEVERABILITY

If, subsequent to the execution of this Consent Judgment, any of the provisions of this Consent Judgment are deemed by a court to be unenforceable, the validity of the remaining enforceable provisions shall not be adversely affected.

6. GOVERNING LAW

The terms of this Consent Judgment shall be governed by the laws of the State of California and apply within the State of California. Nothing in this Consent Judgment shall be interpreted to relieve the Parties of any obligation to comply with any pertinent state or federal toxics control law.

7. MODIFICATION

This Consent Judgment may be modified only by a written agreement of the Parties.

8. ENFORCEMENT OF CONSENT JUDGMENT

No party may apply to the Court to enforce this Consent Judgment, unless that Party has first provided 30 days written notice ("Notice Period") pursuant to Section 11 of this Consent Judgment to the other Party of any alleged violations of this Consent Judgment. Additionally, the Parties agree to meet and confer to resolve any alleged violations of this Consent Judgment during the 30-day notice period, and further agree not to apply to the Court to enforce this Consent Judgment until expiration of the Notice Period. If the prevailing party in any action enforcing this

Consent Judgment seeks to recover its reasonable attorneys' fees and costs, it shall do so under the provisions of Code of Civil Procedure §1021.5.

9. DURATION OF CONSENT JUDGMENT

This Consent Judgment shall terminate seven years after the Compliance Date unless the term of this Consent Judgment is extended by agreement of the Parties.

10. PROVISION OF NOTICE

Unless specified herein, all correspondence, payments and notices required to be provided pursuant to this Consent Judgment shall be in writing and (i) personally delivered; (ii) sent by first-class registered or certified mail with return receipt requested; or (iii) sent by overnight courier, to one Party by the other Party at the following addresses:

For As You Sow:

As You Sow Foundation
Attn: Danielle Fugere, President and Chief Counsel
1611 Telegraph Street, Suite 1450
Oakland, CA 94612
Tel: (510) 735-8158

With a copy to:

Barbara Chisholm
Tony LoPresti
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, CA 94108
Tel: (415) 421-7151

and

Ellison Folk
Laura D. Beaton
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102
Tel: (415) 552-7272

For Earth Circle:

Eric Botner
Earth Circle Organics
355 Crown Point Circle, Suite D
Grass Valley, CA 95945

With a copy to:

Melissa A. Jones
Bao Vu
Stoel Rives LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814-3361
Tel: (916) 319-4658

Any party may specify in writing to the other party a change of address to which all notices and other communications shall be sent.

11. COUNTERPARTS; FACSIMILE AND SIGNATURES

This Consent Judgment may be executed in counterparts and by facsimile or pdf signature, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same document.

12. COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(f)

As You Sow agrees to comply with the reporting requirements referenced in Health & Safety Code §25249.7(f).

13. AUTHORIZATION

The undersigned are authorized to execute this Consent Judgment and have read, understood, and agreed to all of the terms and conditions contained herein.

[The remainder of this page left blank intentionally – signature page follows]

APPROVED AS TO FORM:

Dated: August 10, 2017

ALTSHULER BERZON LLP

By _____
Barbara J. Chisholm
Attorneys for Plaintiff As You Sow

Dated: 8/7, 2017

STOEL RIVES LLP

By _____
Bao M. Vu
Attorneys for Defendant EARTH CIRCLE ORGANICS

SO AGREED:

Dated: 7/13, 2017

AS YOU SOW

By _____
Name Andrew Behar
Title CEO

Dated: 8/2/2017, 2017

EARTH CIRCLE ORGANICS

By _____
Name Herb Heller
Title President / COO

IT IS SO ORDERED AND ADJUDGED:

The Court hereby incorporates the terms of this Consent Judgment into this Order. If a Party violates the provisions of this Consent Judgment, this Court retains jurisdiction over this matter.

Dated: _____, 2017

_____

JUDGE OF THE SUPERIOR COURT

EXHIBIT A

Earth Circle Foods™

Raw and Wholesome Food for Vibrant Living

RAW & WILDCRAFTED

DULSE

Net Weight 4 oz (113 g)

Product of Canada

Earth Circle Foods
Auburn, CA 95602

Keep in a cool dark place.

Best before: 07/31/2017
Lot # W277804

WARNING: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

8 13313 01191 1

SVD4ow

Nutrition Facts

Serving Size 1/3 cup (7 g)
Servings Per Container 16

Amount Per Serving	
Calories 15	Calories from Fat 0
	% Daily Value*
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 122mg	5%
Potassium 547mg	16%
Total Carbohydrate 3g	1%
Dietary Fiber 2g	8%
Sugars 0g	
Protein 2g	
Vitamin A 1% • Vitamin C 1%	
Calcium 2% • Iron 11%	
Magnesium 5% • Phosphorus 3%	
Iodine 779% • Riboflavin 8%	
Vitamin B6 32% • Vitamin B12 8%	

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

	Calories:	2,000	2,500
Total Fat	Less Than	65g	80g
Sat Fat	Less Than	20g	25g
Cholesterol	Less Than	300mg	300mg
Sodium	Less Than	2400mg	2400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

Ingredients: Dulse (Palmaria Palmata)

www.EarthCircleFoods.com

EXHIBIT B

In Superfoods We Trust

Cold-Processed – Never Heated Above 118 °F

A Good Source of All-Natural Vitamins and Minerals

Nutrition Facts

Serving Size 1 tsp (9 g)
Servings Per Container 50

Amount Per Serving	
Calories 50	**Calories from Fat** 30
	% Daily Value*
Total Fat 4g	6%
Saturated Fat 2g	11%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 20mg	1%
Potassium 90mg	3%
Total Carbohydrate 4g	2%
Dietary Fiber 2g	10%
Sugars 0g	
Protein 1g	

Vitamin A 0%	• Vitamin C 0%
Calcium 2%	• Iron 6%
Magnesium 5%	• Phosphorus 4%

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2400mg	2400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

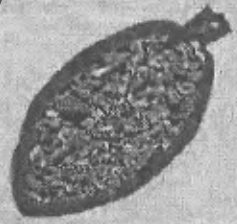
Ingredients: Cold-Processed Organic Cacao Beans

Product of Indonesia

Earth Circle Organics believes the integrity of our food is one of the most important aspects in our lives. The organic foods we source come from farmers and suppliers who operate with respect for the earth and their products. Your purchase of ECO Cacao Nibs supports over 5,000 organic family farms in Indonesia.

ECO's verified Cold-Processed Cacao Nibs are never heated above 118 °F during production from beans to nibs. We offer you our **Cold-Process Guarantee**, as our source in Bali, Indonesia is one of the few facilities in the world that allows firsthand verification of processes and temperature. We've seen it; we've tested it. Now we are bringing our delicious cacao nibs to you!

Each step of the way, from tree to nib, is carefully monitored to ensure the finest Balinese cacao pods are selected to create ECO's Cacao Nibs. The result is a deliciously textured nib with a dark chocolate aroma, hints of citrus and smooth finish. Loaded with nutrition, just a small handful of ECO Cacao Nibs can boost energy levels and leave you feeling happy and alert!



Organic Balinese Cold-Processed Cacao Nibs add texture and fine chocolate flavor to a variety of recipes

- Trail Mixes
- Oatmeal
- Pudding
- Raw Chocolate
- Sprinkled on Frozen Desserts and Cakes
- Blended into Smoothies
- Baked into Cookies

WARNING: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

Distributed By
EARTH CIRCLE ORGANICS
Anaheim, CA 92807
www.earthcircleorganics.com

Certified Organic by Organic Certifiers, Inc.

Vegan

NON GMO

USDA ORGANIC

US-ORG-043

EXHIBIT C

70% Dark Chocolate Round

Back

Front

Edges of Box

Safe Zone for Printing

Edges of Side

Separated Top Section

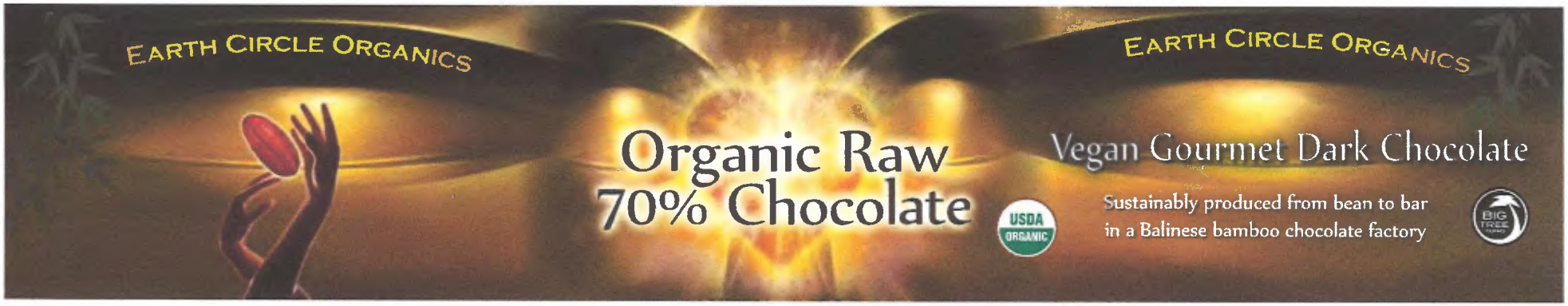
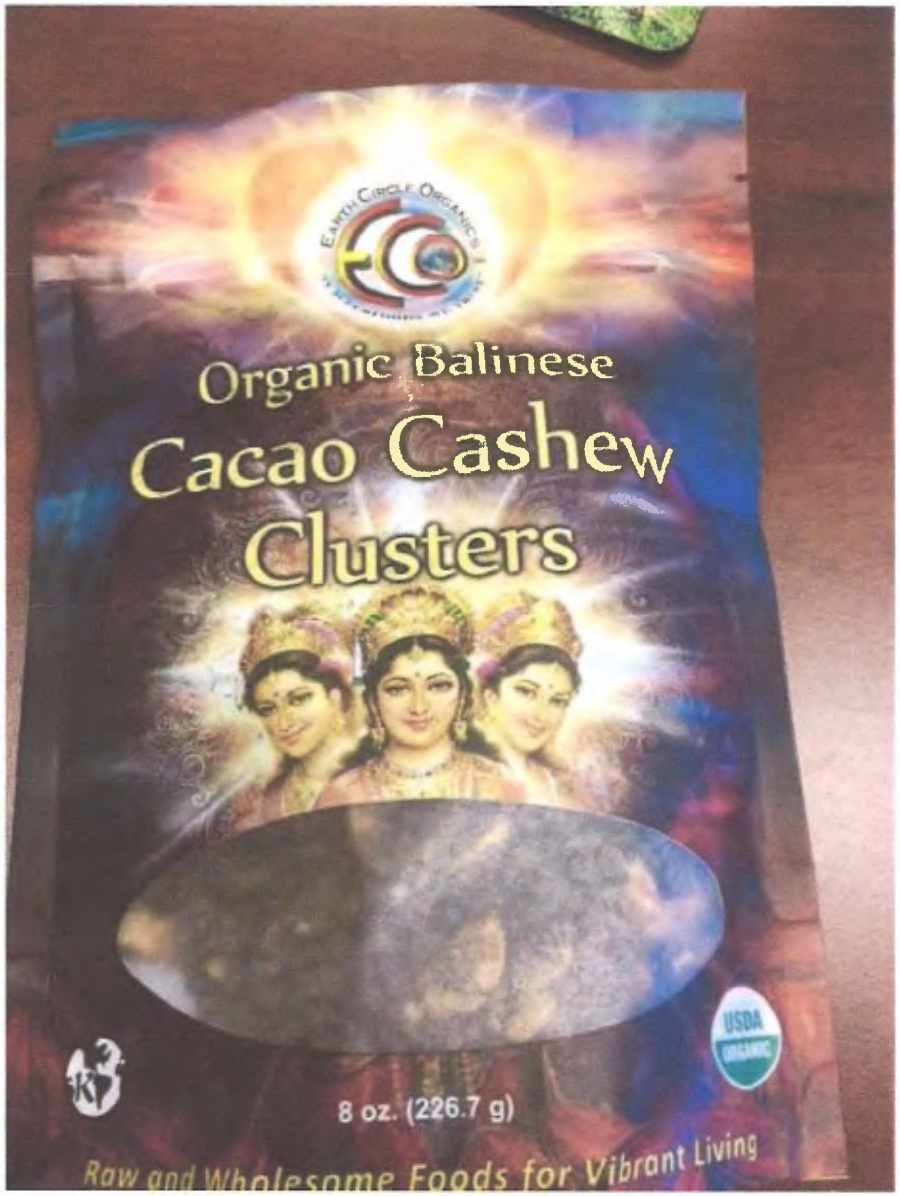


EXHIBIT D


Earth Circle Organics
Organic Balinese
Cacao Cashew
Clusters
USDA
ORGANIC
8 oz. (226.7 g)
Raw and Wholesome Foods for Vibrant Living

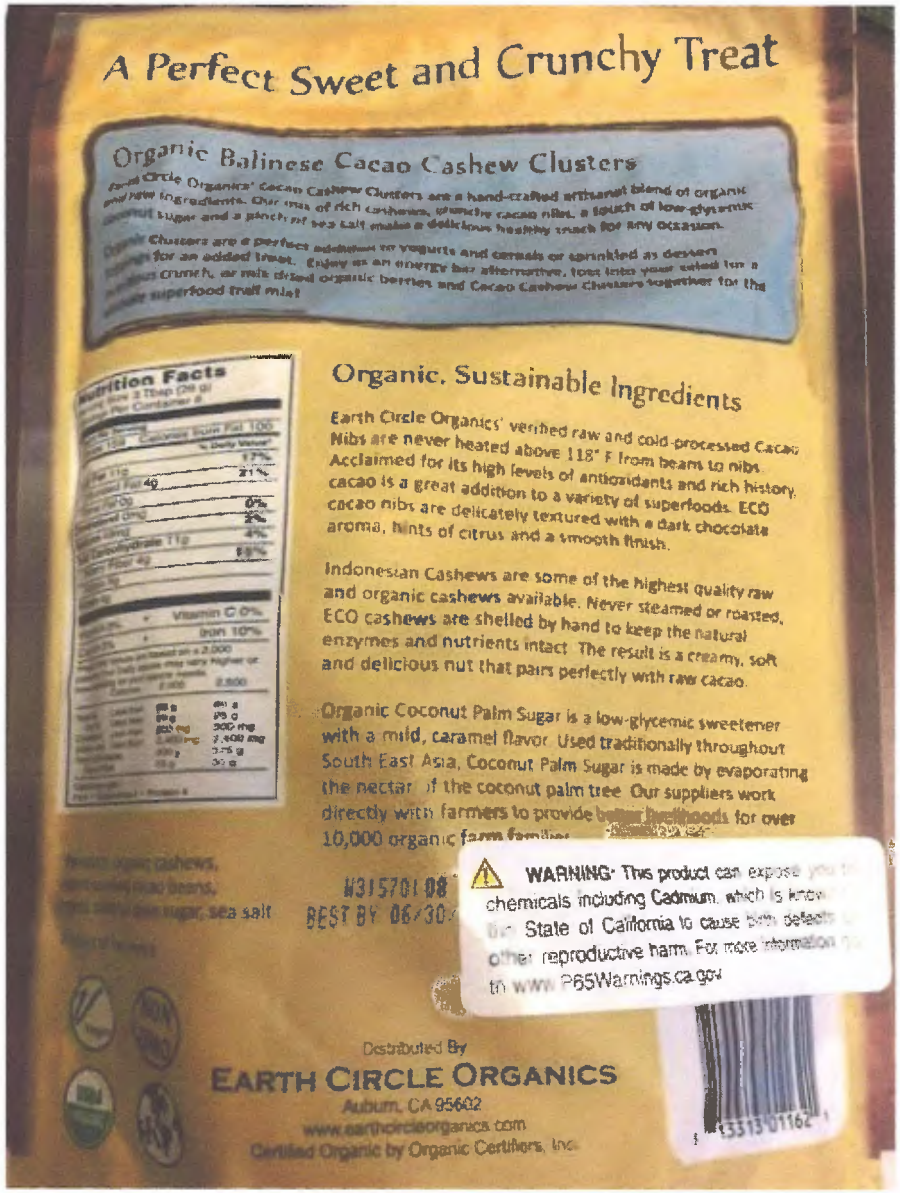

A Perfect Sweet and Crunchy Treat
Organic Balinese Cacao Cashew Clusters
Organic, Sustainable Ingredients
Earth Circle Organics' verified raw and cold-processed Cacao Nibs are never heated above 118° F from beans to nibs. Acclaimed for its high levels of antioxidants and rich history, cacao is a great addition to a variety of superfoods. ECO cacao nibs are delicately textured with a dark chocolate aroma, hints of citrus and a smooth finish.
Indonesian Cashews are some of the highest quality raw and organic cashews available. Never steamed or roasted, ECO cashews are shelled by hand to keep the natural enzymes and nutrients intact. The result is a creamy, soft and delicious nut that pairs perfectly with raw cacao.
Organic Coconut Palm Sugar is a low-glycemic sweetener with a mild, caramel flavor. Used traditionally throughout South East Asia, Coconut Palm Sugar is made by evaporating the nectar of the coconut palm tree. Our suppliers work directly with farmers to provide better livelihoods for over 10,000 organic
sea salt
BEST BY 06/30
WARNING: This product can expose you to chemicals including Cadmium, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov
Distributed By
EARTH CIRCLE ORGANICS
Auburn, CA 95602
www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.

EXHIBIT E

Non-GMO • Vegan • Organic

Organic White Mulberries

Net Wt. 8 oz. (226.7 g)

Raw and Wholesome Food for Vibrant Living

In Superfoods We Trust

DWM8ow_1002_0617

Light, Sweet Flavor
Mixes Well with Nuts and Seeds
Great Tasting Superfruit

Earth Circle Organic's White Mulberries are a delicacy packed with exceptional flavor. Our White Mulberries are cultivated in Turkey, where they are a traditional fruit eating back thousands of years. When these plump berries are sun dried they develop a sweet flavor and texture similar to raisins.

Our dried White Mulberries are a perfect nutritious addition to granola, trail mix, yogurt, baked goods, and morel Sprinkle onto cereal and cakes, or just snack right from the bag. The fragrant, bright taste pairs well with desserts and snacks of all types.

Earth Circle Organic's commitment is to share globally sourced organic and wild Superfoods of the finest quality. We partner with producers who are dedicated to their local communities and sustainability. Your purchase of ECO products supports thousands of organic family farms around the world.

Nutrition Facts

45 servings per cartoline
Serving size 2 tsp (6g)

Calories	15
	% Daily Value
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 0mg	0%
Total Carbohydrate 4g	1%
Dietary Fiber 1g	4%
Total Sugars 3g	
Includes 0g Added Sugars	0%
Protein 1g	
Vitamin D 0mcg	0%
Calcium 1mg	2%
Iron 1mg	6%
Potassium 0mg	0%

*The 5 daily value tells you how much a nutrient in a serving of food contributes to a daily diet. 2000 calories is a lot of fat, sugar, and sodium to eat in a day.

Ingredients: Organic White Mulberries
Product of Turkey

WARNING: Consuming this product can expose you to chemicals including Lead, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov

L C O Super Berry Trail Mix

Mix a 1 Percent
together and sizzle in an air-tight container. Enjoy over yogurt, on a hot, a-ad or alfalfa. Get creative and combine your favorite ECO Superfoods to make your own blend of favor.

- 1/4 cup ECO White Mulberries
- 1/4 cup ECO Goji Berries
- 1/4 cup ECO Golden Berries
- 1/4 cup ECO Cacao Nibs

Distributed by
EARTH CIRCLE ORGANICS
Auburn, CA 95602
www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.

DWM8ow_1002_0617

8 11 11 010 1 3

In Superfoods We Trust

2/8/16 4:50 AM

EXHIBIT F

6/13/17
Cm
ok to go to
printer.

Non-GMO · Vegan · Organic

Organic Cacao Powder

Arriba Nacional

Net Wt. 16 oz (453.4g)

Raw and Wholesome Fuel for Vibrant Living

IN SUPERFOODS WE TRUST

ECPD16oz_1002_0617

EARTH CIRCLE ORGANICS

certified organic by oregon tilth, inc.

ORGANIC CACAO POWDER

Earth Circle Organics Arriba Nacional cacao originates from Ecuador – home of some of the finest cacao in the world. We use the most flavorful, **rich**dorm varieties of beans. The pods are hand harvested, sun dried and lightly fermented to bring forth the rich cacao flavor. The beans are pressed to extract the cacao butter leaving a pure, wholesome, nutrient dense organic cacao powder.

Earth Circle Organics' commitment is to share globally sourced organic and wild Superfoods of the finest quality. We partner with producers who are dedicated to their local communities and sustainability. Your purchase of ECO products supports these efforts around the world.

5-MINUTE CASHEW CHOCOLATE SPREAD

Thick to literally no better tasting gift than this Cashew Chocolate Spread. All you need is 5 ingredients, 5 minutes, a Vitamix blender, and a pretty jar.

Cocoa Cabana - Enjoy!2 2/3 - Ingredients

2 cups 1 tbsp 1 cup 2/3 cup 1/2 cup

Dessert, Snack American, International

Prep Time 5 MINUTES - Cook Time 0 MINUTES

rich,velvety dutch-processed or raw cocoa cocoanut sugar unsweetened chocolate, melted coconut oil, melted

Instructions

1. Add all ingredients to a Vitamix high-performance blender and blend according to box.
2. Increase and decrease speed as needed using tamper to push down the ingredients.
3. Once smooth pour into pretty jars and decora o

HOMEMADE MELT-IN-YOUR-MOUTH DARK CHOCOLATE (PALEO)

Prep Ready In 1hr 15 Min - Recipe By: Linda(LM1)

Homemade chocolate that melts in your mouth. Made without **refined** ingredients or waxes. This wholesome treat is ideal for the health conscious individual who enjoys an indulgent treat. Sweetness can be tweaked to taste, and add-in ingredients and contr-ations are endless. Enjoy!

- 1/2 cup coconut oil 3 tablespoons honey
- 1/2 cup cocoa powder 1/2 teaspoon vanilla ex ract

Directions:

1. Gently melt coconut oil in a saucepan over medium-low heat. Stir cocoa powder, honey, and vanilla extract into method of until well blended. Pour mixture into a candy molds ar pliable tray. **Refrigerate** until chilled, about 1 hour.

ALL RIGHTS RESERVED © 2010 Aliments non Plissés/Non Altered Foods 12/2010 ®

Nutrition Facts

12 servings per container

Serving size 2 tsp (5g)

Amount per serving	
Calories	**15**
	% Daily Value
Total Fat 1g	1%
Saturated Fat 1g	5%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 0mg	0%
Total Carbohydrate 2g	1%
Dietary Fiber 1g	4%
Sugars 0g	
Protein 1g	
Vitamin A	0%
Vitamin C	0%
Calcium	0%
Iron	2%
Potassium 80mg	2%

* Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

Ingredients: Organic Cacao Powder

Allergen Info: Processed in a facility that processes tree nuts

EXHIBIT G

- **Energize naturally with polysaccharides**
- **Burst of protein and 18 amino acids**
- **Variety of vitamins and minerals**

TIBETAN PLATEAU ORGANIC GOJI BERRIES

Earth Circle Organics offers you the world's finest organic goji berries, grown in the remote, pristine Tibetan plateau – the "roof of the world." For thousands of years traditional Chinese medicine has used this revered fruit to enhance the immune system and treat more than 100 ailments.

A handful of ECO goji berries makes an excellent energy snack. You can add them to smoothies or tea, and sprinkle them over cereals, salads and desserts.

If you've never tried Earth Circle Organics goji berries, now's the time. The word we hear most often to describe them: "Amazing!"

Nutrition Facts

Serving Size 1/4 cup (28 g)
Servings Per Container 8

Amount Per Serving	
Calories 90	Calories from Fat 9
	% Daily Value*
Total Fat 1g	1%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 70mg	3%
Total Carbohydrate 17g	6%
Dietary Fiber 3g	11%
Sugars 13g	
Protein 5g	
Vitamin A 25% • Vitamin C 20%	
Calcium 9% • Iron 10%	

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories:	2,000	2,500
Total Fat	Less Than	65g	80g
Sat Fat	Less Than	20g	25g
Cholesterol	Less Than	300mg	300mg
Sodium	Less Than	2400mg	2400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

Ingredients: organic goji berries (Lycium barbarum)

Product of China

⚠**WARNING:** Consuming this product can expose you to chemicals including Lead, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov

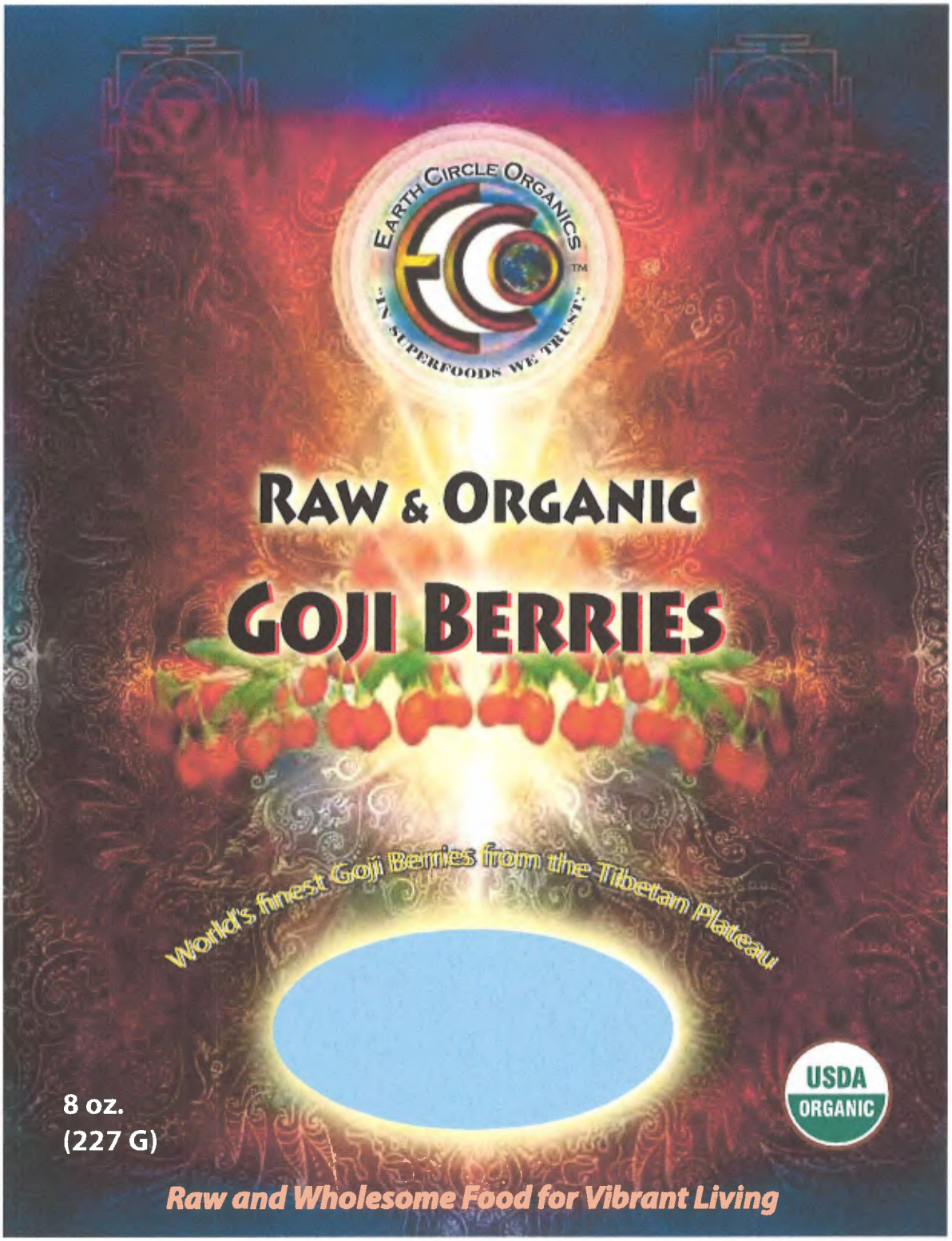
US-ORG-043

Find ECO on facebook or twitter for more info, or visit earthcircleorganics.com

TGJB8ow_1002_0617

Distributed By
EARTH CIRCLE ORGANICS
Auburn, CA 95602
www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.

8 13313 01368 7


Earth Circle Organics
"In Superfoods We Trust"
Raw & Organic
Goji Berries
World's finest Goji Berries from the Tibetan Plateau
8 oz.
(227 G)
USDA
ORGANIC
Raw and Wholesome Food for Vibrant Living

IN SUPERFOODS WE TRUST

TGJB8ow_1002_0617

RAW & ORGANIC

GOJI BERRIES

World's finest Goji Berries from the Tibetan Plateau

16 oz.
(454 g)

USDA ORGANIC

Raw and Wholesome Food for Vibrant Living

IN SUPERFOODS WE TRUST

- **Energize naturally with polysaccharides**
- **Burst of protein and 18 amino acids**
- **Variety of vitamins and minerals**

TIBETAN PLATEAU ORGANIC GOJI BERRIES

Earth Circle Organics offers you the world's finest organic goji berries, grown in the remote, pristine Tibetan plateau – the "roof of the world." For thousands of years traditional Chinese medicine has used this remarkable fruit to enhance the immune system and treat more than 100 ailments.

A handful of ECO goji berries makes an excellent energy snack. You can add them to smoothies or tea, and sprinkle them over cereals, salads and desserts.

If you've never tried Earth Circle Organics goji berries, now's the time. The world we hear most often to describe them: "Amazing!"

Nutrition Facts

Serving Size 1/4 cup (28 g)	
Servings Per Container 18	
Amount Per Serving	
Calories 90	Calories from Fat 0
	% Daily Value
Total Fat 0 g	0%
Saturated Fat 0 g	0%
Trans Fat 0 g	
Cholesterol 0 mg	0%
Sodium 0 mg	0%
Total Carbohydrate 21 g	7%
Dietary Fiber 3 g	12%
Sugars 17 g	
Protein 4 g	
Vitamin A 0% • Vitamin C 4%	
Calcium 2% • Iron 10%	

Ingredients: organic goji berries (Lycium barbarum)

Product of China

⚠ **WARNING:** Consuming this product can expose you to chemicals including Lead which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov

USDA ORGANIC · Raw · NON GMO

US-ORG-025

Distributed By
EARTH CIRCLE ORGANICS
Auburn, CA 95602
www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.

TQ-LB15-w-1002_0617

Find ECO on facebook or twitter for more info, or visit earthcircleorganics.com

EXHIBIT H

Date: 12.16.16

Material:

Project Name: Black Maca

Template Name: 5x8x2 gusset w/ zipper

Color Specifications:

- Cyan
- Magenta
- Yellow
- Black
- White

Legend:

- Zipper
- Dieline
- Tear Notch
- Seal

Rev: 0 Created by: NS

EXHIBIT I

Legend
- Zipper
- Dieline
- Tear Notch
- Seal

Color Specifications:

Cyan	Magenta	Yellow
Black	White	PMS 144
PMS 283	PMS 2747	PMS 363

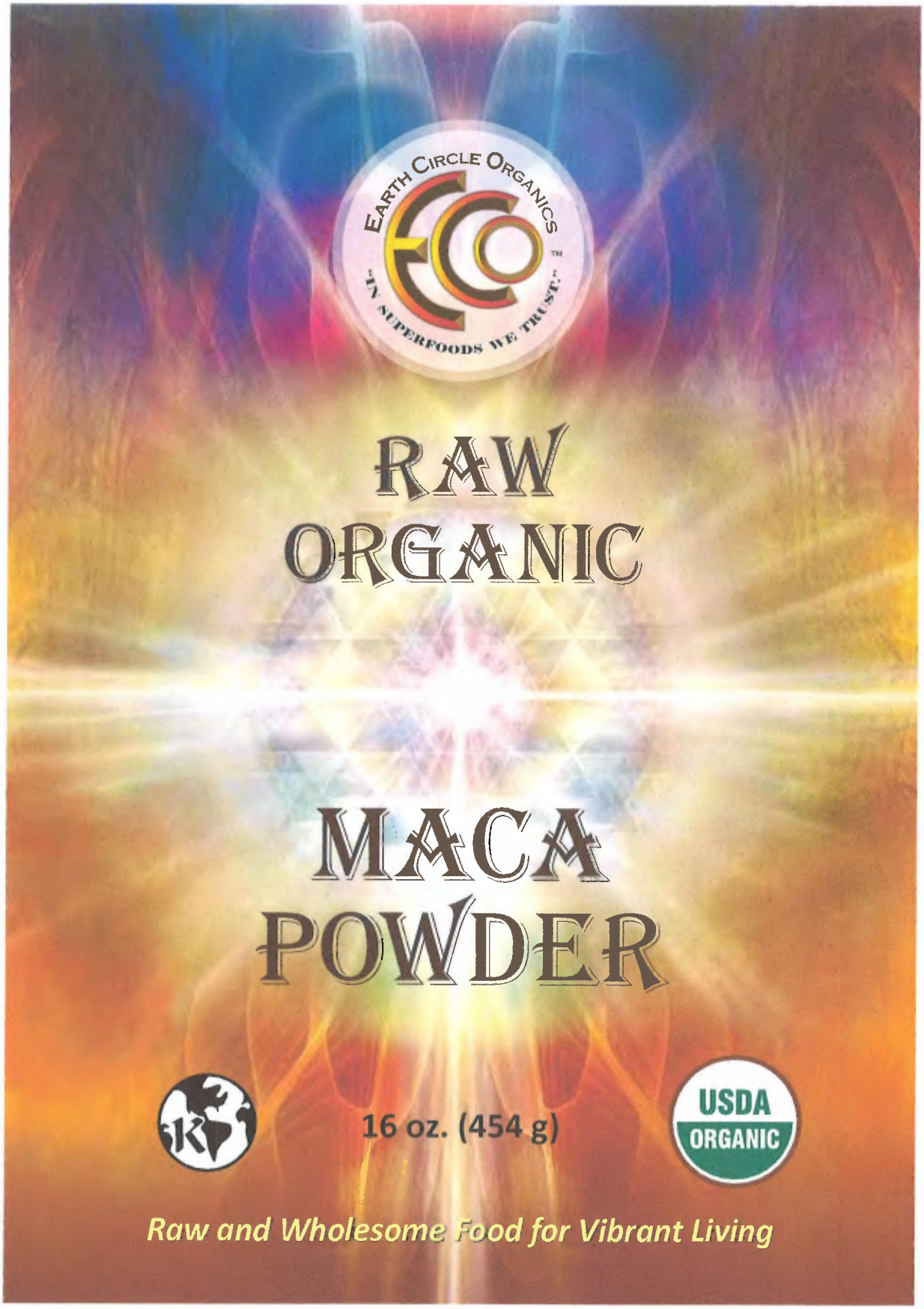
Date: 12.16.16 Material:

Project Name: Red Maca Powder

Template Name: 5x8x2 gusset w/ zipper

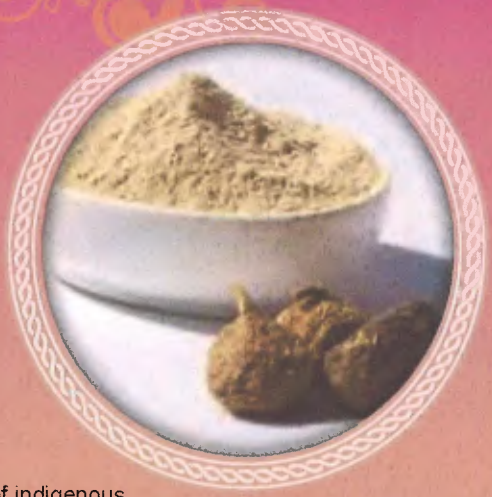
Rev: 0 Created by: NS

EXHIBIT J


EARTH CIRCLE ORGANICS
"IN SUPERFOODS WE TRUST"
RAW
ORGANIC
MACA
POWDER
16 oz. (454 g)
USDA
ORGANIC
Raw and Wholesome Food for Vibrant Living

IN SUPERFOODS WE TRUST

RAW ORGANIC MACA POWDER



Maca Powder has been an important staple in the diet of indigenous Andean cultures for over 2,000 years. It grows at altitudes above 10,000 feet where little else survives. Maca is a root vegetable believed to help increase energy, reduce fatigue and improve libido. Ancient Incan warriors were legendary for consuming generous amounts of maca in preparation for battle, significantly maximizing their stamina and energy levels. Maca is an adaptogen, facilitating the body's ability to adapt to and regulate stress responses and balance hormones. Today, athletes of all types benefit from daily maca consumption. Earth Circle Organics' Maca Powder is 100% raw and certified organic, packed with vitamins and minerals for healthy, sustained energy.*

The malty flavor of ECO Maca Powder allows it to blend well with both sweet and savory recipes. Add some to:

- Smoothies and shakes
- Cakes and pastries
- Homemade chocolate
- Energy bars

***These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.**

Earth Circle Organics' Signature Cacao Drink

A low glycemic, warming energy drink and a favorite recipe from ECO Founder, prepared exclusively with ECO Superfoods. Mix well with hot water.

- 2 tsp. Cacao Powder
- 2 tsp. Coconut Sugar, or to taste
- 1 tsp. Maca Powder

Scan for More Recipe Ideas!

Nutrition Facts

Serving Size 1 teaspoon (5 g)
Servings Per Container 91

Amount Per Serving	
Calories 20	Calories from Fat 0
	% Daily Value*
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 0mg	0%
Potassium 103mg	3%
Total Carbohydrate 4g	1%
Dietary Fiber 1g	4%
Sugars 1g	
Protein 1g	
Vitamin A 0% • Vitamin C 2%	
Calcium 2% • Iron 2%	
Iodine 17% • Copper 15%	
Manganese 2% • Vitamin B-6 3%	

Ingredients: organic raw maca powder

Product of Peru

⚠**WARNING:** Consuming this product can expose you to chemicals including Lead, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov

MAP16ow_1005_0617

5 94932 00203 0

Raw · Vegan · USDA ORGANIC · NON GMO Project VERIFIED

Distributed By
EARTH CIRCLE ORGANICS
Auburn, CA 95602
www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.

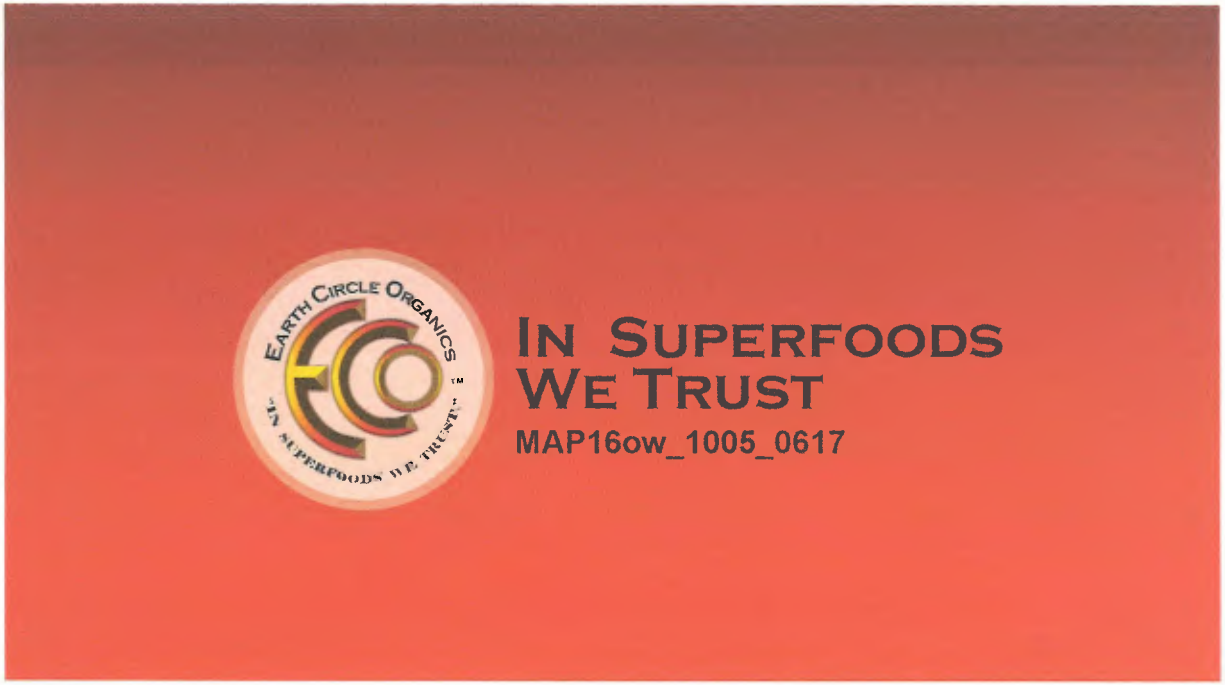

EARTH CIRCLE ORGANICS
IN SUPERFOODS WE TRUST
IN SUPERFOODS WE TRUST
MAP16ow_1005_0617

EXHIBIT K

Raw and Wholesome Food for Vibrant Living

EARTH CIRCLE ORGANICS™
"IN SUPERFOODS WE TRUST"

ORGANIC NORI SHEETS

RAW VEGAN

NON GMO PROJECT
nongmoproject.org

USDA ORGANIC

10 Sheets Net Wt. .88 oz (25 g)

Resealable Bag

Organic Nori Sheets

Perfect for Sushi Rolls!

Earth Circle Organics' Nori Sheets are a delicate treat perfect for sushi rolls, seaweed salads and snacks! With a fresh flavor and crispy texture these seaweed wraps offer a boost of nutrition. Nori is a good source of Vitamins A and C, and contains protein, fiber, potassium, and magnesium. ECO Nori Sheets are certified organic, certified kosher, vegan and non-GMO.

Our nori seaweed is cultivated in certified organic growing waters. After harvesting, the nori leaves are washed and spread thinly to dry, then gently milled to create a smooth texture. Instead of being toasted the seaweed remains raw and natural, preserving the wealth of enzymes, vitamins and nutrients. Earth Circle Organics supplies the highest quality, organic and raw nori that we have found available anywhere in the world.

Raw Nori Rolls

- **ECO Nori Sheets**
- **Favorite Fish, Shrimp or Seasoned Tofu**
- **Raw Veggies Sliced into Long Strips: Carrots, Cucumbers, Bell Pepper, or Mushrooms**
- **Prepared Sticky Rice**

Place a sheet of organic nori on a flat surface. Cover 2/3 of the nori sheet with a thin layer of sticky rice, using a paddle or spoon to spread evenly.

Position sushi fillings lengthwise in the center of the sheet on top of the rice.

Begin rolling the nori from the edge covered with rice towards the opposite end, keeping the sushi fillings in the center. Dampen the uncovered edge of the nori with water to help seal the roll, and press together to help firm and shape.

Slice the rolls into small, bite-sized pieces using a sharp knife and serve.

SWN10_1002_0517

8 94932 00221 4

Caution: This package contains a packet of moisture absorbent chemical to keep the product dry. Do not eat. Keep out of the reach of children.

Nutrition Facts

10 servings per container

Serving size **1 sheet (2.5g)**

Amount per serving	
Calories	**10**
	% Daily Value*
Total Fat 0g	**0%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 15mg	**1%**
Total Carbohydrate 1g	**0%**
Dietary Fiber 1g	**4%**
Total Sugars 0g	
Includes 0g Added Sugars	**0%**
Protein 1g	
Vitamin D 0mcg	0%
Calcium 12mg	0%
Iron 0mg	0%
Potassium 41mg	0%

*The % Daily Value tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Ingredients: Organic Nori

Product of China

⚠ **WARNING:** This product can expose you to chemicals including Cadmium, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

Distributed by
Earth Circle Organics
Auburn, CA 95602 | www.earthcircleorganics.com
Certified Organic by Organic Certifiers, Inc.