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September 30, 2025

By U.S. Mail

Walmart Inc.  
Current Chief Executive Officer  
ATTN: C. Douglas McMillon  
702 SW 8th Street  
Bentonville, AR 72716

Walmart Inc.  
Attn. Legal Department & Product Quality and  
Compliance  
702 SW 8th Street  
Bentonville, AR 72716

Walmart Inc.  
Wal-Mart.com LLC  
ATTN: C. Douglas McMillon  
850 Cherry Avenue  
San Bruno, CA 94066

Walmart Inc.  
c/o C T Corporation System  
ATTN: C. Douglas McMillon  
330 N. Brand Blvd., Suite 700  
Glendale, CA 91203

B-Experts Corner Store  
8170 Ronson Road, Suite P  
San Diego, CA 92111

**RE: 60-Day Notice of Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) & Demand for Supply Chain Identification**

To Whom It May Concern:

This firm represents the Mercury Policy Project (“Noticing Party”) in connection with this notice of violations of California’s Safe Drinking Water and Toxic Enforcement Act of 1986, which is codified at California Health & Safety Code section 25249.5, et seq. (“Proposition 65”). The Mercury Policy Project is a non-profit that works to promote policies to eliminate mercury uses, reduce the export and trafficking of mercury, and significantly reduce mercury exposures at the local, national, and international levels. This letter constitutes notice to the addressee that they have violated and continue to violate provisions of Proposition 65 and its implementing regulations. Specifically, the alleged violators—Walmart Inc. and B-Experts Corner Store (“Violators”)—to which this letter is addressed has violated and continues to violate the warning requirement at section 25249.6 of the California Health & Safety Code, which provides, “No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual[.]”


Pursuant to California Health & Safety Code section 25249.7, subdivision (d), the Noticing Party, as defined in that section, intends to bring an enforcement action against the Violators sixty (60) days after effective service of this notice unless the public enforcement agencies listed in the attached Certificate of Service have commenced and are diligently prosecuting an action to rectify these violations. A summary of Proposition 65 and its implementing regulations, prepared by the Office of Environmental Health Hazard Assessment, the lead agency designated under Proposition 65, is enclosed with the copy of this notice served to the Violators. The specific details of the violations that are the subject of this Notice are provided below.

### Description of Violations



The Violators have contravened the warning requirement at section 25249.6 of the California Health and Safety Code, which provides, “[no] person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving a clear and reasonable warning to such individual.” The Violators have manufactured, produced, packaged, imported, supplied, distributed, sold or otherwise provided the consumer products containing mercury listed below directly to consumers through the Violator’s website without providing the clear and reasonable warnings required by Proposition 65 and its implementing regulations.

- Time Period of Exposure: The violations have been occurring since at least September 26, 2022, and are continuing each day through the present.
- Provision of Proposition 65 Implicated: This Notice of Violation covers the “warning provision” of Proposition 65, which is found at California Health and Safety Code, section 25249.6, and its implementing regulations.
- Chemical Involved: The listed chemical involved in this notice of violation is mercury and mercury compounds. This chemical is recognized by the State of California as a developmental toxin.
- Types of Products: The specific types of products causing the violations are skin-lightening, whitening, and brightening cosmetics containing 1 ppm or more mercury or mercury compounds (“Products”), including but not limited to those products specifically listed below in **Table 1**.

**Table 1**

Product	Seller Storefront <sup>1</sup>	Product Image
Nunn Care	Bexpertsusa	

<sup>1</sup> The Notice covers all skin-lightening, whitening, and brightening creams containing mercury or mercury compounds, including those products listed in Table 1. The exemplars are provided as a courtesy so that the Violators can more efficiently locate and prevent the exposure of California consumers to dangerous products.

Crema La Milagrosa	Bexpertsusa	
La Tia Nana Cream	Bexpertsusa	

Description of Exposures: This Notice addresses consumer product exposures to mercury and mercury compounds resulting from the acquisition, purchase, storage, consumption, or reasonably foreseeable use of the Products. Mercury is an additive or active ingredient in such cosmetics. Use of the Products, including those exemplars listed above in Table 1, results in human exposures to mercury.<sup>2</sup> Mercury exposure occurs in three main routes: ingestion, inhalation, or dermal absorption. Ingestion may occur post-application due to insufficient hand washing prior to eating or preparing food or touching of the mouth. Inhalation may occur due to the significant amount of mercury vapor produced by use of these Products, which can affect all household members. Dermal absorption may occur as these Products are designed and specifically marketed for direct contact with skin. These exposures occur in residences and businesses throughout California where the Products are used.

No clear and reasonable warning is provided with these Products regarding the developmental toxicity of using these Products or specifically of mercury.

Pursuant to California Code of Regulations, title 11, section 3100, a Certificate of Merit is attached.<sup>3</sup>

### **Resolution of Claims Being Noticed**

Based on the allegations set forth in this Notice, the Noticing Party intends to file a citizen enforcement lawsuit against the Violators unless it agrees to remedy the violations set forth above. If the Violators are interested in resolving this dispute without resort to expensive and time-consuming litigation, please contact the Noticing Party through its counsel identified below.

### **Preservation of Relevant Evidence**

This Notice also serves as a demand that the Violators preserve and maintain all relevant evidence, including all electronic documents and data, pending resolution of this matter. Such relevant evidence includes but is not limited to all documents relating to mercury released from or during the storage, shipment, and use of the Products; purchases and sales information for the Products; communications with any person relating to actual or potential exposures to mercury from the use of the Products; representative

<sup>2</sup> These products are also illegal adulterated cosmetics sold in violation of FDA regulations. (See 21 C.F.R. § 700.13(d) and California’s Sherman Act.

<sup>3</sup> A copy of this entire notice and Certificate of Merit is being served on the Attorney General, clearly marked “Attorney General Copy: Contains Official Information Pursuant to Evidence Code Section 1040” with all supporting documentation required by 11 Cal. Code Regs., § 3102 attached thereto.

exemplars of each unit of any of the brands listed above in Table 1 sold since September 26, 2022, the content of internet displays for the Products causing the violations; and all communications regarding the alleged violations.

### Parties

This Notice is provided on behalf of the following organization:

Mercury Policy Project, a Project of the Tides Center  
Responsible Individual: Michael Bender  
1420 North Street  
Montpelier, VT 05602  
(802) 223-9000

The Noticing Parties can be contacted through counsel as identified below:

Rachel Doughty  
Greenfire Law, PC  
2748 Adeline Street, Suite A  
Berkeley, CA 94703  
(510) 900-9502  
rdoughty@greenfirelaw.com

### Demand for Supply Chain Contacts

Pursuant to California Code of Regulations title 27, article 6, section 25600.2, subdivision (g) you must promptly provide Mercury Policy Project (through its counsel) with the names and contact information for each of the manufacturers, producers, packagers, importers, suppliers, and distributors of each of the Products listed above in Table 1. **We expect to receive this information within a week.**

Sincerely,



Rachel S. Doughty  
Greenfire Law, PC

Attachments:

Certificate of Merit (All Recipients)

Certificate of Merit Support (Attorney General only)

Certificate of Service (All Recipients)

*The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary*  
("Summary") (Violators Only)

### Certificate of Merit

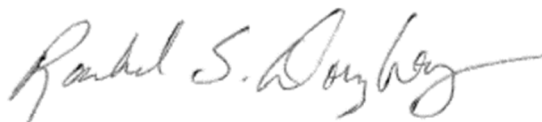
California Health & Safety Code Section 25249.7, Subdivision (d)

I, Rachel Doughty, hereby declare:

- 1) This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
- 2) I am the attorney for the noticing party.
- 3) I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action.
- 4) Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.
- 5) The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: September 30, 2025

By



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Rachel S. Doughty  
GREENFIRE LAW, PC

## CERTIFICATE OF SERVICE

I, Jessica San Luis, declare that I am over the age of 18 years, and am not a party to the within action. I am employed in the County of Alameda. My business address is 2748 Adeline Street, Suite A, Berkeley, California 94703. Documents served:

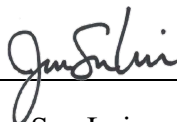
- **60-Day Notice of Violation of Proposition 65 & Demand for Supply Chain Identification;**
- **Certificate of Merit;**
- **Proposition 65 Summary**

On September 30, 2025, I served the foregoing document(s) on the parties listed below by placing a true and correct copy thereof in a sealed envelope, addressed to each party and depositing it with the United States Postal Service with postage fully paid:

<i>Via Certified Mail</i> Walmart.com c/o CT Corporation 330 N. Brand Boulevard, Suite 700 Glendale, CA 91203	<i>Via Certified Mail</i> Walmart.com Corporate Headquarters 702 South West 8 <sup>th</sup> Street Bentonville, AR 72716
Walmart Inc. Current Chief Executive Officer ATTN: C. Douglas McMillon 702 SW 8th Street Bentonville, AR 72716	Walmart Inc. Current Chief Executive Officer ATTN: C. Douglas McMillon 702 SW 8th Street Bentonville, AR 72716
<i>Via Certified Mail</i> B-Experts Corner Store 8170 Ronson Road, Suite P San Diego, CA 92111	<i>Via California Attorney General Portal</i> Attorney General Rob Bonta <a href="https://oag.ca.gov/prop65/add-60-day-notice">https://oag.ca.gov/prop65/add-60-day-notice</a>

### See Attached Service List

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 30, 2025, in Berkeley, California.



\_\_\_\_\_  
Jessica San Luis

## SERVICE LIST

*Via Regular Mail*

The Honorable Pamela Price Alameda County District Attorney 7677 Oakport Street, Suite 650 Oakland, CA 94621	The Honorable Barbara Yook Calaveras County District Attorney 891 Mountain Ranch Road San Andreas, CA 95249	The Honorable Stacey Grassini Contra Costa County District Attorney 900 Ward Street Martinez, CA 94553	The Honorable James Clinchard El Dorado County Asst District Attorney 778 Pacific Street Placerville, CA 95667
The Honorable Lisa A. Smittcamp, Fresno County District Attorney 2100 Tulare Street Fresno, CA 93721	The Honorable Thomas L. Hardy Inyo County District Attorney 168 North Edwards Street Independence, CA 93526	The Honorable Devin Chandler Lassen County Program Coordinator 2950 Riverside Drive Susanville, CA 96130	The Honorable Lori Frugoli Marin County District Attorney 3501 Civic Center Drive, Rm. 145 San Rafael, CA 94903
The Honorable Walter W. Wall Mariposa County District Attorney P.O. Box 730 Mariposa, CA 95338	The Honorable Kimberly Lewis Merced County District Attorney 550 West Main Street Merced, CA 95340	The Honorable Jeannine M. Pacioni Monterey County District Attorney 1200 Aguajito Road Monterey, CA 93940	The Honorable Allison Haley Napa County District Attorney 1127 First Street, Suite C Napa, CA 94559
The Honorable Clifford H. Newell Nevada County District Attorney 201 Commercial Street Nevada City, CA 95959	The Honorable Todd Spitzer Orange County District Attorney 300 N. Flower Street Santa Ana, CA 92703	The Honorable Morgan Briggs Gire Placer County District Attorney 10810 Justice Center Drive Roseville, CA 95678	The Honorable David Hollister Plumas County District Attorney 520 Main Street Quincy, CA 95971
The Honorable Paul E. Zellerbach Riverside County District Attorney 3072 Orange Street Riverside, CA 92501	The Honorable Anne Marie Schubert Sacramento County District Attorney 901 G Street Sacramento, CA 95814	The Honorable Summer Stephan San Diego County District Attorney 330 West Broadway San Diego, CA 92101	The Honorable Mark Ankcorn San Diego Deputy City District Atty. 330 West Broadway San Diego, CA 92101
The Honorable Alexander Grayner San Francisco County Asst. Dist. Atty 350 Rhode Island Street San Francisco, CA 94103	The Honorable Henry Lifton San Francisco Deputy City Attorney 1390 Market Street, 7 <sup>th</sup> Floor San Francisco, CA 94102	The Honorable Tori Verber Salazar San Joaquin County District Attorney 222 E. Weber Avenue, Room 202 Stockton, CA 95202	The Honorable Eric J. Dobroth San Luis Obispo County Deputy District Attorney Government Center Annex, 4th Floor San Luis Obispo, CA 93408
The Honorable Christopher Dalbey Santa Barbara Cnty. Deputy Dist. Atty 1112 Santa Barbara Street Santa Barbara, CA 93101	The Honorable Nora V. Frimann Santa Clara Deputy City Attorney 200 E. Santa Clara Street, 16 <sup>th</sup> Fl. San Jose, CA 96113	The Honorable Bud Porter Santa Clara County Deputy Dist. Atty. 70 W Hedding Street San Jose, CA 95110	The Honorable Jeffrey S. Rosell Santa Cruz County District Attorney 701 Ocean Street Santa Cruz, CA 95060
The Honorable Carla Rodriguez Sonoma County District Attorney 600 Administration Drive Santa Rosa, CA 95403	The Honorable Phillip J. Cline Tulare County District Attorney 221 S Mooney Blvd Visalia, CA 95370	The Honorable Gregory D. Totten Ventura County District Attorney 800 S Victoria Ave Ventura, CA 93009	The Honorable Jeff W. Resig Yolo County District Attorney 301 Second Street Woodland, CA 95695
The Honorable Robert Priscaro Alpine County District Attorney P.O. Box 248 Markleeville, CA 96120	The Honorable Todd Riebe Amador County District Attorney 708 Court Street, #202 Jackson, CA 95642	The Honorable Michael L. Ramsey Butte County District Attorney 25 County Center Dr. Admin Bldg. Oroville, CA 95965	The Honorable Brenden Farrell Colusa County District Attorney 310 6 <sup>th</sup> Street Colusa, CA 95932
The Honorable Katherine Micks Del Norte County District Attorney 450 H Street, Room 171 Crescent City, CA 95531	The Honorable Dwayne Stewart Glenn County District Attorney P.O. Box 430 Willows, CA 95988	The Honorable Stacey Eads Humboldt County District Attorney 825 5th Street Eureka, CA 95501	The Honorable George Marquez Imperial County District Attorney 940 West Main Street, Suite 102 El Centro, CA 92243
The Honorable Cynthia Zimmer Kern County District Attorney 1215 Truxtun Avenue Bakersfield, CA 93301	The Honorable Sarah Hacker Kings County District Attorney 1400 West Lacey Blvd. Hanford, CA 93230	The Honorable Susan Kronos Lake County District Attorney 255 N. Forbes Street Lakeport, CA 95453	The Honorable George Gascon Los Angeles County District Attorney 211 W. Temple Street, Suite 1200 Los Angeles, CA 90012
The Honorable Sally O. Moreno Madera County District Attorney 300 South G Street, Suite 300 Madera, CA 93637	The Honorable C. David Eyster Mendocino County Dist. Attorney P.O. Box 1000 Ukiah, CA 95482	The Honorable Cynthia Campbell Modoc County District Attorney 204 S. Court Street, Room 202 Alturas, CA 96101	The Honorable David Anderson Mono County District Attorney P.O. Box 2053 Mammoth Lakes, CA 93546
The Honorable Mike Feuer Los Angeles City Attorney 200 N. Main Street Los Angeles, CA 90012	The Honorable Joel Buckingham San Benito County District Attorney 419 4th Street Hollister, CA 95023	The Honorable Jason Anderson San Bernardino County Dist. Atty. 303 W. Third Street San Bernardino, CA 92415	The Honorable Stephen Wagstaffe San Mateo County District Attorney 400 County Ctr 3rd Floor Redwood City, CA 94063
The Honorable Stephanie A. Bridgett Shasta County District Attorney 1355 West Street Redding, CA 96001	The Honorable Sandra Groven Sierra County District Attorney 100 Courthouse Square Downieville, CA 95936	The Honorable James Kirk Andrus Siskiyou County District Attorney P.O. Box 986 Yreka, CA 96097	The Honorable Krishna A. Abrams Solano County District Attorney 675 Texas Street, Suite 4500 Fairfield, CA 94533
The Honorable Jeff Laugero Stanislaus County District Attorney 832 12th Street, Suite 300 Modesto, CA 95353	The Honorable Jennifer Dupre Sutter County District Attorney 463 2nd Street, Suite 102 Yuba City, CA 95991	The Honorable Matthew Rogers Tehama County District Attorney P.O. Box 519 Red Bluff, CA 96080	The Honorable David Brady Trinity County District Attorney P.O. Box 310 Weaverville, CA 96093
The Honorable Cassandra Jenecke Tuolumne County District Attorney 2 S. Green Street Sonora, CA 95370	The Honorable Clint Curry Yuba County District Attorney 215 Fifth Street, Suite 152 Marysville, CA 95901		