UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

ASHLEY WRIGHT and MERRIMAN BLUM, individually and on behalf of all others similarly situated, Plaintiffs, v. AMAZON.COM, INC., a Delaware corporation, Defendant.	Case No. 2:25-cv-00977 **CLASS ACTION COMPLAINT** **JURY TRIAL DEMANDED**

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Plaintiffs Ashley Wright and Merriman Blum, by and through their undersigned counsel, on behalf of themselves and all others similarly situated, bring this Class Action Complaint against Defendant Amazon.com, Inc. ("Amazon") and allege the following facts in support of their claims against Amazon based upon personal knowledge, where applicable, information and belief, and the investigation of counsel:

I. NATURE OF THE ACTION

1. Heavy metals, including arsenic, cadmium, lead, and mercury, are toxins known to pose significant and adverse health risks and consequences to humans. It is well-recognized that there is no safe level of human consumption of heavy metals.[1] Exposure to heavy metals can cause negative health effects such as various cancers; gastric and vascular disorders; liver, kidney, and brain damage; miscarriages; and reproductive disorders.[2] Arsenic is especially harmful to adults and the development of children.[3]

[1] Transcript from Public Meeting, *Closer to Zero Action Plan: Impacts of Toxic Element Exposure and Nutrition at Different Crucial Developmental Stages for Babies and Young Children* (Nov. 18, 2021), https://www.fda.gov/media/155396/download?attachment (hereinafter "Closer to Zero Public Meeting Transcript"), at 32, 72, 179; *FDA Webinar: Action Levels for Lead in Food Intended for Babies and Young Children: Draft Guidance* (Mar. 2, 2023), https://www.fda.gov/media/166188/download, at 5 ("Although we may not be able to say the reference level is a safe level, it is a level we could rely on as a benchmark to measure exposure to foods."); *see also* Kevin Loria, *Congressional Report Finds More Problems With Heavy Metals in Baby Food*, CONSUMER REPORTS (Sept. 29, 2021, updated Oct. 20, 2021), https://www.consumerreports.org/health/food-safety/problems-with-heavy-metals-in-baby-food-congressional-report-a6400080224 (hereinafter "*Congressional Report Finds More Problems with Heavy Metals in Baby Food*"); *see, e.g.*, *Lead Poisoning*, WORLD HEALTH ORGANIZATION (Sept. 27, 2024), https://who.int/news-room/fact-sheets/detail/lead-poisoning-and-health (hereinafter "WHO Lead Poisoning webpage").

[2] Anirban Goutam Mukherjee, et al., *Heavy Metal and Metalloid Contamination in Food and Emerging Technologies for Its Detection*, SUSTAINABILITY (Jan. 9, 2023), 15(2), https://www.mdpi.com/2071-1050/15/2/1195.

[3] *See, e.g.*, *What's in My Baby's Food?*, HEALTHY BABIES BRIGHT FUTURES (Oct. 2019), https://hbbf.org/sites/default/files/2022-12/BabyFoodReport_ENGLISH_R6_0.pdf, at 13 (hereinafter "HBBF 2019 Report"); U.S. Senators' Letter to the FDA (June 22, 2021), https://www.klobuchar.senate.gov/public/_cache/files/9/9/996f2cad-5295-432b-a543-f69312988a78/37D015A1AC9DDF0E31B341F629469169.6.22.2021-formatted-letter-to-fda-on-baby-food-recall.pdf (hereinafter "U.S. Senators' Letter to the FDA") (citing Dartmouth Toxic Metals Superfund Research Program, *Arsenic and You: Information on Arsenic in Food, Water, & Other Sources - Arsenic and Children* (2021), https://sites.dartmouth.edu/arsenicandyou/arsenic-and-children/); U.S. House of Representatives, Committee on Oversight and Reform, Subcommittee on Economic and Consumer Policy, Staff Report, *Baby Foods Are Tainted with Dangerous Levels of Arsenic, Lead, Cadmium, and Mercury*, at 2 (Feb. 4, 2021), https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2021-02-04%20ECP%20Baby%20Food%20Staff%20Report.pdf (hereinafter "Congressional Committee Report"); J. Christopher States, et al., *Prenatal Arsenic Exposure Alters Gene Expression in the Adult Liver to a Proinflammatory State Contributing to Accelerated Atherosclerosis*, PLOS ONE (June 15, 2012), 7(6): e38713, https://doi.org/10.1371/journal.pone.0038713 (hereinafter "Prenatal Arsenic Exposure article").

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2. Rice is the most consumed food in the world and a dietary staple for over one billion children.

3. Recent testing of rice sold by retailers indicates that certain rice products sold to consumers by Amazon ("Rice Products") are contaminated with arsenic, cadmium, lead, and/or mercury.[4]

4. Amazon sold these Rice Products with alarmingly high levels of heavy metals to an intended consumer audience that includes children, with no warning whatsoever about the dangers of heavy metals. Reasonable consumers would want to know about the presence of toxins in any product, especially one that is intended for human consumption, such as the Rice Products at issue.

5. Exposure to any source of heavy metals should be avoided and minimized. Thus, the presence of heavy metals in products intended for human consumption is material and should be disclosed.

6. But Amazon fails to disclose that the Rice Products contain heavy metals. Nowhere on the packaging or on its point-of-sale webpages does Amazon disclose that the Rice Products contain heavy metals, including arsenic, cadmium, lead, and/or mercury (collectively, the "Omissions").

7. Plaintiffs bring this class action against Amazon for deceptive business practices, including the Omissions, regarding the presence of heavy metals in the Rice Products.

8. No reasonable consumer purchasing rice after seeing Amazon's point-of-sale disclosures would expect the Rice Products to contain heavy metals. Furthermore, reasonable consumers, like Plaintiffs, would consider the inclusion of heavy metals a material fact when considering what food products to purchase.

9. Plaintiffs seek injunctive and monetary relief on behalf of the proposed Class, including (i) requiring Amazon to fully disclose the presence of heavy metals in its marketing, advertising, and labeling of Rice Products; (ii) requiring Amazon to test all Rice Products'

[4] Appendix A lists each of the brands and varieties of rice that comprise the Rice Products at issue in this case.

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ingredients and final products for heavy metals; and (iii) restoring monies to the members of the proposed Class.

10. Plaintiffs bring this proposed consumer class action individually and on behalf of all other members of the Class (as defined herein), who purchased for personal/household use and not resale any of the Rice Products. Plaintiffs assert claims under the Washington Consumer Protection Act and Washington common law.

II. JURISDICTION AND VENUE

11. This Court has jurisdiction over this action pursuant to the Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. § 1332(d)(2), because at least one Class Member is of diverse state citizenship from Defendant, there are more than 100 Class Members, and the aggregate amount in controversy exceeds $5 million, exclusive of interest and costs. Amazon sells its Rice Products from coast to coast in the United States and, as such, Class Members are citizens of numerous diverse states outside of Washington.

12. The Western District of Washington has personal jurisdiction over Amazon as it is headquartered in this District and conducts substantial business in this State and in this District through its headquarters and sale of products.

13. Venue is appropriate in this District pursuant to 28 U.S.C. § 1391(b)(1) because Amazon is headquartered and resides in this District. Venue is further appropriate in this district pursuant to the forum selection clause in Amazon's online "conditions of use," which are available when a consumer signs up for an Amazon account and makes purchases. The conditions provide that "[a]ny dispute or claim relating in any way to your use of any Amazon Service will be adjudicated in the state or Federal courts in King County, Washington, and you consent to exclusive jurisdiction and venue in these courts."

III. PARTIES

A. Plaintiffs

1. Ashley Wright

14. Between December 2024 and March 2025, Plaintiff Ashley Wright purchased Iberia Basmati 100% Aged Original rice (one of the Rice Products) for her household, which

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includes her 12-year-old daughter. Plaintiff believed she was purchasing rice that was nontoxic and without detectable levels of heavy metals. During the time she purchased and used the Rice Product, and due to the Omissions by Amazon, she was unaware the rice contained heavy metals, including arsenic, cadmium, lead, and mercury. If Amazon had disclosed that the Rice Product contained heavy metals or that Amazon had inadequately tested, or never tested, for heavy metals in its ingredients and/or finished Rice Products, Plaintiff would not have purchased any of the Rice Products, or would have paid less.

15. Plaintiff intends to purchase Rice Products in the future and wants to do so based on a full disclosure of the presence of heavy metals in the products.

2. Merriman Blum

16. Between December 2020 and April 2025, Plaintiff Merriman Blum purchased Iberia Basmati 100% Aged Original rice (one of the Rice Products) for his household. Plaintiff believed he was purchasing rice that was nontoxic and without detectable levels of heavy metals. During the time he purchased and used the Rice Product, and due to the Omissions by Amazon, he was unaware the rice contained heavy metals, including arsenic, cadmium, lead, and mercury. If Amazon had disclosed that the Rice Product contained heavy metals, or that Amazon had inadequately tested, or never tested, for heavy metals, in its ingredients and/or finished Rice Products, Plaintiff would not have purchased any of the Rice Products, or would have paid less.

17. Plaintiff intends to purchase Rice Products in the future and wants to do so based on a full disclosure of the presence of heavy metals in the products.

B. Defendant

18. Amazon.com, Inc. is an American multinational consumer goods and technology company that conducts business in all 50 states and the District of Columbia. Amazon is a Delaware corporation with principal executive offices located at 410 Terry Avenue North, Seattle, Washington 98109.

19. Amazon is the largest e-commerce company in the world. At all times relevant to this action, Amazon sold the Rice Products at issue throughout the United States and has annual sales of these products in the hundreds of millions of dollars.

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20. Amazon knowingly created, oversaw, and/or authorized the unlawful, fraudulent, unfair, misleading, and/or deceptive packaging and related marketing for the Rice Products that did not disclose the presence of heavy metals, including arsenic, cadmium, lead, and/or mercury.

21. Plaintiffs relied on the packaging and Omissions, which were prepared, reviewed, and/or approved by Amazon and its agents at its headquarters in Seattle and disseminated by Amazon and its agents. The Omissions were nondisclosed material content that a reasonable consumer would consider important when purchasing the Rice Products.

IV. FACTUAL ALLEGATIONS

A. Amazon Sells Rice Products in Its Online Marketplace

22. Amazon operates the largest online retail marketplace in the United States, which includes its website, applications for mobile devices, and voice-controlled devices that allow consumers to make purchases from Amazon ("Amazon's marketplace").

23. Amazon directly sells a wide range of consumer goods—approximately 12 million goods—to customers on its marketplace.[5]

24. Amazon also designed its marketplace to be a platform where other businesses ("third-party merchants") can register and list their goods for Amazon to sell. In that sense, Amazon's marketplace is like "an online mall where independent merchants display their products to people perusing the website," according to Amazon's Vice President of Marketplace Business.[6] Third-party merchants post their products on the platform, which Amazon presents to users together with its own goods. Third-party merchants manufacture some of the Rice Products that are the subject of this litigation.

25. Sales on Amazon's marketplace make up between 65% and 70% of all online marketplace sales in the United States and account for over 50% of all online retail sales revenue in the United States.[7]

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[5] *Amazon Statistics*, AMAZON SCOUT, https://amzscout.net/blog/amazon-statistics (last accessed May 23, 2025).

[6] Affidavit of Nicholas Denissen (Amazon's Vice President of Marketplace Business), *Oberdorf v. Amazon.com, Inc.*, No. 4:16-cv-01127-MWB (M.D. Pa. June 30, 2017), Dkt. No. 31, ¶ 5.

[7] *Investigation of Competition in Digital Markets, Majority Staff Report and Recommendations*, SUBCOMMITTEE ON ANTITRUST, COMMERCIAL, AND ADMINISTRATIVE LAW OF THE COMMITTEE ON THE JUDICIARY, 116th Congress,

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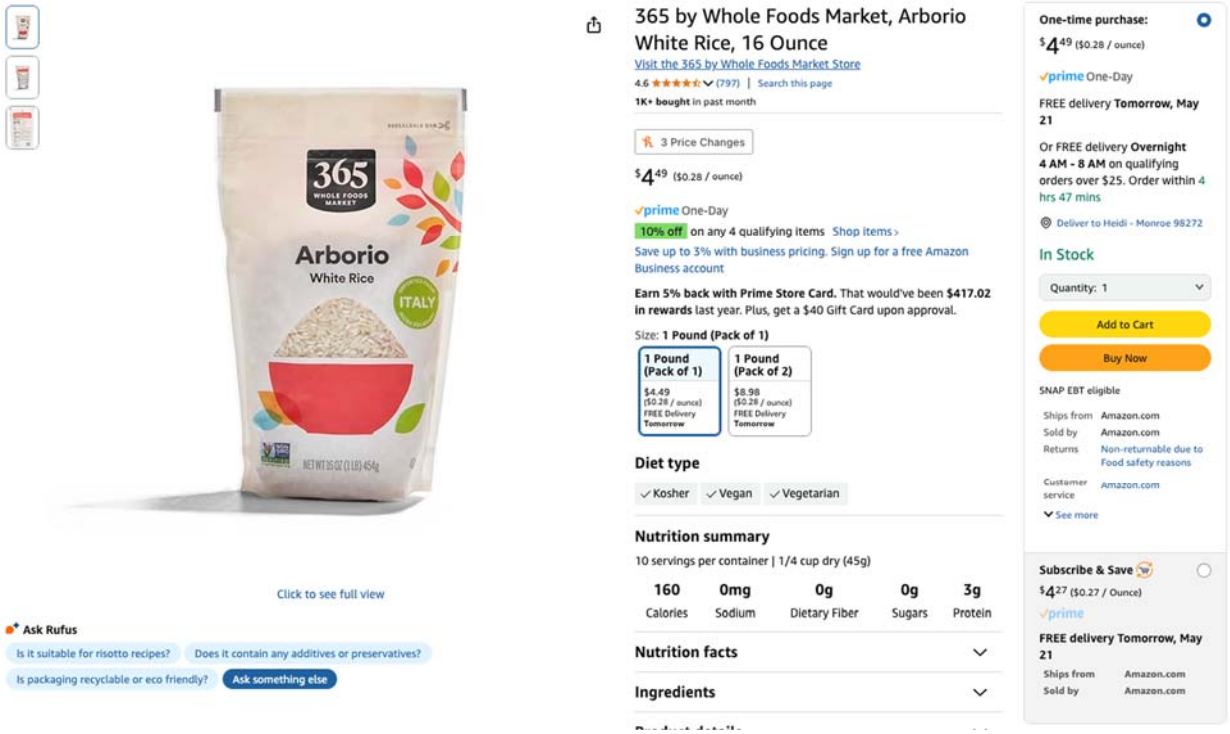
26. Amazon sells the Rice Products to consumers on its platform. Each product is sold on Amazon's website via a webpage referred to as a "Product Detail Page." The Product Detail Page for each Rice Product includes a product description and a picture of the product's ingredients panel.

27. The Rice Products at issue in this case, and the levels of heavy metals found in each product, are listed in Appendix A.

28. Here is an example of a Product Detail Page for a Rice Product (365 Whole Foods Market Arborio White Rice):

365 Whole Foods Market	Arborio White Rice



(released Oct. 2020, adopted Apr. 2021), https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf, at 255.

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Nutrition Facts

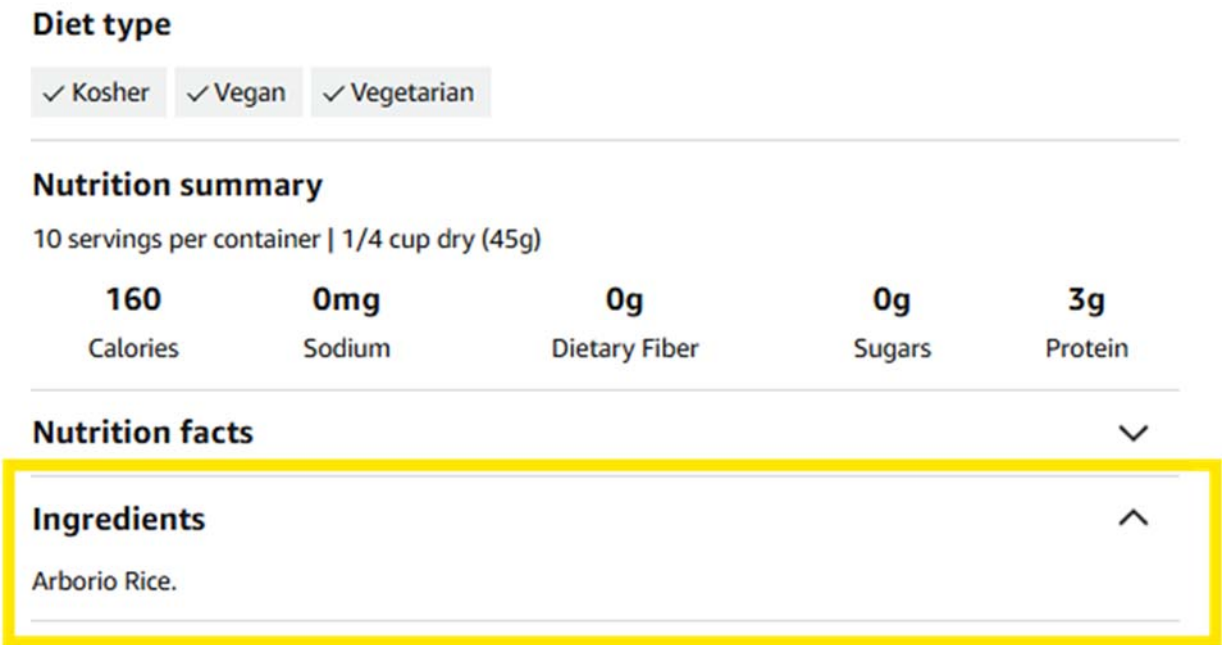
about 10 servings per container
Serving size 1/4 cup dry (45g)

Amount per serving	
Calories	**160**
	% Daily Value*
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 0mg	0%
Total Carbohydrate 35g	13%
Dietary Fiber 0g	0%
Total Sugars 0g	
Includes 0g Added Sugars	0%
Protein 3g	
Vitamin D 0mcg	0%
Calcium 0mg	0%
Iron 0mg	0%
Potassium 0mg	0%

*The % Daily Value tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

INGREDIENTS: ARBORIO RICE.

29. The Product Detail Page and ingredients panel do not disclose the presence of heavy metals. In fact, the page has a drop-down menu titled "Ingredients." If a consumer clicks on that drop-down menu, the only ingredient listed is "arborio rice":



Diet type

✓ Kosher ✓ Vegan ✓ Vegetarian

Nutrition summary

10 servings per container | 1/4 cup dry (45g)

160	0mg	0g	0g	3g
Calories	Sodium	Dietary Fiber	Sugars	Protein

Nutrition facts ⌄

Ingredients ⌃

Arborio Rice.

30. The Product Detail Page also contains a button with the question "Does it contain any additives or preservatives?":

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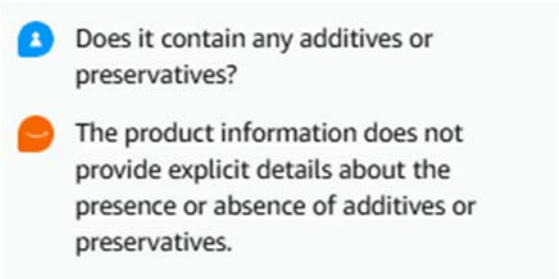
31. Consumers can click on the button, which reveals a statement that "The product information does not provide explicit details about the presence or absence of additives or preservatives":



32. The contents of the point-of-sale Product Detail Page show that (1) Amazon knows that the components of a food product are material to consumers and (2) Amazon fails to disclose to consumers the fact that the Rice Product contains heavy metals.

33. The Product Detail Page and ingredient information for each Rice Product are attached in Appendix B. The Product Detail Page for the Iberia Basmati 100% Aged Original Rice purchased by Plaintiffs Wright and Blum is set forth below:

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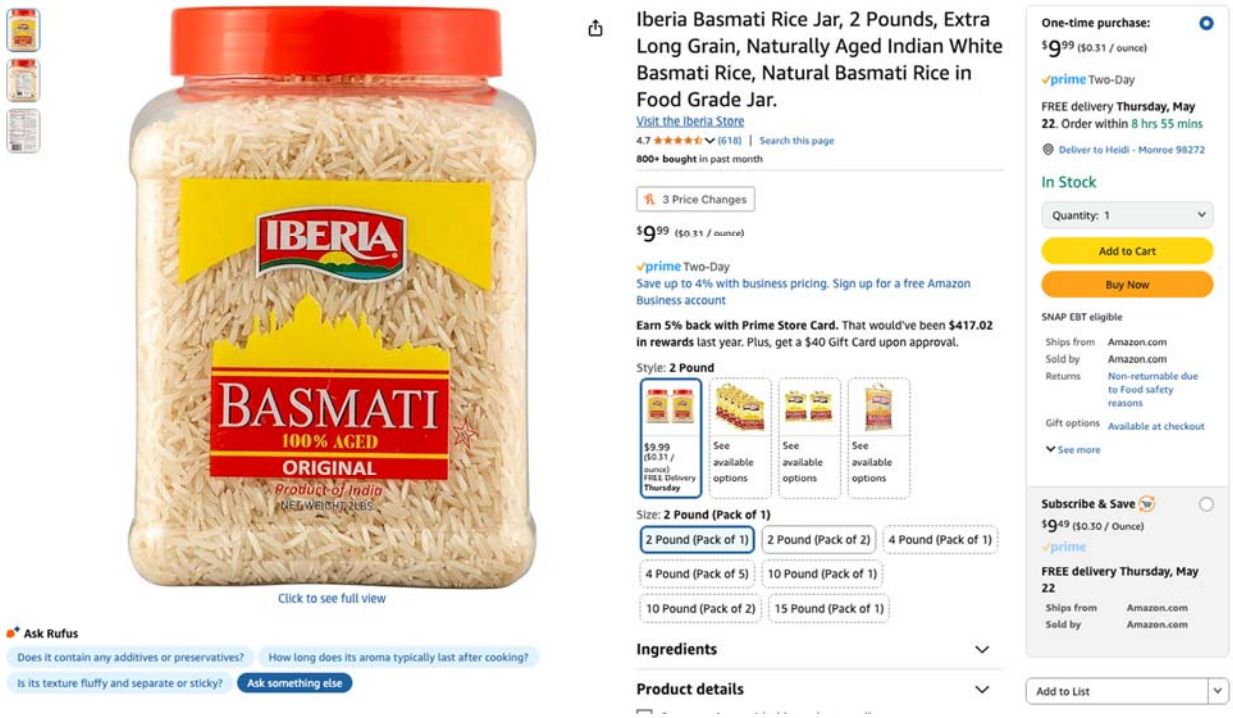
Iberia Basmati	100% Aged Original



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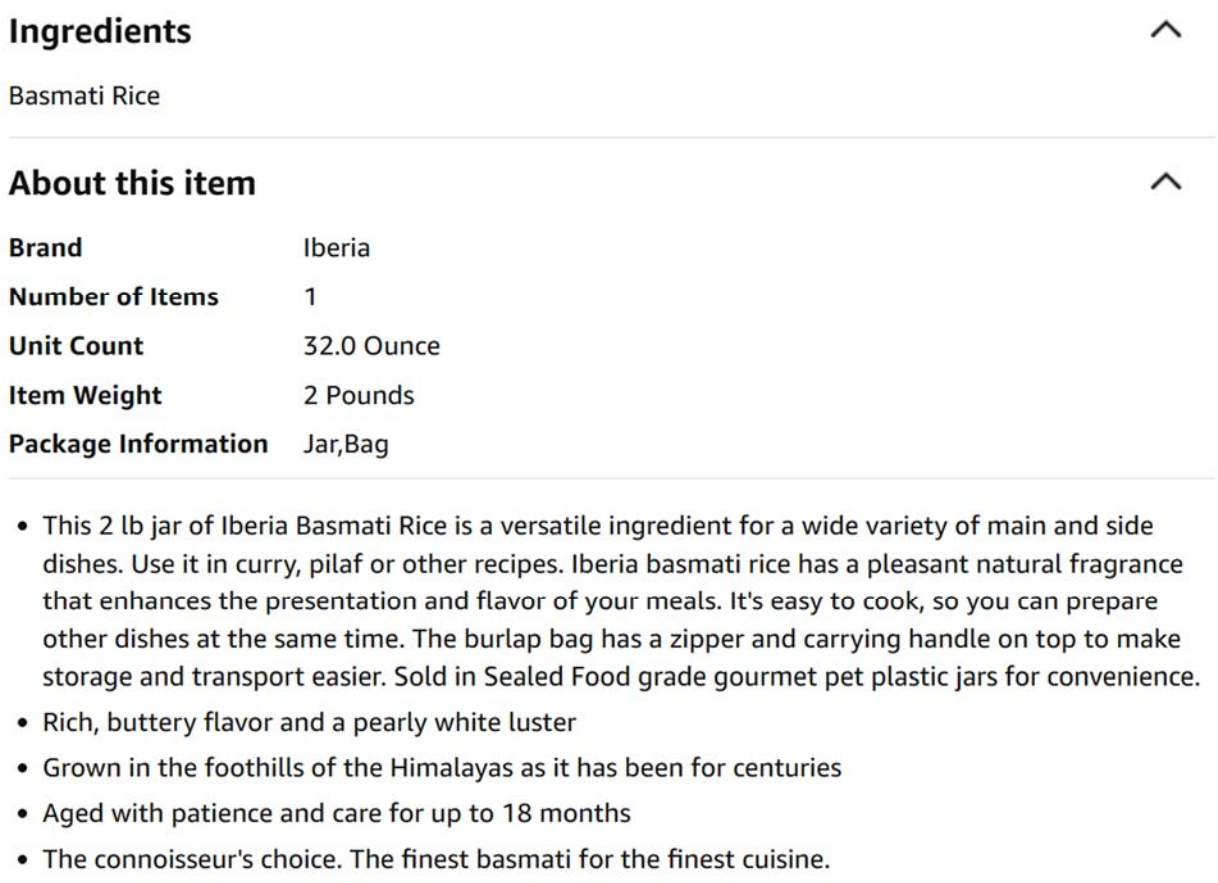
34. The Product Detail Page contains language touting the superiority of this particular product, but nowhere does it disclose that the rice contains dangerous heavy metals, including arsenic, cadmium, lead, and mercury:



Ingredients

Basmati Rice

About this item

Brand	Iberia
Number of Items	1
Unit Count	32.0 Ounce
Item Weight	2 Pounds
Package Information	Jar,Bag

- This 2 lb jar of Iberia Basmati Rice is a versatile ingredient for a wide variety of main and side dishes. Use it in curry, pilaf or other recipes. Iberia basmati rice has a pleasant natural fragrance that enhances the presentation and flavor of your meals. It's easy to cook, so you can prepare other dishes at the same time. The burlap bag has a zipper and carrying handle on top to make storage and transport easier. Sold in Sealed Food grade gourmet pet plastic jars for convenience.
- Rich, buttery flavor and a pearly white luster
- Grown in the foothills of the Himalayas as it has been for centuries
- Aged with patience and care for up to 18 months
- The connoisseur's choice. The finest basmati for the finest cuisine.

B. Rice and the Health Risks From Heavy Metal Contamination

35. Rice is the most widely consumed solid food in the world and a dietary staple for over a billion children. However, for more than 25 years, it has also been recognized as a major source of arsenic in the diet. Wide-ranging research has confirmed its presence in rice from every major growing region worldwide, including the brands and varieties sold in the U.S. In response, leading experts have called for action—for years now—urging health agencies to limit arsenic levels and mitigate health risks.[8]

[8] *What's In Your Family's Rice*, HEALTHY BABIES BRIGHT FUTURES (May 2025), https://hbbf.org/sites/default/files/2025-05/Arsenic-in-Rice-Report_May2025_R5_SECURED.pdf, at 6 (hereinafter "HBBF 2025 Report").

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36. New tests of 145 rice samples from retailers nationwide—including a wide range of U.S.-grown and imported varieties—reveals that rice sold in the U.S. remains widely contaminated with arsenic. Testing commissioned by Healthy Babies Bright Futures (HBBF) detected arsenic in 100% of samples, with more than one-fourth exceeding the federal limit set for infant rice cereal. No such limit exists for rice itself—*i.e.*, the bags and boxes of rice served at family meals—despite it being widely consumed by infants and toddlers.[9]

37. Heavy metals are associated with increased risk of cancer, neurological harm during early development, including IQ loss, and other health concerns.[10]

38. For children up to age 2, rice—not infant rice cereal—is the leading source of arsenic exposure from solid foods. This is especially true for those who eat foods made at home, or packaged foods from outside the baby food aisle, which contribute twice as much arsenic to a baby's diet as commercial baby food. Rice is also a primary concern in the increasingly popular practice of baby-led weaning, where infants are offered many of the same foods, including rice, as the rest of the family.[11]

39. Pregnancy is the most critical window for protecting children from arsenic's neurodevelopmental effects, including IQ loss.

40. The health concern with toxic heavy metals in rice lies not in short-term, acute harm, but in chronic, low-level exposures that accumulate over time—especially during critical developmental periods like pregnancy, infancy, and early childhood. Even low-level exposures can cause serious and irreversible damage over time. Rice is just one of many foods that contains heavy metals. But rice stands out—not just because it tends to have relatively high arsenic levels, but also because it's consumed frequently, resulting in significant cumulative exposure for individuals and the population as a whole.

[9] *Id.*

[10] *Id.*

[11] *Id.*

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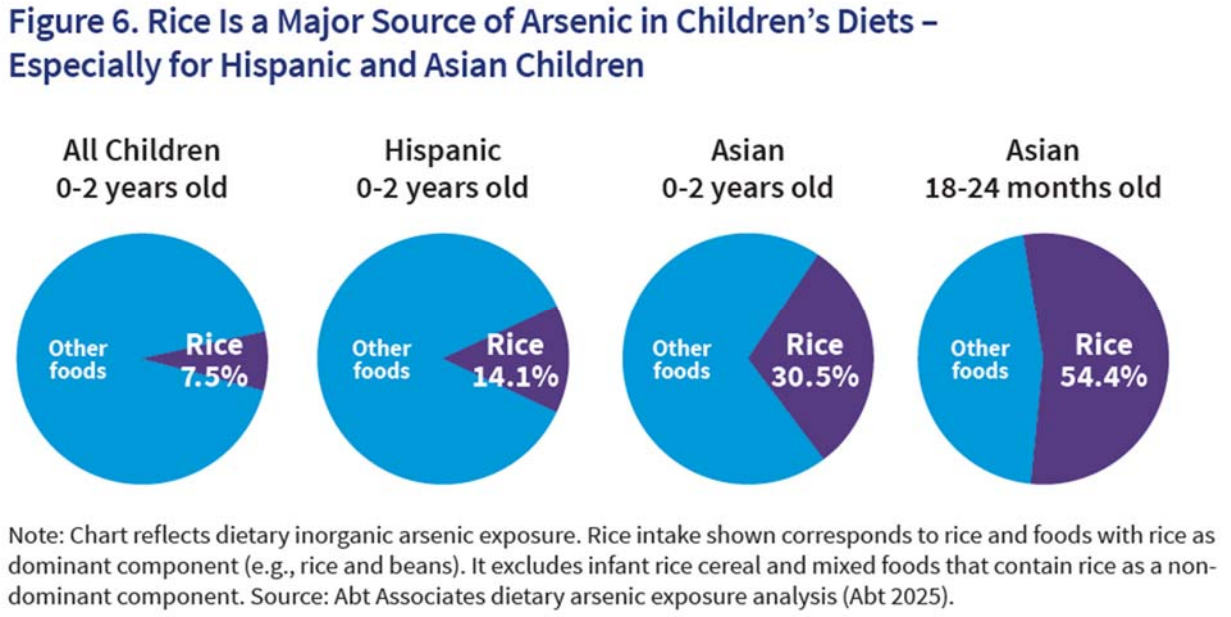
41. No amount of arsenic, cadmium, lead, or mercury is known to be safe. Collectively, these heavy metals are linked to cancer and neurodevelopmental harm, including IQ loss and cognitive and behavioral issues.[12]

42. The persistent issue of heavy metals in rice is especially consequential for Hispanic, Latino, and Asian American families, for whom rice is often a daily staple. Federal data shows that for children ages 0-2 in these communities, rice contributes a significantly larger share of daily arsenic exposure, up to seven times more than for other children. Asian American families, in particular, consume more rice than other groups, with one in six eating rice twice a day or more.[13]

Figure 1. Rice Is a Major Source of Arsenic in Children's Diets — Especially for Hispanic and Asian Children[14]



1. The role of rice in family diets: Insights from a community survey.

43. As part of its study, HBBF conducted a survey of rice consumption habits. The results highlight the importance of rice as a dietary staple for many families. Among respondents:

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[12] *Id.* at 9.

[13] *Id.* at 17.

[14] *Id.* at 18.

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- Three-fourths identify as Asian American, Hispanic, or Latino.
- One in six eat rice twice a day or more.
- One in eight introduce rice to infants at 6 months or younger, and one-third serve it to babies by their first birthday.
- For one-third of families, rice is either an important, frequent main dish or the single most important food in their diet.[15]

44. When asked about rice's role in their meals, families shared:

- "…When we are busy or don't have much to make at home, the go-to meal is rice and beans because those are items our household will always have and can afford."
- "My family has to have rice as the main dish with most meals. Even for breakfast, they sometimes eat porridge…"
- "We buy several 25+ lb bulk bags from Costco or Grocery Outlet—and they don't last long!"[16]

45. This survey underscores just how deeply rice is woven into the diets of many American families and the dangers of selling rice products that are high in heavy metals and do not contain warnings alerting consumers to the presence of those metals.

2. The heavy metals in rice can pose health risks, including diminished intelligence.

46. The concern with heavy metals in rice lies in chronic, low-level exposures that accumulate over time—especially during critical developmental periods like pregnancy, infancy, and early childhood.[17]

47. No amount of these mixtures of heavy metals is known to be safe. Collectively, they are linked to cancer and neurodevelopmental harm, including IQ loss and cognitive and behavioral issues. Repeated low-level exposures can have lasting effects and become especially significant when considered across the entire population.[18]

[15] *Id.* at 18.
[16] *Id.*
[17] *Id.* at 9.
[18] *Id.*

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48. Rice is just one of many foods that contains heavy metals. But rice stands out—not only because it has high arsenic levels, but also because it is widely consumed, and the foundation of some families' diets, leading to significant cumulative exposure.[19]

49. All four heavy metals found in rice can be harmful to adults and children, including children's developing brains and nervous systems.

3. Arsenic

50. Arsenic[20] is a well-known toxic substance linked to lung, bladder, and skin cancer, as well as heart disease and diabetes. But it also poses a risk to the developing brain. In its recent assessment of arsenic's health effects, the Environmental Protection Agency (EPA) reviewed 63 studies on arsenic's impact on IQ and neurodevelopment. The agency found that early-life exposures are associated with reduced IQ and a range of cognitive and behavioral problems for children and teenagers. Impacts occur even at typical background exposures in the U.S. An economic analysis commissioned by HBBF examined the impact of arsenic in rice-based foods on childhood IQ loss. Researchers at Abt Global, a leading toxicology and economic research firm, estimated that arsenic in these foods is responsible for up to 9.2 million lost IQ points among U.S. children ages 0-6. Arsenic can cause cognitive deficits in children who are exposed early in life, and even neurological problems in adults who were exposed as infants.[21] For children affected by arsenic-induced cognitive loss, the harm appears to be permanent.[22] "[E]ven low levels of arsenic exposure can impact a baby's neurodevelopment."[23] "Studies have shown that consuming products with arsenic over time can lead to impaired brain development, growth problems, breathing problems, and a compromised immune system."[24]

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[19] *Id.* at 20.

[20] Use of the word "arsenic" in this Complaint refers to inorganic arsenic, which is more toxic than organic arsenic and the form of arsenic that is most dangerous in rice. *See id.* at 1.

[21] *Id.* at 13.

[22] *Id.*

[23] U.S. Senators' Letter to the FDA , *supra* (citing Dartmouth Toxic Metals Superfund Research Program, *Arsenic and You: Information on Arsenic in Food, Water, & Other Sources - Arsenic and Children* (2021), https://sites.dartmouth.edu/arsenicandyou/arsenic-and-children/).

[24] *Id.*

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51. Arsenic exposure can also cause respiratory, gastrointestinal, hematological, hepatic, renal, skin, neurological and immunological effects, and damage children's central nervous systems and cognitive development.[25] Exposure to arsenic can also cause diabetes, atherosclerosis, and cardiovascular disease.[26]

52. Arsenic can cause cancer in humans, as well as diabetes and atherosclerosis, and potentially cardiovascular disease when ingested chronically.[27] Chronic exposure to arsenic has also been associated with dermatological lesions and malignancies.[28]

53. Moreover, "[t]here is no evidence that the harm caused by arsenic is reversible."[29]

54. Based on the risks associated with exposure to higher levels of arsenic, both the Environmental Protection Agency (EPA) and Food and Drug Administration (FDA) have set limits concerning the allowable limit of arsenic at 10 parts per billion (ppb) for human consumption in apple juice (regulated by the FDA) and drinking water (regulated by the EPA as a maximum contaminant level). The FDA has set the maximum allowable arsenic levels in bottled water at 10 ppb of arsenic.[30]

55. All of the Rice Products tested by HBBF contain more than 10 ppb of arsenic, and ***some of the Rice Products contain levels of arsenic as high as 149 ppb***.[31]

4. Cadmium

56. Cadmium is a toxic heavy metal linked to cancer, neurodevelopmental harm, and damage to the kidneys, bones, and heart. It is widely used in industry, is naturally present in

[25] Congressional Committee Report, *supra*, at 10.

[26] Prenatal Arsenic Exposure article, *supra*.

[27] *Id.*

[28] Stephen J. Genuis, et al., *Toxic Element Contamination of Natural Health Products and Pharmaceutical Preparations*, PLOS ONE (Nov. 21, 2012), 7(11): e49676, https://doi.org/10.1371/journal.pone.0049676.

[29] HBBF 2019 Report, *supra*, at 13.

[30] Laura Reiley, *New Report Finds Toxic Heavy Metals in Popular Baby Foods. FDA Failed to Warn Consumers of Risk*, WASHINGTON POST (Feb. 4, 2021), https://www.washingtonpost.com/business/2021/02/04/toxic-metals-baby-food/.

[31] Not all of the Rice Products tested by HBBF were purchased from Amazon. But all of the Rice Products at issue in this case are sold by Amazon, *see* Appendix B, and HBFF's tests of all the Rice Products showed detectable levels of inorganic arsenic, cadmium, lead, and/or mercury. *See* Appendix A.

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water and soil, and contaminates food and the environment. Though less well-known than arsenic or lead, cadmium presents risks to health even at low levels of exposure.[32]

57. A 2019 review found that prenatal cadmium exposure can impair children's language skills, cognitive development, and overall performance ability. Among the supporting evidence is a study led by Harvard researchers reporting that children with higher cadmium exposure—at levels previously considered safe—were three times more likely to have learning disabilities or require special education.[33]

58. Based on the risks associated with exposure to cadmium, the EPA and FDA have set limits concerning the allowable limit of arsenic at 5 ppb for human consumption in bottled water and drinking water.[34]

59. All of the Rice Products contain detectable levels of cadmium, all but two of them contain cadmium levels of more than 5 ppb, and ***one of the Rice Products contains cadmium at a level of 105 ppb***.

5. Lead

60. Lead is a highly toxic heavy metal, identified as a carcinogen, and its harmful effects cannot be reversed or remediated due to its accumulation in the body over time.[35]

61. No amount of lead is safe for human exposure or consumption, according to the FDA, Center for Disease Control, American Academy of Pediatrics, and World Health Organization (WHO).[36]

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[32] HBBF 2025 Report, *supra*, at 21.

[33] *Id.*

[34] *Cadmium in Food and Foodwares*, "Federal Regulations" Section, U.S. FOOD & DRUG ADMIN. (Mar. 5, 2024), https://www.fda.gov/food/environmental-contaminants-food/cadmium-food-and-foodwares.

[35] *See* Jesse Hirsch, *Heavy Metals in Baby Food: What You Need to Know*, CONSUMER REPORTS (Aug. 16, 2018, updated June 27, 2023), https://www.consumerreports.org/health/food-safety/heavy-metals-in-baby-food-a6772370847/ (hereinafter "*Consumer Reports: Heavy Metals in Baby Food*"); *ToxFAQs for Lead*, AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY, https://www.atsdr.cdc.gov/toxfaqs/tfacts13.pdf.

[36] *See Lead in Food and Foodwares*, FDA (updated Jan. 6, 2025), https://www.fda.gov/food/environmental-contaminants-food/lead-food-and-foodwares; *Childhood Lead Poisoning Prevention: CDC Updates Blood Lead Reference Value*, CDC (Apr. 2, 2024), https://www.cdc.gov/lead-prevention/php/news-features/updates-blood-lead-reference-value.html; *Lead Exposure in Children*, AMERICAN ACADEMY OF PEDIATRICS (last updated Jan. 2, 2025), https://www.aap.org/en/patient-care/lead-exposure/lead-exposure-in-children; WHO Lead Poisoning webpage, *supra*; *see also* Mike Snider, *FDA: Recalled Applesauce Pouches Had Elevated Lead Levels and Another Possible Contaminant*, USA TODAY (Jan. 5, 2024, updated Jan. 9, 2024),

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62. Exposure to lead can cause cancer, neuropathy and brain damage, hypertension, decreased renal function, increased blood pressure, and gastrointestinal and cardiovascular effects. It can also cause reduced fetal growth or lower birth weights.[37]

63. The EPA has found that "[l]ead can affect almost every organ and system in your body. Children six years old and younger are more susceptible to the effects of lead."[38]

64. For children, "[e]ven low levels of lead in blood of children can result in: [b]ehavior and learning problems[,] [l]ower IQ and hyperactivity[,] [s]lowed growth[,] [h]earing [p]roblems[,] [and] [a]nemia."[39]

65. Lead can also be transmitted from pregnant women to their babies during pregnancy because "[l]ead can accumulate in our bodies over time …. During pregnancy, lead is released from the mother's bones … and can pass from the mother exposing the fetus or the breastfeeding infant to lead."[40] This can result in "miscarriage, stillbirth, premature birth, and low birth weight infants."[41]

66. Lead is also harmful to adult health, and exposure to lead in adults is associated with increased blood pressure, increased risk of hypertension, reduced fetal growth in pregnant women, damage to reproductive organs, cognitive decline, heart disease, and worsened kidney function.[42]

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https://www.usatoday.com/story/money/food/2024/01/05/applesauce-pouch-recall-contamination-spreads/72121869007/.

[37] *Environmental and Health Impacts of Lead*, GENEVA ENVIRONMENT NETWORK (last updated Oct. 17, 2024), https://www.genevaenvironmentnetwork.org/resources/updates/lead-poisoning-prevention/.

[38] *Learn About Lead*, EPA (last updated Dec. 5, 2024), https://www.epa.gov/lead/learn-about-lead.

[39] *Id.*

[40] *Id.*

[41] T. Bhasin, et al., *Unveiling the Health Ramini factions of Lead Poisoning: A Narrative Review*, CUREUS (Oct. 9, 2023), 15(1):e46727, https://pmc.ncbi.nlm.nih.gov/articles/PMC10631288/.

[42] *NTP Monograph: Health Effects of Low-Level Lead*, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, NATIONAL TOXICOLOGY PROGRAM (June 2012), https://ntp.niehs.nih.gov/sites/default/files/ntp/ohat/lead/final/monographhealtheffectslowlevellead_newissn_508.pdf; A. Spivey, *The Weight of Lead: Effects Add Up in Adults*, ENVIRON. HEALTH PERSPECTIVES, Jan. 1, 2007, 115(1): A30-A36, https://ehp.niehs.nih.gov/doi/10.1289/ehp.115-a30; Ravi Rao, *Lead vs. Lead-Free Solder: Which is Better for PCB Manufacturing?*, WEVOLVER (Jan. 31, 2023), https://www.wevolver.com/article/lead-free-solder-vs-lead-solder.

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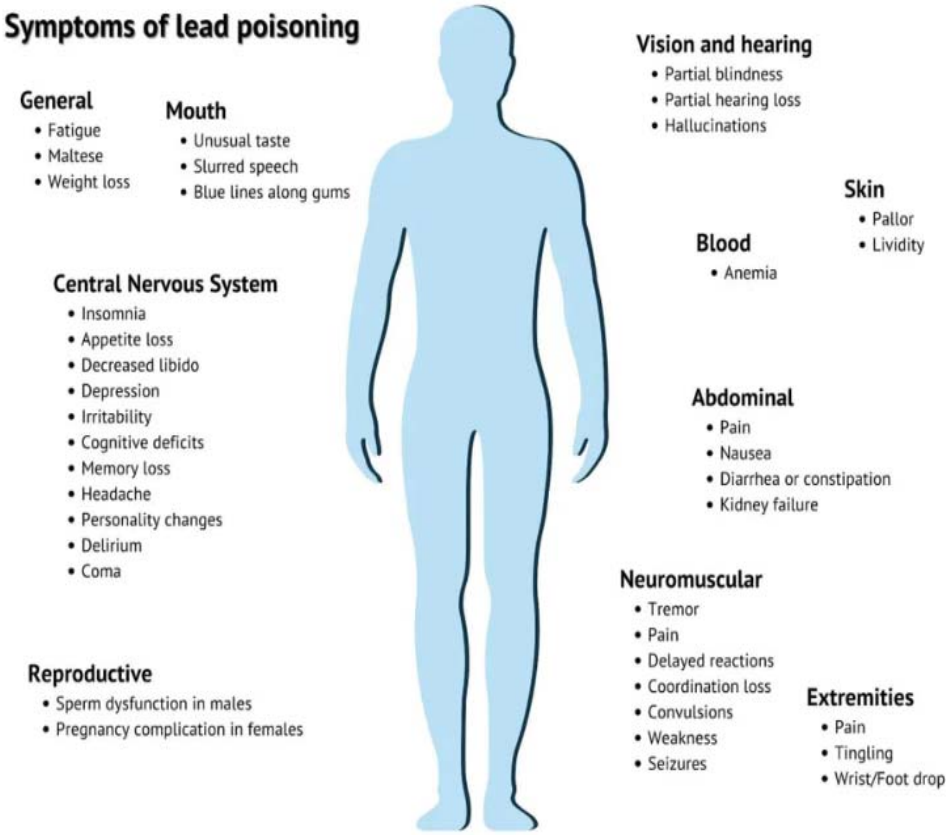

67. Because exposure to lead builds up in the human body over time, it can disrupt neurological, skeletal, reproductive, hematopoietic, renal, and cardiovascular systems.[43]

68. Even "[r]epeated low-level exposure [to lead] over a prolonged period" can result in clinical symptoms including "[p]ersistent vomiting, encephalopathy, lethargy, delirium, and coma[.]"[44]

69. At least 12 of the Rice Products Amazon sells contain detectable amounts of lead.

6. Mercury

70. The EPA has found that mercury exposure "can harm the brain, heart, kidneys, lungs, and immune system of people of all ages."[45]

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[43] Collin, M. Samuel, et al., *Bioaccumulation of Lead (Pb) and Its Effects on Human: A Review*, JOURNAL OF HAZARDOUS MATERIAL ADVANCES (Aug. 2022), Vol. 7, https://www.sciencedirect.com/science/article/pii/S277241662200050X?via%3Dihub.

[44] Taanvi Bhasin, et al., *Unveiling the Health Ramifications of Lead Poisoning: A Narrative Review*, CUREUS, (Oct. 9, 2023), 15(10), https://www.cureus.com/articles/184381-unveiling-the-health-ramifications-of-lead-poisoning-a-narrative-review#!/.

[45] *Basic Information about Mercury*, EPA, https://www.epa.gov/mercury/basic-information-about-mercury.

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71. Similar to lead, "[e]xposure to mercury – even in small amounts – may cause serious health problems, and is a threat to the development of the child in utero and early in life."[46]

72. Scientific studies have found that mercury "can cause disorders such as various cancers; endothelial dysfunction; gastric and vascular disorders; liver, kidney, and brain damage; hormonal imbalances, miscarriages, and reproductive disorders; skin lesions; vision damage; and even death."[47]

73. Mercury has no known "positive functionality in the human body, and even at low concentrations, it can have harmful long-term health effects, causing headaches, limb pain, tooth loss, or general weakness."[48]

74. Mercury increases the risk for cardiovascular disease and can cause vision, intelligence, and memory problems for children exposed in utero. Exposure to mercury has been linked to higher risk of lower IQ scores and intellectual disability.[49]

75. Mercury exposure at two and three years of age has been positively associated with autistic behaviors among pre-school age children.[50]

76. At least 14 of the Rice Products Amazon sells contain detectable amounts of mercury.

C. There Is No Safe Level of Heavy Metals

77. Government agencies and other experts acknowledge and agree there are no known safe levels of heavy metals.

- Conrad Choiniere, Director of the Office of Analytics and Outreach in the FDA's Center for Food Safety and Applied Nutrition: "However overall exposure adds up because many of the foods we eat contain these contaminants in small amounts. This is not to say that we should not be concerned. On the

[46] *Mercury and Health*, WORLD HEALTH ORGANIZATION, https://www.who.int/news-room/fact-sheets/detail/mercury-and-health.

[47] A. Charkiewicz, et al., *Mercury Exposure and Health Effects: What Do We Really Know?*, INT'L JOURNAL OF MOLECULAR SCIENCE (Mar. 5, 2025), 26(5), 2326, https://www.mdpi.com/1422-0067/26/5/2326.

[48] *Id.*

[49] *See* HBBF 2019 Report, *supra*, at 14.

[50] *See* Congressional Committee Report, *supra*, at 12-13.

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contrary, for the contaminants we are discussing today, we have not identified safe levels of exposure for developmental outcomes."[51]

- Dr. Aparna Bole, pediatrician speaking on behalf of the AAP: "There is no known safe level of exposure to these metals for children. Exposure to toxic elements has a disproportionate effect on infants and toddlers because their brains are rapidly developing, especially during their first 1,000 days."[52]

- Dr. Karagas, Professor and Chair of the Department of Epidemiology at the Geisel School of Medicine at Dartmouth College: "Arsenic, cadmium, mercury and lead, shown here, circled in these red circles, they do not have any known physiologic essential function in the body and there is no known safe level to our knowledge."[53]

78. Heavy metals are neurotoxins, or poisons, which affect the nervous system.[54]

79. With respect to children, exposure to these heavy metals "diminish[es] quality of life, reduce[s] academic achievement, and disturb[s] behaviour, with profound consequences for the welfare and productivity of entire societies."[55] Heavy metals can harm the "developing brain and nervous system" and cause negative impacts such as "the permanent loss of intellectual capacity and behavioral problems like attention-deficit hyperactivity disorder ('ADHD')."[56] Even in trace amounts, heavy metals can alter the developing brain and erode a child's intelligence quotient ("IQ").[57]

80. Due to their smaller physical size and still-developing brain and organs, toddlers are particularly susceptible to the toxic effects of heavy metals because "[t]hey also absorb more of the heavy metals that get into their bodies than adults do."[58]

81. Heavy metals disturb the body's metabolism and cause "significant changes in various biological processes such as cell adhesion, intra- and inter-cellular signaling, protein

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[51] Closer to Zero Public Meeting Transcript, *supra*, at 32.

[52] *Id.* at 179.

[53] *Id.* at 72.

[54] *See, e.g.*, Congressional Committee Report, *supra*, at 2 ("The Food and Drug Administration and the World Health Organization have declared them dangerous to human health, particularly to babies and children, who are most vulnerable to their neurotoxic effects.").

[55] HBBF 2019 Report, *supra*, at 13.

[56] *Id.* at 6.

[57] *See* Congressional Committee Report, *supra*, at 2.

[58] *Consumer Reports: Heavy Metals in Baby Food*, *supra* (internal citation omitted).

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folding, maturation, apoptosis, ionic transportation, enzyme regulation, and release of neurotransmitters."[59]

82. According to Victor Villarreal, Ph.D., Assistant Professor in the Department of Educational Psychology at the University of Texas at San Antonio, who has studied the effects of heavy metals on childhood development, "[t]he effects of early exposure to heavy metals can have long-lasting impacts that may be impossible to reverse."[60]

83. Research continues to confirm that exposures to heavy metals cause "troubling risks for babies, including cancer and lifelong deficits in intelligence[.]"[61]

84. As Dr. James E. Rogers, the director of food safety research and testing at Consumer Reports, has said "***[t]here is no safe level of heavy metals***, so the goal should be to have no measurable levels of any heavy metal in baby and toddler foods."[62]

85. FDA and the WHO have declared heavy metals "dangerous to human health, particularly to babies and children, who are most vulnerable to their neurotoxic effects."[63]

86. Of additional concern to developing children are the health risks related to simultaneous exposure to multiple heavy metals as "co-exposures can have interactive adverse effects."[64]

87. The health effects associated with exposure to heavy metals are not limited to infants and young children. Exposure to heavy metals, even in small amounts, can lead to life-long effects. Heavy metals can remain in the human body for years and as a result, can accumulate in the kidneys and other internal organs, increasing their risk to a person over time.[65]

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[59] Monisha Jaishankar, et al., *Toxicity, Mechanism and Health Effects of Some Heavy Metals*, at 62, INTERDISCIPLINARY TOXICOLOGY (Nov. 14, 2014), 7(2), 60-72, https://doi.org/10.2478/intox-2014-0009.

[60] *Consumer Reports: Heavy Metals in Baby Food*, *supra*.

[61] HBBF 2019 Report, *supra*, at 1.

[62] *Congressional Report Finds More Problems with Heavy Metals in Baby Food*, *supra* (emphasis added).

[63] Congressional Committee Report, *supra*, at 2.

[64] Rachel Morello-Frosch, et al., *Environmental Chemicals in an Urban Population of Pregnant Women and Their Newborns from San Francisco* at 2, ENVIRONMENTAL SCIENCE & TECHNOLOGY (Nov. 15, 2016), 50(22),12464-12472, https://stacks.cdc.gov/view/cdc/80511.

[65] Congressional Committee Report, *supra*, at 2.

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88. Because heavy metals can bioaccumulate in the body, even regular consumption of small amounts can increase the material risk of various health issues, including bladder, lung, and skin cancer; cognitive and reproductive problems; and type 2 diabetes.[66]

89. Exposure to heavy metals has also been shown to have long-lasting effects on cardiovascular toxicity, hypertension, arrhythmia, atherosclerosis,[67] as well as gastrointestinal and kidney dysfunction, nervous system disorders, skin lesions, vascular damage, immune system dysfunction, birth defects, and cancer.[68]

D. Amazon's Rice Products Could Be Produced with Lower Levels of Heavy Metals or Amazon Could Disclose the Presence of Heavy Metals in Its Rice Products

90. Amazon could have manufactured its Rice Products to contain lower levels of heavy metals. Methods for reducing contaminants in rice or rice-based products exist across both farming and manufacturing. Recent research suggests that strategically timing field wetting and drying cycles, along with careful management of soil moisture, fertilizer application, and other factors can help growers minimize both cadmium and arsenic levels in rice.[69]

91. Amazon could also disclose the presence of heavy metals in all the Rice Products it sells. Amazon controls its Product Detail Pages, and it could ensure that heavy metals in the Rice Products it manufactures itself were tested for and disclosed. Amazon could also require the third-party merchants that list Rice Products on Amazon's Marketplace test for the presence of heavy metals and disclose any such contaminants in their product descriptions.

E. The Material Omissions Mislead and Deceive Reasonable Consumers

92. Amazon does not disclose anywhere on the Product Detail Pages for the Rice Products (or anywhere else) that the Rice Products contain heavy metals. Those point-of-sale webpages list the ingredients of the Rice Products but omit any mention of arsenic, cadmium, lead, or mercury.

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[66] *See id.*

[67] Pan Ziwei, et al., *Heavy Metal Exposure and Cardiovascular Disease*, CIRCULATION RESEARCH (Apr. 25, 2024), https://www.ahajournals.org/doi/epub/10.1161/CIRCRESAHA.123.323617.

[68] Mahdi Balali-Mood, et al., *Toxic Mechanisms of Five Heavy Metals: Mercury, Lead, Chromium, Cadmium, and Arsenic*, FRONTIERS IN PHARMACOLOGY (Apr. 12, 2021), https://www.frontiersin.org/journals/pharmacology/articles/10.3389/fphar.2021.643972/full.

[69] HBBF 2025 Report, *supra*, at 10.

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93. The presence of heavy metals in the Rice Products is material to consumers.

94. Amazon's Omissions wrongfully cause consumers to believe that Amazon's Rice Products do not contain heavy metals, when in fact the Rice Products do contain arsenic, cadmium, lead, and/or mercury.

95. Information regarding the presence of heavy metals in the Rice Products is in the exclusive possession of Amazon and not readily available to consumers. Amazon chose to not disclose such information to consumers and thus actively concealed the presence of heavy metals in the Rice Products.

96. Reasonable consumers must and do rely on Amazon to honestly report what its Rice Products contain.

97. Because of Amazon's failure to disclose the presence of heavy metals on the Rice Products' packaging and point-of-sale webpages, no reasonable consumer would expect, suspect, or understand that the Rice Products contained heavy metals.

98. Amazon had a duty to ensure the Rice Products were not deceptively, misleadingly, unfairly, and falsely marketed and that all material information was properly and fully disclosed.

99. The Omissions are material and reasonably likely to deceive reasonable consumers, such as Plaintiffs, in their purchasing decisions.

100. The Omissions were intended to and did, in fact, cause consumers like Plaintiff and the other Class Members, to purchase products they would not have purchased if Amazon had disclosed that the products contained heavy metals, or for which they would not have paid a premium price, or any price at all.

101. As a result of the Omissions, Amazon generated substantial sales and profited from Plaintiffs' lack of information about the presence of heavy metals in the Rice Products.

102. Plaintiffs and other reasonable consumers would not have purchased the Rice Products or would have paid less for them but for the Omissions.

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V. CLASS ALLEGATIONS

103. Plaintiffs bring this action individually and on behalf of the following Classes pursuant to Fed. R. Civ. P. 23(a), (b)(2) and (3), and (c)(4):

> **Nationwide Class**: All persons who, during the applicable statute of limitations to the present, purchased the Rice Products from Amazon in the United States for household use, and not for resale (the "Nationwide Class").

104. Excluded from the Classes are Defendant, any of Defendant's parent companies, subsidiaries, and/or affiliates, officers, directors, legal representatives, employees, or co-conspirators, all governmental entities, and any judge, justice, or judicial officer presiding over this matter.

105. This action is brought and may be properly maintained as a class action. There is a well-defined community of interests in this litigation and the Class Members are easily ascertainable.

106. **Numerosity**: The Class Members are so numerous that individual joinder of all members is impracticable, and the disposition of the claims of the Class Members in a single action will provide substantial benefits to the parties and Court.

107. **Commonality and Predominance**: There are many questions of law and fact common to the claims of Plaintiffs and the other Class Members, and those questions predominate over any questions that may affect individual Class Members. Questions of law and fact common to Plaintiffs and the Classes include, but are not limited to, the following:

a. whether the Omissions were misleading;

b. whether Defendant owed a duty to disclose;

c. whether Defendant knew or should have known that the Rice Products contained heavy metals;

d. whether Defendant failed to disclose that the Rice Products contained heavy metals;

e. whether Defendant's packaging is false, deceptive, and misleading based on the Omissions;

f. whether the Omissions are material to a reasonable consumer;

g. whether the Omissions are likely to deceive a reasonable consumer;

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h. whether Defendant had knowledge that the Omissions were material, false, deceptive, and misleading;

i. whether Defendant had exclusive knowledge of the Omissions;

j. whether Plaintiffs could have reasonably discovered the Omissions;

k. whether Defendant engaged in unfair trade practices;

l. whether Defendant engaged in false advertising;

m. whether Defendant made fraudulent omissions;

n. whether Defendant made fraudulent misrepresentations by omissions;

o. whether Plaintiffs and the Class Members are entitled to actual, statutory, and punitive damages; and

p. whether Plaintiffs and the Class Members are entitled to declaratory and injunctive relief.

108. Defendant engaged in a common course of conduct giving rise to the legal rights sought to be enforced by Plaintiffs individually and on behalf of all the Class Members. Identical statutory violations and business practices and harms are involved. Individual questions, if any, are not prevalent in comparison to the numerous common questions that dominate this action.

109. **Typicality**. Plaintiffs' claims are typical of the claims of the Class Members. Plaintiffs and the Class Members sustained damages as a result of Defendant's uniform wrongful conduct during transactions with them.

110. **Adequacy**: Plaintiffs will fairly and adequately represent and protect the interests of the Classes and have retained counsel competent and experienced in complex litigation and class actions. Plaintiffs have no interests antagonistic to those of the Classes, and there are no defenses unique to Plaintiffs. Plaintiffs and their counsel are committed to prosecuting this action vigorously on behalf of the Class Members and have the financial resources to do so. Neither Plaintiffs nor their counsel have any interest adverse to those of the Class Members.

111. **Risks of Prosecuting Separate Actions**: This case is appropriate for certification because prosecution of separate actions would risk either inconsistent adjudications which would establish incompatible standards of conduct for Defendant or would be dispositive of the interests of members of the Classes.

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112. **Policies Generally Applicable to the Classes**: This case is appropriate for certification because Defendant has acted or refused to act on grounds generally applicable to the Plaintiffs and Classes as a whole, thereby requiring the Court's imposition of uniform relief to ensure compatible standards of conduct towards Class Members and making final injunctive relief appropriate with respect to the Classes as a whole. Defendant's practices challenged herein apply to and affect the Class Members uniformly, and Plaintiffs' challenge to those practices hinges on Defendant's conduct with respect to the Classes as a whole, not on individual facts or law applicable only to Plaintiffs.

113. **Superiority**: This case is also appropriate for certification because class proceedings are superior to all other available means of fair and efficient adjudication of the claims of Plaintiffs and the Class Members. The injuries suffered by each Class Member are relatively small in comparison to the burden and expense of individual prosecution of the litigation necessitated by Defendant's conduct. Absent a class action, it would be virtually impossible for the Class Members to obtain effective relief from Defendant. Even if Class Members could sustain individual litigation, it would not be preferable to a class action because individual litigation would increase the delay and expense to all parties, including the Court, and would require duplicative consideration of the common legal and factual issues presented here. By contrast, a class action presents far fewer management difficulties and provides the benefits of single adjudication, economies of scale, and comprehensive supervision by a single Court.

VI. CHOICE OF LAW

114. Washington law applies to Plaintiffs' claims by virtue of a choice-of-law provision that is set forth in "Conditions of Use" that appear on Amazon's website:

> By using any Amazon Service, you agree that applicable federal law, and the laws of the state of Washington, without regard to principles of conflict of laws, will govern these Conditions of Use and any dispute of any sort that might arise between you and Amazon.[70]

[70] Conditions of Use, AMAZON (updated Sept. 14, 2022), https://www.amazon.com/gp/help/customer/display.html?nodeId=GLSBYFE9MGKKQXXM (last accessed May 23, 2025).

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VII. CLAIMS FOR RELIEF

COUNT I
VIOLATION OF THE WASHINGTON CONSUMER PROTECTION ACT
(WASH. REV. CODE ANN. § 19.86.010, *ET SEQ.*)

115. Plaintiffs incorporate by reference all preceding allegations as though fully set forth herein.

116. Plaintiffs bring this Count on behalf of all Class members.

117. The Washington Consumer Protection Act ("Washington CPA") broadly prohibits "[u]nfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce." WASH. REV. CODE ANN. § 19.96.010.

118. Amazon's acts complained of herein are deceptive and unfair within the meaning of the Washington CPA. WASH. REV. CODE ANN. § 19.96.010.

119. Amazon committed the acts complained of herein in the course of "trade" or "commerce" within the meaning of the Washington CPA. WASH. REV. CODE ANN. § 19.96.010.

120. Amazon's deceptive and unfair practices, as alleged herein, are injurious to the public interest as they have the capacity to injure other persons, including the millions of consumers who shop on Amazon.com.

121. Amazon's deceptive and unfair practices, as alleged herein, injured Plaintiffs and the Class in their business or property. Plaintiffs and the Class paid for Rice Products that were marketed as fit for human consumption but in fact contained dangerous heavy metals, including arsenic, cadmium, lead, and/or mercury. If not for Amazon's deceptive and unfair conduct, Plaintiffs and the Class would not have purchased Amazon's Rice Products, or they would not have purchased Amazon's Rice Products at the prices they paid.

122. Amazon is liable to Plaintiffs for damages in amounts to be proven at trial, including attorneys' fees, costs, and treble damages, as well as any other remedies the Court may deem appropriate under WASH. REV. CODE ANN. § 19.86.090.

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COUNT II
FRAUDULENT CONCEALMENT
(Based on Washington Law)

123. Plaintiffs incorporate by reference all preceding allegations as though fully set forth herein.

124. Plaintiffs bring this Count on behalf of all Class members.

125. Amazon concealed and suppressed material facts regarding its Amazon Rice Products.

126. Amazon's omissions and/or misrepresentations alleged herein caused Plaintiffs and the Class to make their Rice Product purchases. Plaintiffs were unaware of these material facts, and had Amazon communicated these material facts to consumers, Plaintiffs and the Class would not have purchased the Rice Products, or would not have purchased the Rice Products at the prices they paid. Accordingly, Plaintiffs and the Class have suffered injury in fact, including lost money or property, as a result of Amazon's misrepresentations and Omissions.

127. Accordingly, Amazon is liable to Plaintiffs and the Class for damages in an amount to be proven at trial, including but not limited to, benefit-of-the-bargain damages, restitution and/or diminution of value.

128. Amazon's acts were done wantonly, maliciously, oppressively, deliberately, with intent to defraud, and in reckless disregard of Plaintiff's and other Class members' rights, in order to enrich Amazon. Amazon's conduct warrants an assessment of punitive damages in an amount sufficient to deter such conduct in the future, which amount is to be determined according to proof.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, individually and on behalf of members of the Class, respectfully request that the Court enter judgment in their favor and against Amazon, as follows:

A. Certification of the proposed Class, including appointment of Plaintiffs' counsel as Class Counsel;

B. An order temporarily and permanently enjoining Amazon from continuing the unlawful, deceptive, fraudulent, and unfair business practices alleged herein;

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C. Costs, restitution, damages, including punitive damages, and disgorgement in an amount to be determined at trial;

D. An order requiring Amazon to pay both pre- and post-judgment interest on any amounts awarded;

E. An award of costs and attorneys' fees; and

F. Such other or further relief as may be appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial for all claims so triable.

DATED: May 23, 2025

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

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rpeterson@4-justice.com

Attorneys for Plaintiffs

APPENDIX A

HBBF Sample Number	Brand	Product	Arsenic (ug/kg)	Cadmium (ug/kg)	Lead (ug/kg)	Mercury (ug/kg)	Inorganic Arsenic (ug/kg)	Store	City, State
HBR-193	365 Whole Foods Market	Arborio White Rice	204	12.1	ND (<1.0)	4.2	103	Amazon online - Whole Foods	--
HBR-178	365 Whole Foods Market	Enriched Calrose Rice Medium Grain	95.7	2.7	ND (<1.0)	0.5*	67.4	Amazon online	--
HBR-201	365 Whole Foods Market	Sushi Rice Short Grain White	113	2.9	1*	0.4*	71.1	Amazon online - Whole Foods	--
HBR-195	4 Sisters	Extra Long Grain Organic Brown Rice	305	10.9	ND (<1.0)	3.6	147	Amazon online	---
HBR-033	4 Sisters	Extra Long Grain Organic Brown Rice	203	31	ND (<1.0)	ND (<3.6)	106	King Soopers	Denver CO
HBR-175	Andy's	Charleston Gold Rice	276	105	2.8*	5.1	75.5	Amazon online	---
HBR-107	Ben's Original	Whole Grain Brown Rice (parboiled)	253	14.8	1.4*	5*	149	Food Lion	Chapin SC
HBR-162	Ben's Original	Ready Rice Long Grain White Original (ready-to-heat)	86.3	3.6	2.9	ND (<3.3)	65.6	King Scoopers	Boulder CO
HBR-176	Carolina Plantation	Carolina Gold Rice	162	12.7	1.5*	2.4	83.4	Amazon online	--
HBR-192	Iberia Basmati	100% Aged Original	134	24.6	1.2*	2.4	96.2	Amazon online	--
HBR-199	Khazana	Premium Basmati	85.4	24.3	1.7*	1.1*	70.2	Amazon online	--
HBR-179	Marsh Hen Mill	Carolina Gold Rice	301	38.5	ND (<0.9)	2	110	Amazon online	--
HBR-202	Pride of India	Indian White Basmati	85.4	19	2.7*	1.6*	61.6	Amazon online	--
HBR-172	RiceSelect	Sushi Premium Short Grain Rice	169	6.3	1.2*	1.2*	67.2	Amazon online	--
HBR-009	RiceSelect	Brown Texmati Signature Variety American Style Basmati Rice	522	6.8	1.1*	ND (<3.3)	123	Safeway	Kensington MD
HBR-173	Riso Scotti	Riso Italiano Per Risotto Arborio	182	46	ND (<1.0)	5.2	108	Amazon online	--
HBR-087	Royal	Authentic Basmati Rice	57.9	10.8	ND (<0.9)	ND (<3.2)	48.2	CARRS Safeway	Anchorage AK
HBR-198	Royal	Organic Basmati Rice	41.1	43.1	1.1*	1*	18.2	Amazon online	---

Note: ug/kg (parts per billion) = micrograms of contaminant per kilogram of dry grain (except in samples with added water, noted as "ready-to-heat", which are given on a wet weight basis)

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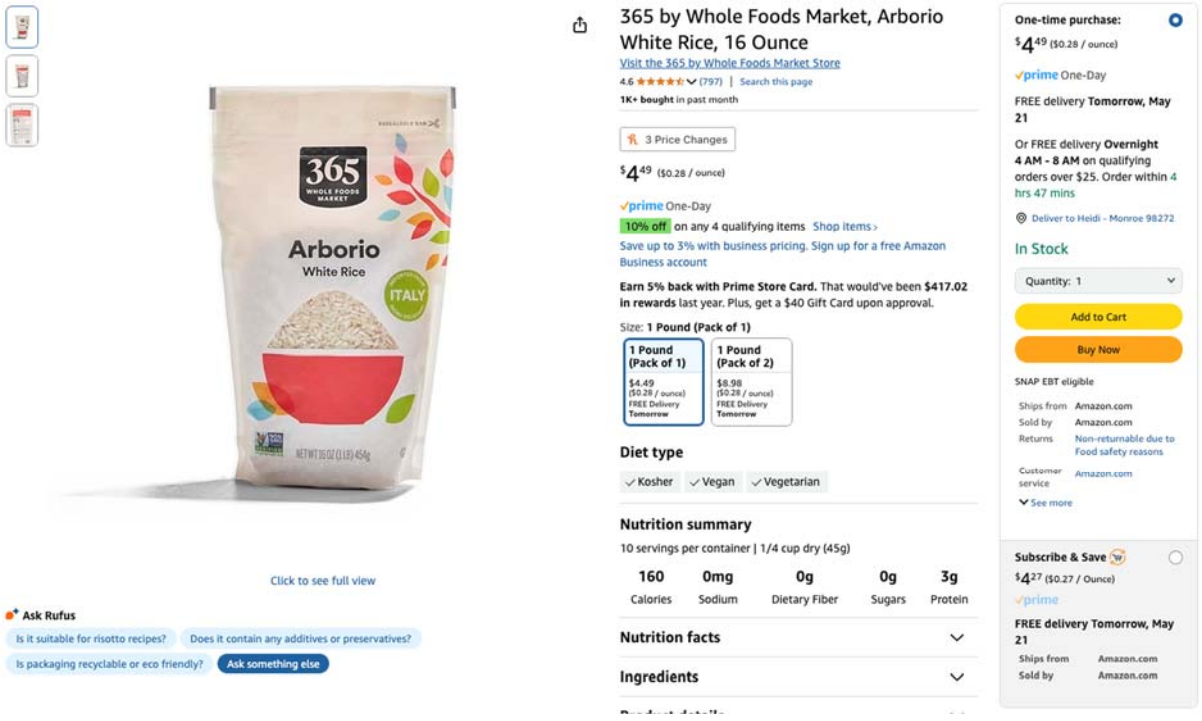
APPENDIX B

PRODUCT PICTURES

365 Whole Foods Market	Arborio White Rice



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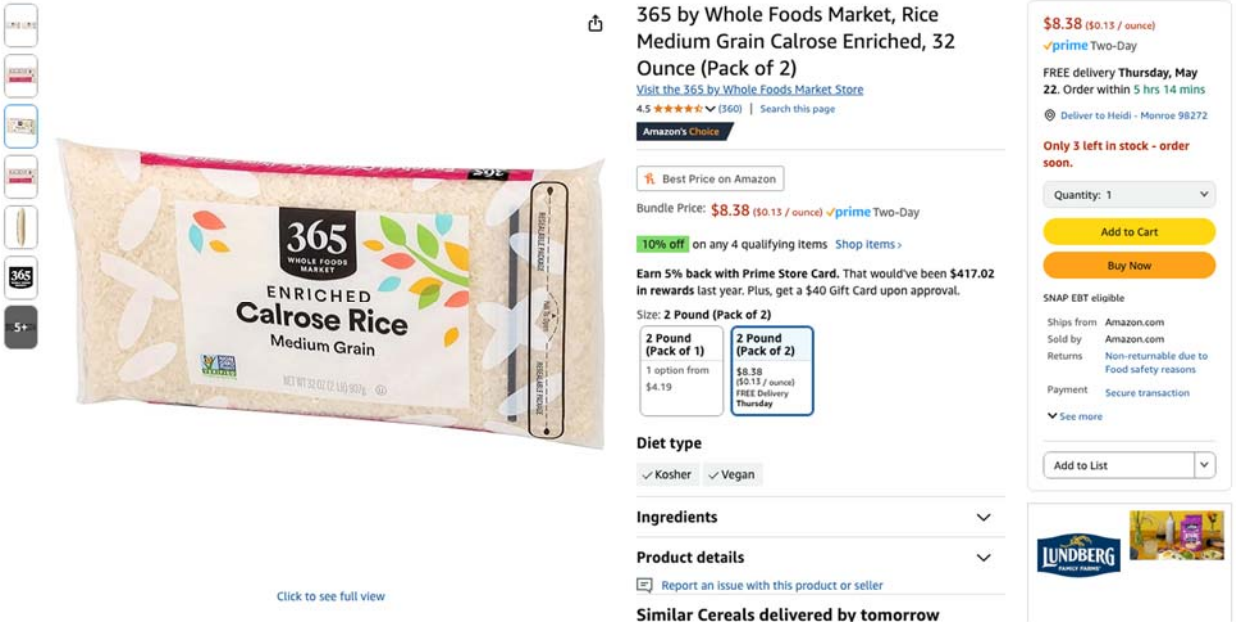
365 Whole Foods Market	Enriched Calrose Rice Medium Grain



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365 Whole Foods Market	Sushi Rice Short Grain White

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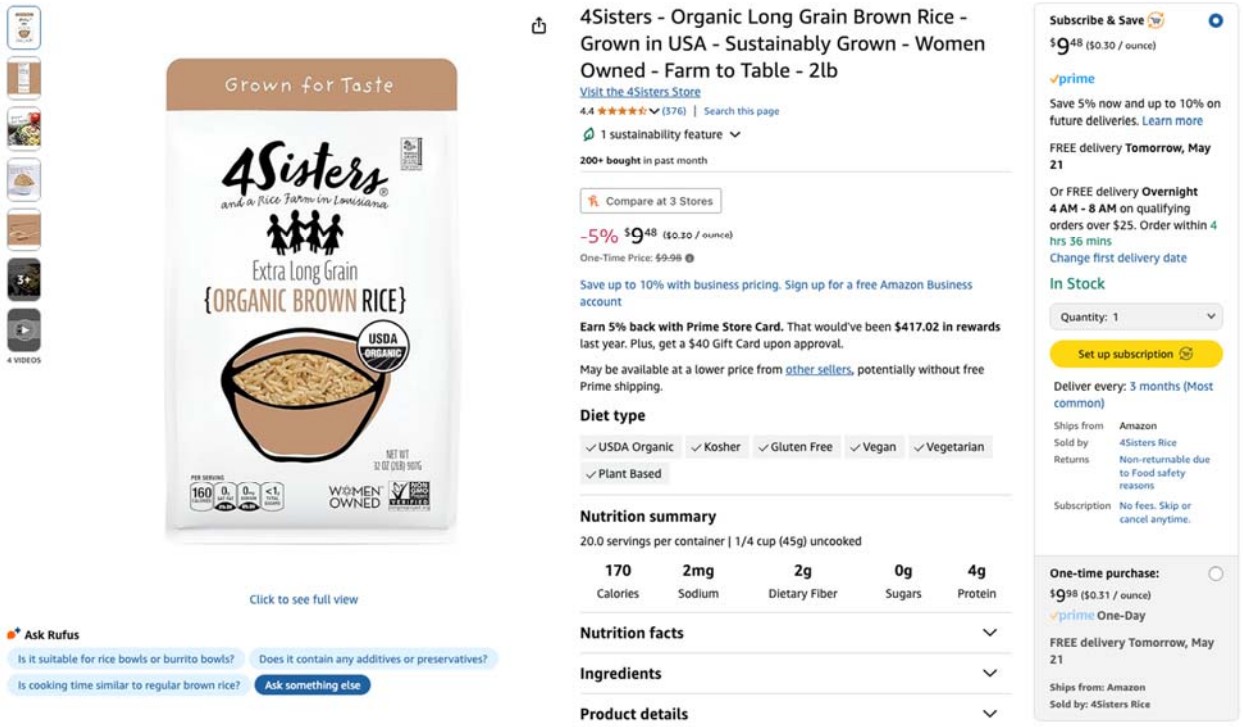
4 Sisters	Extra Long Grain Organic Brown Rice



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Andy's	Charleston Gold Rice

Nutrition Facts

about 12 servings per container

Serving size **1/4 cup (45g)**

Amount per serving

Calories **170**

	% Daily Value*
Total Fat 1.5g	**2%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 0mg	**0%**
Total Carbohydrate 34g	**12%**
Dietary Fiber 2g	**7%**
Total Sugars 0g	
Includes 0g Added Sugars	**0%**
Protein 3g	
Vitamin D 0mcg	0%
Calcium 4mg	0%
Iron 1mg	6%
Potassium 113mg	2%

*The % Daily Value tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

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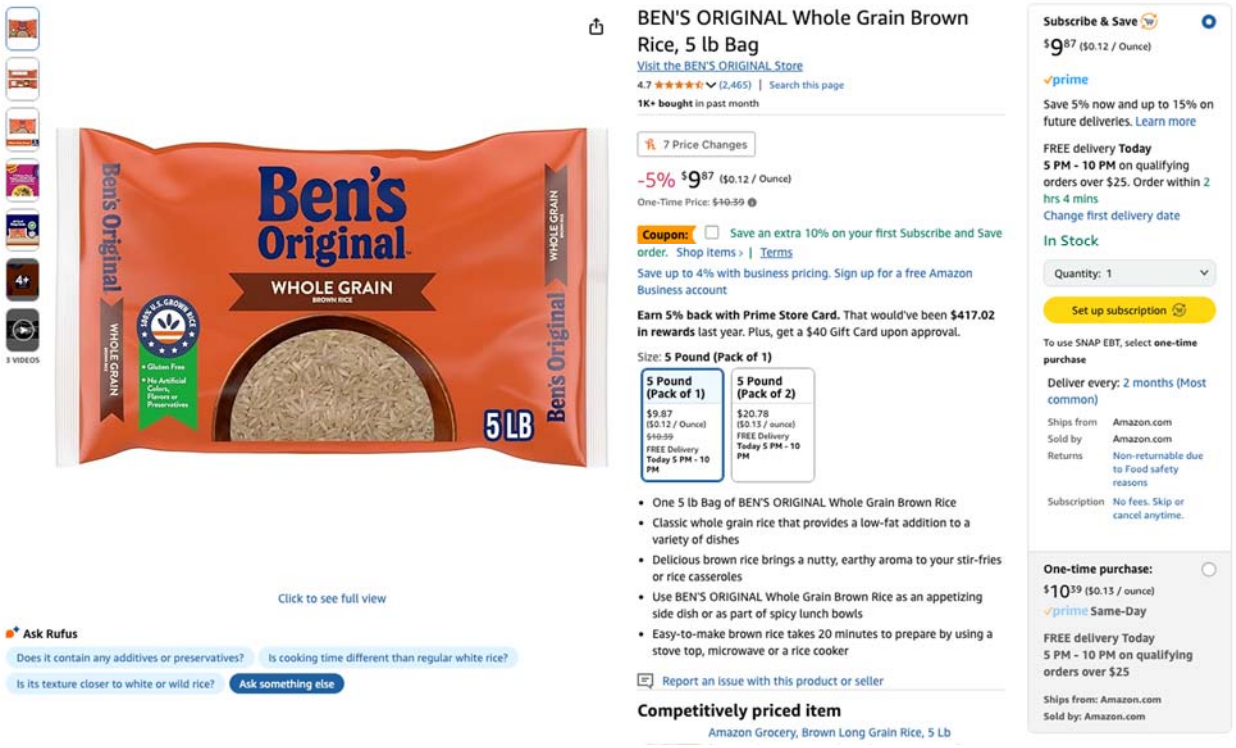
Ben's Original	Whole Grain Brown Rice (parboiled)



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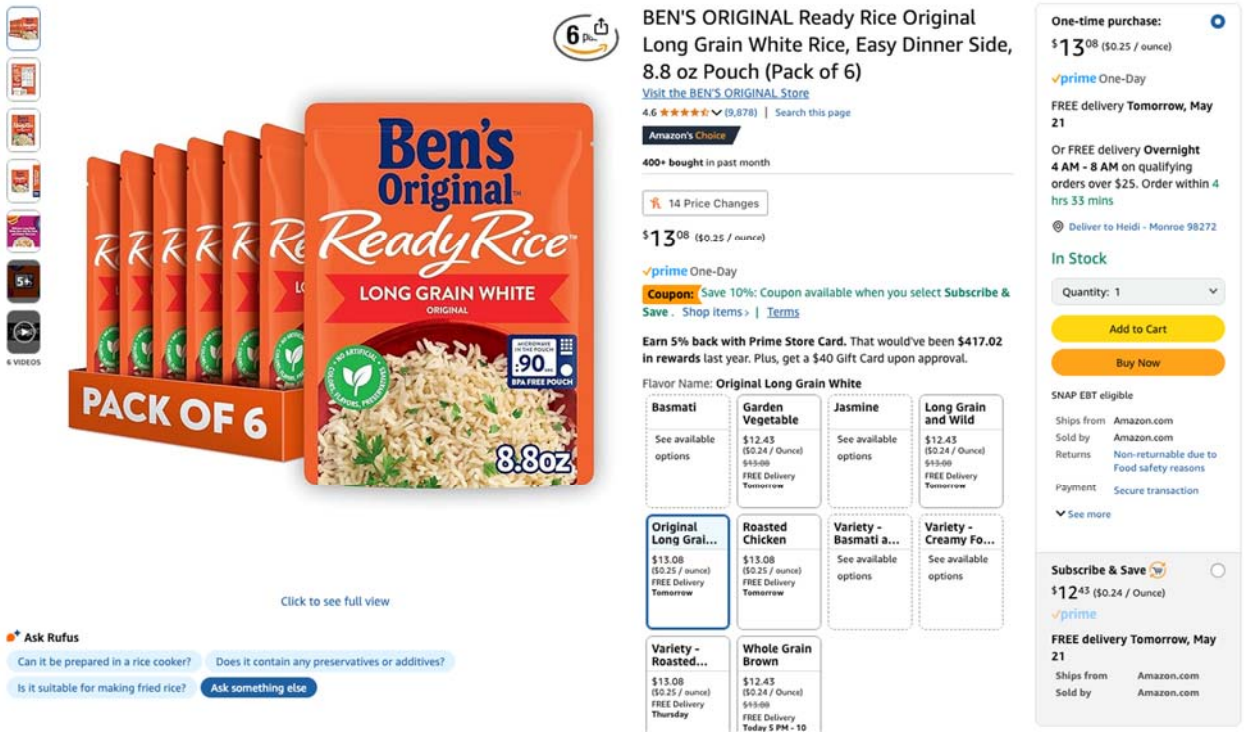
Ben's Original	Ready Rice Long Grain White Original (ready-to-heat)



Nutrition Facts

Serving size	1 Pouch (250g)	
	Per Cup (140g)	Per pouch
Calories	**200**	**350**
	% DV*	% DV*
Total Fat	3g 4%	5g 6%
Saturated Fat	0g 0%	0.5g 3%
Trans Fat	0g	0g
Polyunsaturated fat	1g	1.5g
Monounsaturated Fat	1.5g	3g
Cholesterol	0mg 0%	0mg 0%
Sodium	0mg 0%	0mg 0%
Total Carbohydrate	39g 14%	69g 25%
Dietary Fiber	<1g 4%	2g 7%
Total Sugars	0g	0g
Incl. Added Sugars	0g 0%	0g 0%
Protein	4g	7g
Vitamin D	0mcg 0%	0mcg 0%
Calcium	40mg 4%	70mg 6%
Iron	2.1mg 10%	3.8mg 20%
Potassium	80mg 0%	150mg 4%
Thiamin	0.4mg 35%	0.7mg 60%
Niacin	4.6mg NE 30%	8.3mg NE 50%
Folate	140mcg DFE 35% (85mcg folic acid)	255mcg DFE 60% (150mcg folic acid)

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

INGREDIENTS: WATER, PARBOILED LONG GRAIN RICE, LESS THAN 2% OF: CANOLA OIL

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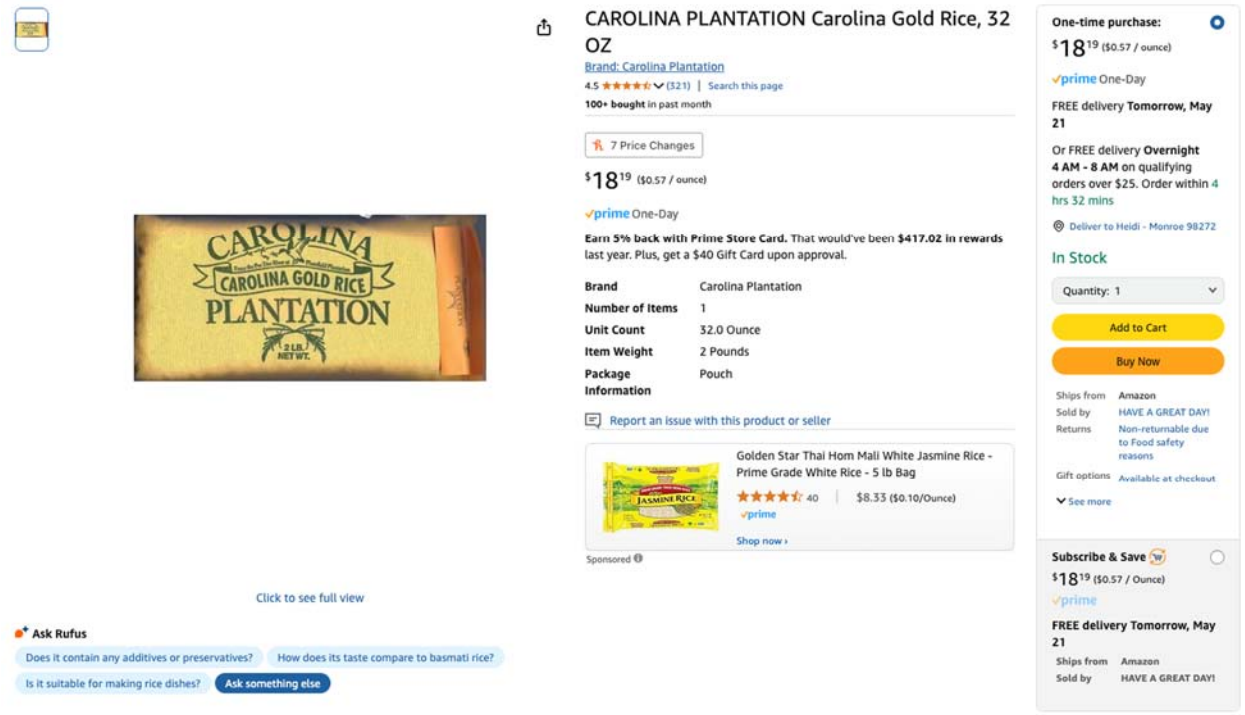
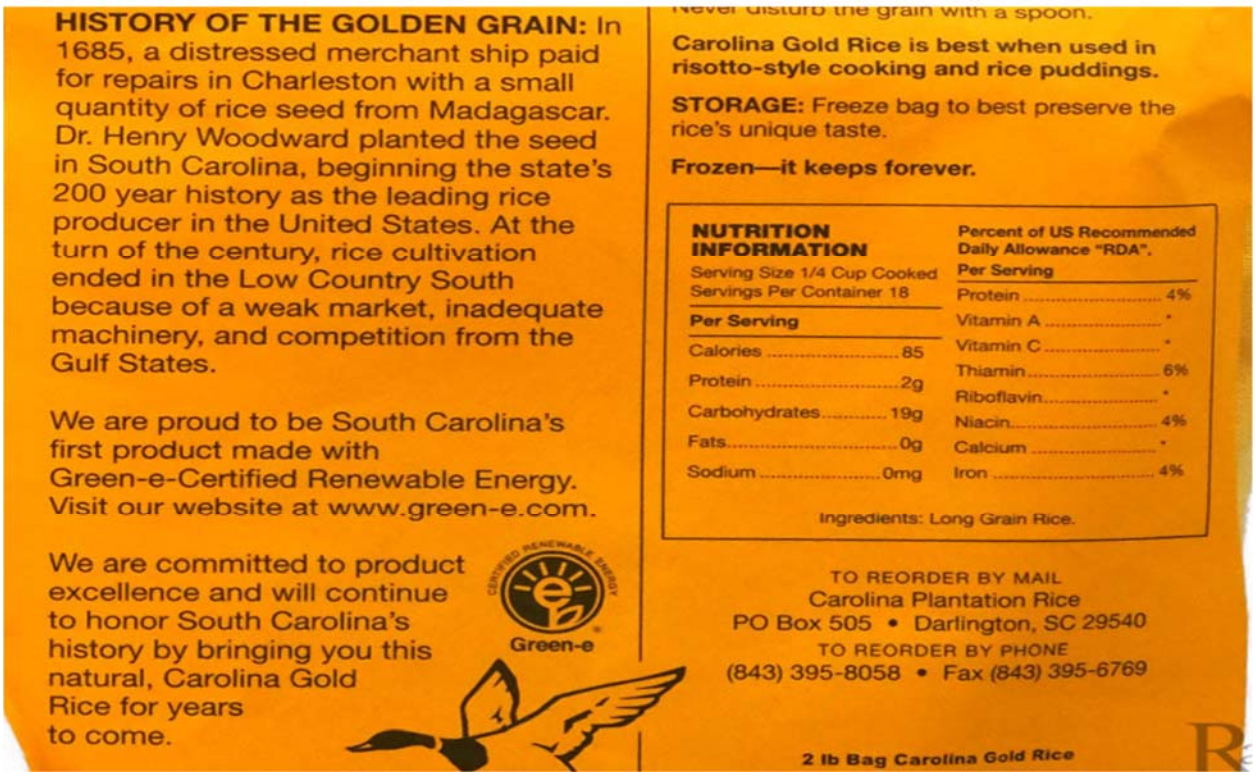
Carolina Plantation	Carolina Gold Rice





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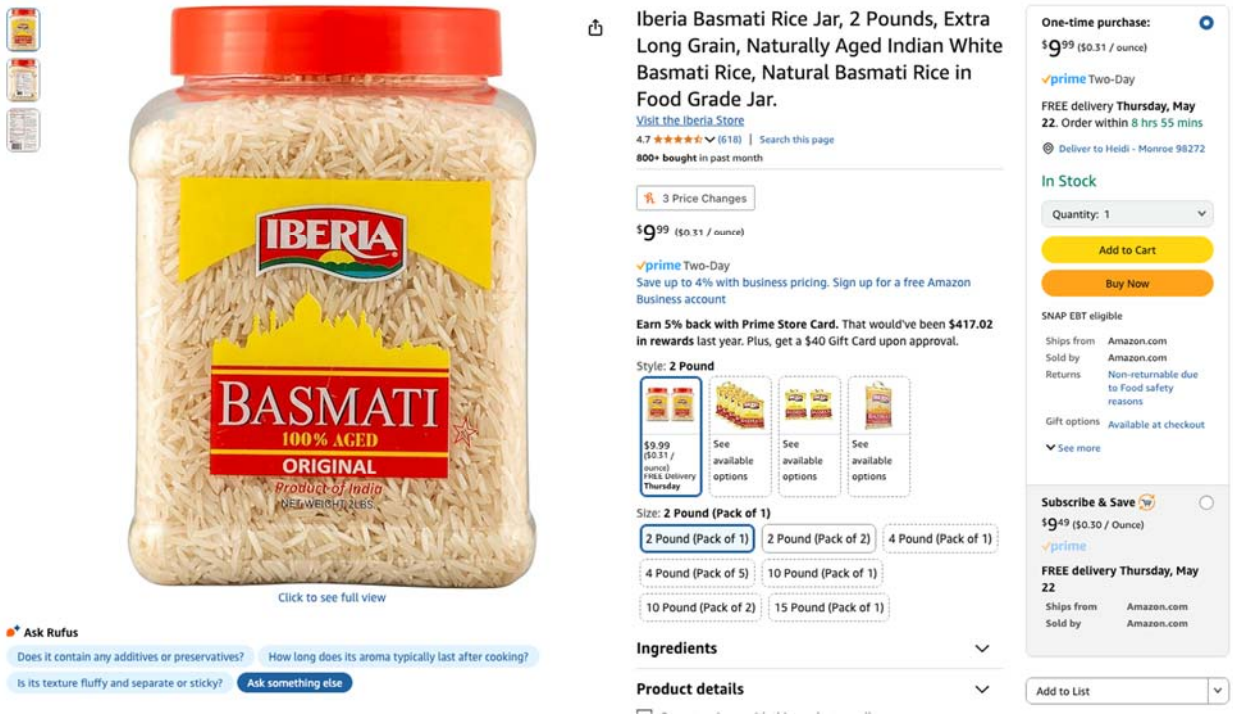
Iberia Basmati	100% Aged Original



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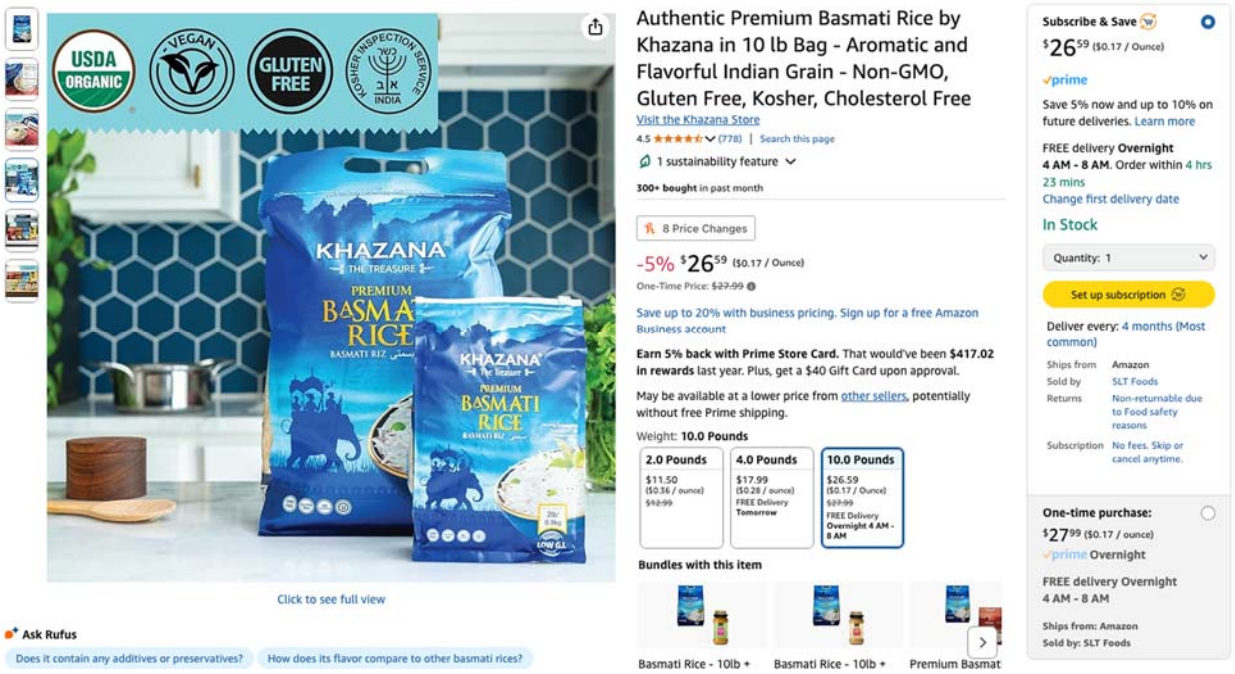
Khazana	Premium Basmati



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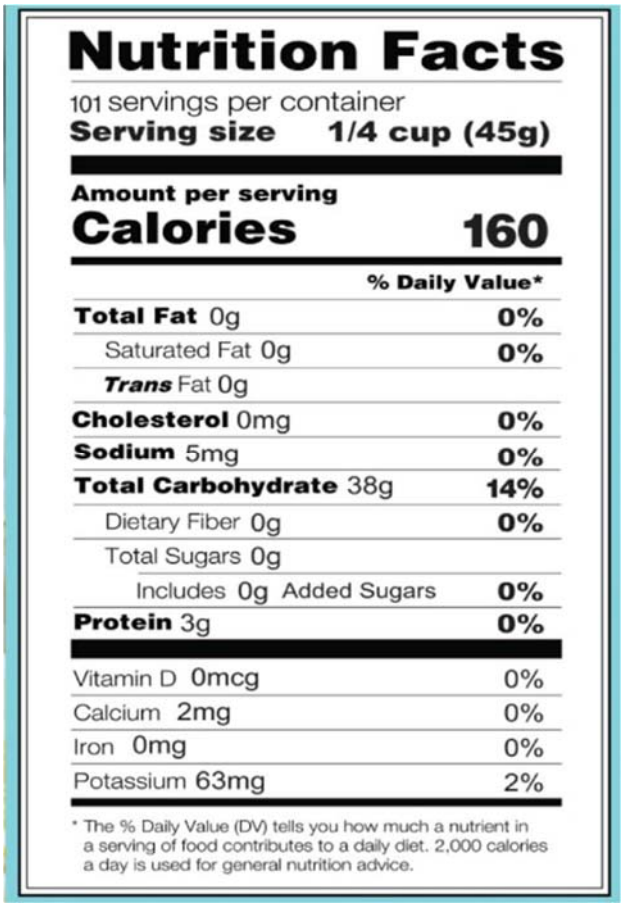

Nutrition Facts

101 servings per container

Serving size **1/4 cup (45g)**

Amount per serving

Calories **160**

	% Daily Value*
Total Fat 0g	**0%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 5mg	**0%**
Total Carbohydrate 38g	**14%**
Dietary Fiber 0g	**0%**
Total Sugars 0g	
Includes 0g Added Sugars	**0%**
Protein 3g	**0%**
Vitamin D 0mcg	0%
Calcium 2mg	0%
Iron 0mg	0%
Potassium 63mg	2%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

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Marsh Hen Mill	Carolina Gold Rice

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Pride of India	Indian White Basmati

Nutrition Facts
Valeur nutritive

Serving size 1.5 oz (42.5g) / Taille de portion 1.5 oz (42.5g)
32 Servings per container / Portions par contenant 32

Amount Per Serving / Teneur Par Portion	% Daily Value* / % Valeur quotidienne*
Calories / Calories 155	
Total Fat / Graisse totale 0.3 g	0%
Saturated Fat / Glucides totaux 0.085 g	0%
Trans Fat / Gras trans 0 g	0%
Cholesterol / Cholestérol 0 mg	0%
Sodium / Sodium 2.13 mg	0%
Total Carbohydrate / Glucides totaux 34 g	11%
Dietary Fiber / Fibre alimentaire 0 g	0%
Total Sugars / Sucres totaux 3 g	0%
Includes 0 g Added Sugars / Comprend 0 g de sucres ajoutés	0%
Protein / Protéine 3.02 g	
Vitamin D 0mcg / Vitamine D 0 mcg	0%
Calcium / Calcium 0 mg	0%
Iron / Fer 0 mg	0%
Potassium / Potassium 0 mg	0%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

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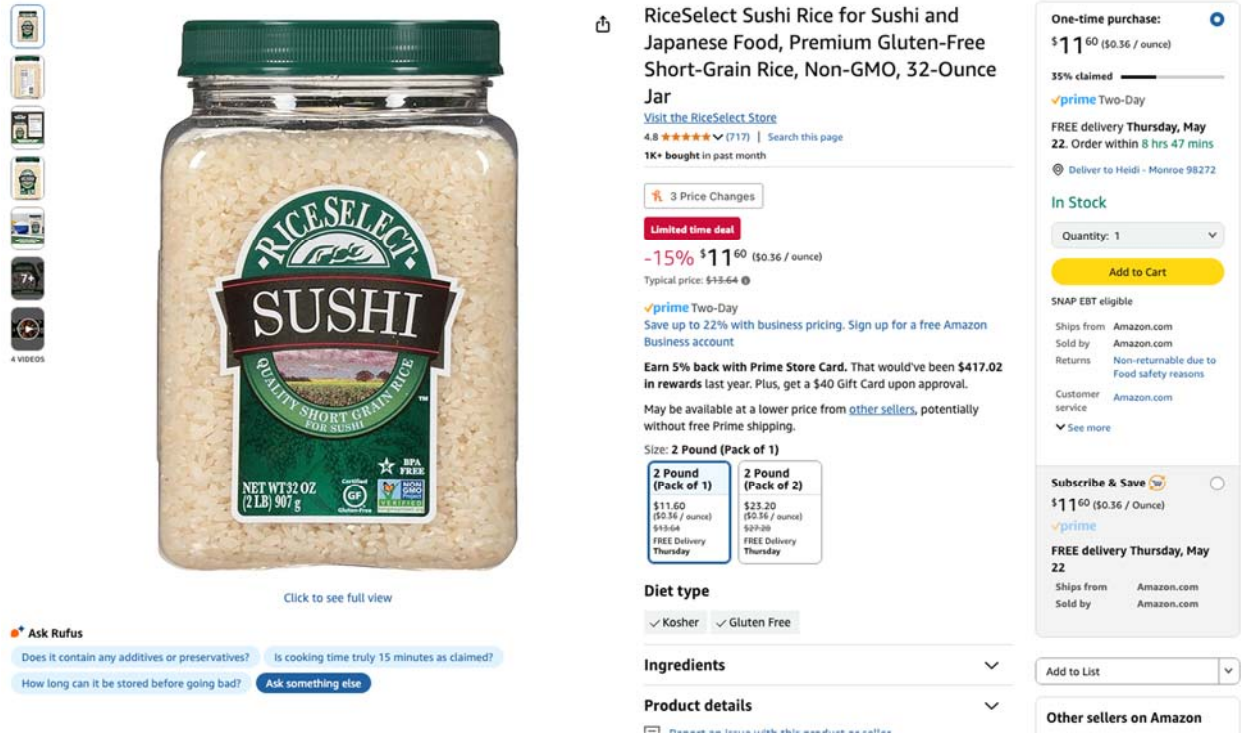
RiceSelect	Sushi Premium Short Grain Rice



Nutrition Facts

About 20 servings per container
Serving size 1/4 cup (45g)

Amount per serving	
Calories	**160**
	% DV*
Total Fat 0g	**0%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Sodium 0mg	**0%**
Total Carbohydrate 35g	**13%**
Dietary Fiber 1g	**4%**
Protein 3g	
Potassium 40mg	**0%**

Not a significant source of cholesterol, total sugars, added sugars, vitamin D, calcium, and iron.

*% DV = % Daily Value

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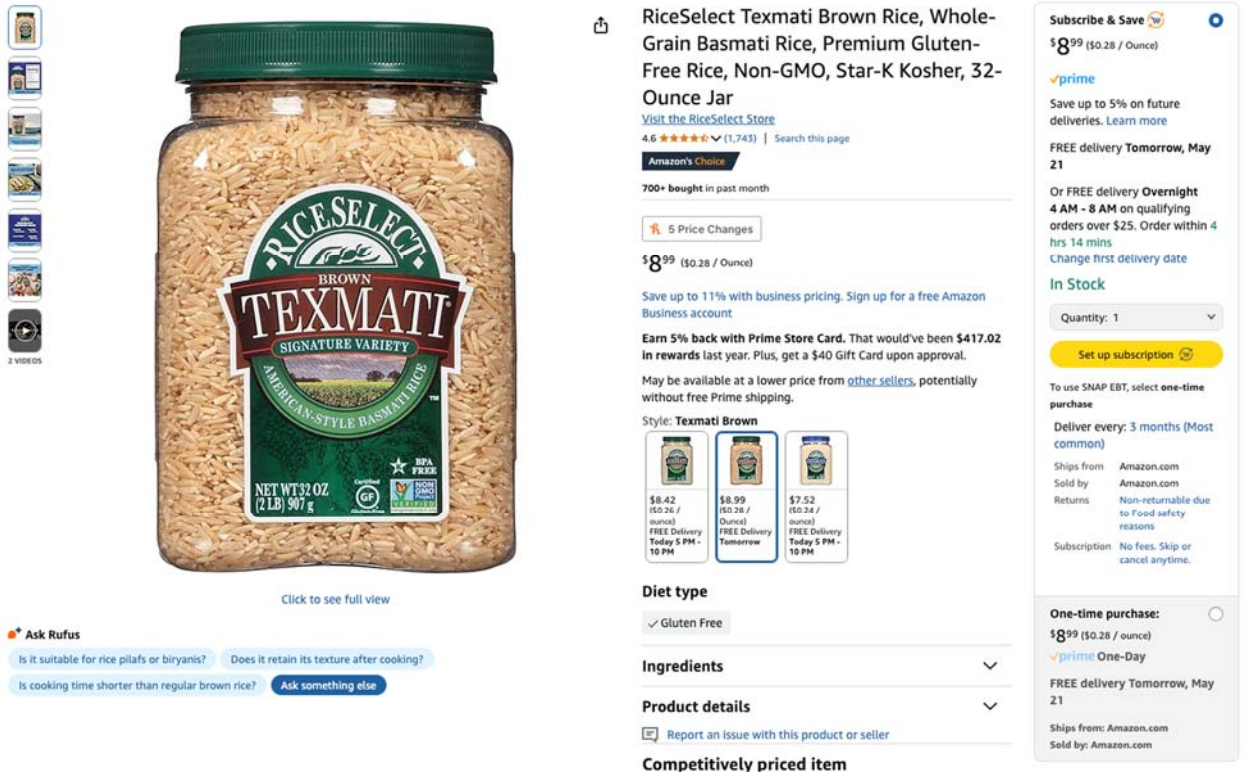
RiceSelect	Brown Texmati Signature Variety American Style Basmati Rice



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Riso Scotti	Riso Italiano Per Risotto Arborio

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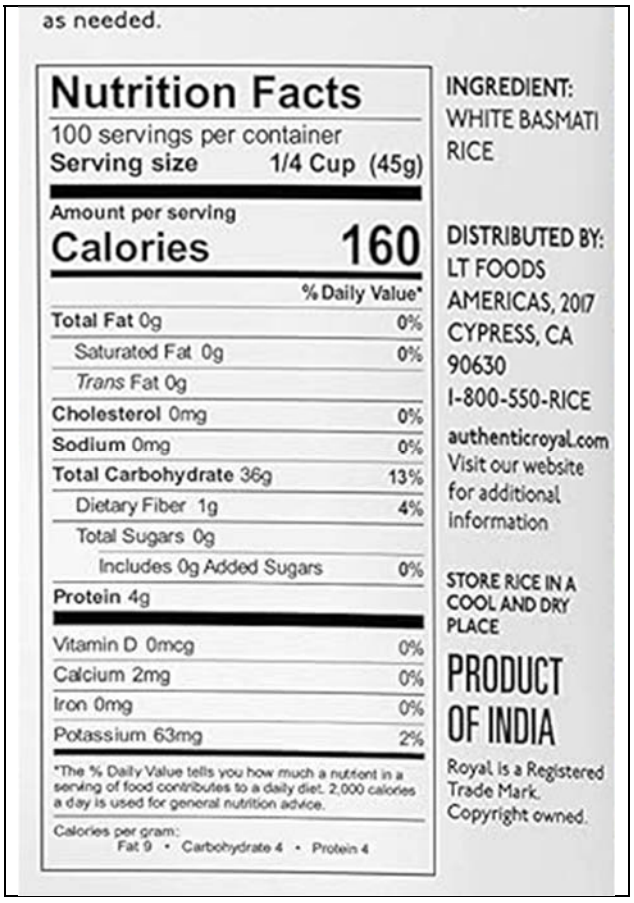
Royal	Authentic Basmati Rice



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Royal	Organic Basmati Rice

Nutrition Facts

20 servings per container

Serving size 1/4 Cup (45g)

Amount per serving	
Calories	**160**
	% Daily Value
Total Fat 0g	**0%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 0mg	**0%**
Total Carbohydrate 36g	**13%**
Dietary Fiber 0g	**0%**
Total Sugars 0g	
Includes 0g Added Sugars	**0%**
Protein 3g	
Vitamin D 0mcg	0%
Calcium 3mg	0%
Iron 0mg	0%
Potassium 36mg	0%

*The % Daily Value tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

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JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

ASHLEY WRIGHT and MERRIMAN BLUM

(b) County of Residence of First Listed Plaintiff Contra Costa Cnty, CA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Hagens Berman Sobol Shapiro LLP, 1301 2nd Ave., Ste. 2000, Seattle, WA 98101; (206) 623-7292

DEFENDANTS

AMAZON.COM, INC.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☒ 4
Citizen of Another State	☒ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☒ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 U.S.C. § 1332(d)(2)

Brief description of cause:
RCW § 19.86.010 (WA Consumer Protection Act)

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
5/23/2025

SIGNATURE OF ATTORNEY OF RECORD
/s/ Steve W. Berman

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

ASHLEY WRIGHT and MERRIMAN BLUM, individually and on behalf of all others similarly situated,

Plaintiff(s)

v.

AMAZON.COM, INC.,

Defendant(s)

Civil Action No. 2:25-cv-00977

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Amazon.com, Inc.
c/o Corporation Service Company
300 Deschutes Way SW, Suite 208 MC-CSC1
Tumwater, WA 98501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Steve W. Berman
Hagens Berman Sobol Shapiro LLP
1301 Second Avenue, Suite 2000
Seattle, WA 98101
(206) 623-7292
steve@hbsslaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No. 2:25-cv-00977

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc: