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")

October 29, 2021

Re: Notice of Violation 2020-02420

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

This letter serves as notice of our withdrawal of the following Notice of Violation from September 18, 2020, filed against The Kroger Co. for the following product:

Kroger Original Snack Crackers

Sincerely

Kyle A. Wallace Managing Partner

Davitt, Lalley, Dey, & McHale, PC