

Gurley's Foods takes food safety very seriously. All foods that are grown in nature contain trace levels of naturally occurring elements/minerals such as lead and cadmium, which are naturally present in all soils because they are found in the Earth's crust. Because these minerals, including cadmium and lead, are present naturally in the soil, they are absorbed by plants through their roots along with other nutrients. As a result, there may be unavoidable traces occurring in virtually all foods, including fish, meats, grains, fruits and vegetables.

The Food and Drug Administration (FDA) and other health authorities have determined that tiny traces of naturally occurring minerals in foods are unavoidable and do not present a public health risk, threat of injury, or need for warnings. The FDA regularly monitors the amount of cadmium and lead in food, and we ensure that our products safely pass any FDA regulations.

California law contains what is known as the Safe Drinking Water and Toxic Enforcement Act, also referred to as Proposition 65 ("Prop 65"). Prop 65 is a unique, California-only "right to know" law that requires products sold in California to bear warning notices about potential exposure to any of the over 800 substances listed by the state. Prop 65's warning standards are uniquely low and not safety based. As a practical matter, Prop 65 warnings are required for any product (food or non-food) that exposes an individual in California to virtually any detectable amount of a listed chemical.

Prop 65 does not ban any products from sale in California; it simply requires warnings about the listed chemical contained in the product. No other state has a law similar to Proposition 65, which requires warnings for listed chemicals contained in products at levels that are far below levels known to cause any actual harm, or that are regulated by the FDA or other federal law. Proposition 65 regulates substances officially listed by California as having a 1 in 100,000 chance of causing cancer or birth defects over a 70-year period. Lawsuits to enforce Prop 65 against manufacturers may be instituted by the State of California, or much more frequently by private "bounty hunters" and their attorneys who make it their job to sue companies to profit from the law.

Recently, the food (including organic food) and dietary supplement industry has been under attack by private Proposition 65 bounty hunters over alleged trace amounts of lead contained in various supplement products. Many plants, plant extracts, and minerals used in dietary supplement products contain trace levels of lead, a chemical listed under Proposition 65, because lead is found naturally in the soils in which these ingredients are grown. Frequently the exposure levels established by Prop 65 can be less than what occurs naturally in fruits, vegetables, fish and other foods that are part of a healthy diet.

Trace amounts of lead, cadmium, and other metals and chemicals listed under California's Proposition 65 are found in some of even the most carefully selected and sourced ingredients contained in Gurley's products. Lead, as an example, is a naturally occurring element that is found throughout the entire environment, including in soils where it can be taken up by natural plants and herbs all over the world. None of these

elements are added by farmers or by Gurley's. We follow good manufacturing practices throughout our supply chain to minimize or eliminate any contamination.

As a business decision, Gurley's prefers to comply with Prop 65 by either: (1) providing warnings where there are detectable levels of trace amounts of listed chemicals; or (2) limiting the serving size for California residents to avoid any warning requirement.

Gurley's strongly believes that any minute levels of the chemicals listed by Prop 65 in its products should be exempted under the "naturally occurring allowance" exception.

However, like many other companies, Gurley's has chosen to provide Proposition 65 warnings rather than engage in a long and protracted legal battle to prove in court that any listed chemicals contained in its supplements are naturally occurring.

California PROP 65 Warning statement: **WARNING: Sunflower Nuts can expose you to cadmium, which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.**