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10 Attorneys for Petitioners / Plaintiffs

11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 IN AND FOR THE COUNTY OF SACRAMENTO

13 PHYSICIANS COMMITTEE FOR  
14 RESPONSIBLE MEDICINE, a 501(c)(3) non-  
15 profit corporation; DONALD D. FORRESTER,  
16 M.D., an individual and taxpayer; ANNA  
17 HERBY, R.D., C.D.E., an individual and  
18 taxpayer;

19 Petitioners / Plaintiffs,

20 v.

21 GAVIN NEWSOM, Governor of the State of  
22 California; JARED BLUMENFELD, Secretary  
23 for the California Environmental Protection  
24 Agency; LAUREN ZEISE, PH.D., Director of  
25 the Office of Environmental Health Hazard  
26 Assessment; CANCER IDENTIFICATION  
27 COMMITTEE; and THOMAS MACK, M.D.,  
28 M.P.H, Chair of the Carcinogen Identification  
Committee;

Respondents / Defendants.

CASE NO.: \_\_\_\_\_

**VERIFIED PETITION FOR WRIT OF  
MANDATE; AND COMPLAINT FOR  
INJUNCTIVE AND DECLARATORY  
RELIEF**

BY FAX

I. INTRODUCTION

This lawsuit seeks to compel the Governor to include processed meat on the State's list of chemicals known to cause cancer, as required by the Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), due to the well-established association between eating processed

1 meat (e.g., hot dogs, sausages, luncheon meat, bacon, and turkey bacon) and developing colorectal  
2 cancer. A 2015 report by the World Health Organization announced that its International Agency  
3 for Research on Cancer (“IARC”) determined that processed meat is “carcinogenic to humans.”  
4 Consuming 50 grams of processed meat—about the size of one hot dog—per day increases the risk  
5 for colorectal cancer, pancreatic cancer, death from heart disease, and diabetes by 18, 19, 24, and  
6 32 percent, respectively.<sup>1</sup> This lawsuit also seeks an injunction against the unlawful agency  
7 practice of refusing to include certain known carcinogens on the Proposition 65 list after an  
8 authoritative body has deemed them such, based on the agency’s rationale of waiting for more  
9 information.

## 10 II. PARTIES TO THIS ACTION

- 11 1. Petitioner and Plaintiff Physicians Committee for Responsible Medicine (“Physicians  
12 Committee”) is a non-profit corporation headquartered at 5100 Wisconsin Ave., NW, Suite 400,  
13 Washington, DC 20016. Established in 1985, the Physicians Committee advocates for  
14 preventive medicine, supports higher ethical standards in research, and conducts clinical  
15 research, some of which is federally funded. The Physicians Committee’s membership includes  
16 approximately 170,000 health care professionals and concerned individuals, more than 25,000  
17 of whom reside in California.
- 18 2. The Physicians Committee has a long history of protecting the public from carcinogens and  
19 assisting individuals with cancer in leading healthier lives.
  - 20 a. In 1991, the Physicians Committee conducted a cancer prevention survey that showed that  
21 most members of the public were not aware of basic steps in cancer prevention.
  - 22 b. In 1993, the Physicians Committee created the Cancer Prevention and Survival Fund, which  
23 operated a hotline to assist those with cancer, distributed printed educational material to  
24 health care providers, and produced and distributed public service announcements regarding  
25 cancer prevention. The Physicians Committee also initiated its *Cancer Prevention and*  
26 *Survival Series* publication line.

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28 <sup>1</sup> Wolk A. Potential health hazards of eating red meat. *J Intern Med.* 2017;281:106–122.