

WITHDRAWAL OF 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”)

June 26, 2020


Re: Notice of Violation 2020-00970

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

This letter serves as notice of our withdrawal of the following Notice of Violation from April 10, 2020, filed against Nestle USA, Inc. for the following product:

Gerber Probiotic Rice Cereal – Banana Apple

Sincerely,



Kyle Wallace

Partner

Davitt, Lalley, Dey, & McHale, PC

CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903

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 a citizen of the United States and over the age of 18 years of age. My business address is 250 Steel St., Denver, CO. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Denver, CO.

On June 26, 2020, between 8:00 a.m. and 5:00 p.m. Mountain Time, I served the following documents: **WITHDRAWAL OF NOTICE OF VIOLATION** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties listed below and depositing it in a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current President or CEO
Nestle USA, Inc.
c/o C T Corporation System
4701 Cox Rd., Ste. 285
Glen Allen, VA, 23060 - 6808

Steven Presley
Chief Executive Officer
1812 N. Moore Street
Arlington VA, 22209

On June 26, 2020, between 8:00 a.m. and 5:00 p.m. Mountain Time, I verified the following documents **WITHDRAWAL OF NOTICE OF VIOLATION** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at <https://oag.ca.gov/node/add/prop65-withdrawal-record/>:

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, CA 94612-0550

Executed on June 26, 2020, in Denver, CO



Christine Alford