

April 24, 2020

**Via Certified Mail**

Supervalu, Inc.  
CT Corporation System  
818 W. 7<sup>th</sup> st. STE 930  
Los Angeles, CA 90017

The Vons Company, Inc.  
CT Corporation System  
818 W. 7<sup>th</sup> st. STE 930  
Los Angeles, CA 90017

Supervalu, Inc.  
7075 Flying Cloud Dr.  
Eden Prairie, MN 55344

The Vons Company, Inc.  
Attn. Legal Department  
5918 Stoneridge Mall Road  
Pleasanton, California 94588

Re: **Withdrawal of Proposition 65 Notice of Violation**

To Whom It May Concern:

Please take notice that Kim Embry hereby withdraws her Amended 60-Day Notice of Violation (AG 2019-01315), a copy of which is enclosed with this letter.

Please do not hesitate to contact our office with any questions.

Sincerely,



Noam Glick

Enclosure

cc (via email): Harrison M. Pollak  
Robert Thomas  
Trish Gerken

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July 12, 2019**Via Certified Mail**

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**Re: Proposition 65 Notice of Violation**

To Whom It May Concern:

We represent Kim Embry, an individual of the State of California acting in the interest of the general public. This letter serves as notice that the parties listed above are in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, commencing with section 25249.5 of the Health and Safety Code ("Proposition 65"). In particular, the violations alleged by this notice consist of types of harm that may potentially result from exposures to the toxic chemical Acrylamide. This chemical was listed as a carcinogen on January 1, 1990 and listed as a developmental and reproductive toxin on February 25, 2011.

The specific type of product that is causing exposures in violation of Proposition 65 is detailed below:

	<b><u>Product Name</u></b>	<b><u>Manufacturer</u></b>	<b><u>Distributor/Retailer</u></b>	<b><u>Item Number/SKU</u></b>
1.	Supervalu Brownie Bites Plain	Supervalu, Inc.	The Vons Company, Inc.	041303780671

The route of exposure for the violations is ingestion by consumers. These exposures occur through the reasonably foreseeable use of the product. The sales of this product have been occurring since at least July of 2019, are continuing to this day and will continue to occur as long as the product subject to this notice is sold to and used by consumers.

Proposition 65 requires that a clear and reasonable warning is provided with these products regarding the exposures to Acrylamide caused by ordinary use of the product. The Parties are in violation of Proposition 65 by failing to provide such warning to consumers and as a result of the sales of this product, exposures to Acrylamide have been occurring without proper warnings.

Pursuant to Proposition 65, notice and intent to sue shall be provided to violators 60-days before filing a complaint. This letter provides notice of the alleged violation to the parties listed above and the appropriate governmental authorities. A summary of Proposition 65 is attached.

If you have any questions or wish to discuss any of the above, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Noam Glick". The signature is fluid and cursive, with the first name "Noam" and last name "Glick" clearly distinguishable.

Noam Glick

Enclosures