

June 22, 2020

Via Certified Mail

Best Brands Consumer Products, INC.
Attn. Legal Department
25 Merrick Avenue
Merrick, NY 11566

Walmart Inc.
CT Corporation System
818 W. 7th st. STE 930
Los Angeles, CA 90017

Best Brands Sales Company, LLC
Attn. Legal Department
20 West 33rd Street

Walmart Inc.
Attn. Legal Department
708 SW 8th Street
Bentonville, AR 72716

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

To Whom It May Concern:

Please take notice that Environmental Health Advocates, Inc. hereby withdraws its 60-Day Notice of Violation AG 2020-00614, 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

March 11, 2020

Via Certified Mail

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Merrick, NY 11566

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New York, NY 10001

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Attn. Legal Department
708 SW 8th Street
Bentonville, AR 72716

Re: Proposition 65 Notice of Violation

To Whom It May Concern:

We represent Environmental Health Advocates, Inc., an organization in 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 Di(2-ethylhexyl) phthalate (DEHP). This chemical was listed as a carcinogen on January 1, 1988 and as a developmental/reproductive toxin on October 24, 2003.

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

	<u>Product Name</u>	<u>Manufacturer</u>	<u>Distributor/Retailer</u>	<u>Item Number/SKU</u>
1.	Beyond Fit Jump Rope	Best Brands Consumer Products, INC.	Walmart Inc.	042887428430

The routes of exposure for the violations include dermal absorption, ingestion, and inhalation by consumers. These exposures occur through the reasonably foreseeable use of the product. The sales of this product have been occurring since at least January 2020, 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 DEHP caused by ordinary use of the product. The Parties are in

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Notice of Proposition 65 Violation

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violation of Proposition 65 by failing to provide such warning to consumers and as a result of the sales of this product, exposures to DEHP 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 written in a cursive style.

Noam Glick

Enclosures