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20 SUPERIOR COURT OF CALIFORNIA

21 COUNTY OF LOS ANGELES

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22 HERMELINDA LUNA, ALEXANDRIA
23 HANKS ON BEHALF OF THE ESTATE
24 OF TANIA D. HANKS, ETHEL
25 HERRERA, JEANETTE JONES, BECKY
26 CANZONERI, MARGARET REED and
27 BRENDA VERSIC,

28 Plaintiffs,

v.

JOHNSON & JOHNSON, JOHNSON &
JOHNSON CONSUMER INC., AND
DOES 1-25, inclusive,

Defendants.

CASE NO:

1. VIOLATION OF HEALTH & SAFETY CODE §25249.5 (PROPOSITION 65)
2. VIOLATION OF CAL. BUSINESS & PROFESSIONS CODE §17200, ET SEQ.
3. VIOLATION OF CAL. BUSINESS & PROFESSIONS CODE §17500, ET SEQ.

JURY TRIAL DEMANDED

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

MAR 06 2018

Sherri R. Carter, Executive Officer/Clerk
By Shaunya Bolden, Deputy

1 Plaintiffs HERMELINDA LUNA, ALEXANDRIA HANKS ON BEHALF OF THE
2 ESTATE OF TANIA D. HANKS, ETHEL HERRERA, JEANETTE JONES, BECKY
3 CANZONERI, MARGARET REED and BRENDA VERSIC (“Plaintiffs”) are informed and
4 believe and on that basis allege as follows:

5 **NATURE OF ACTION**

6 1. This action seeks to remedy the continuing failure of Defendants Johnson &
7 Johnson and Johnson & Johnson Consumer Inc. (collectively, “Defendants”) to warn California
8 consumers of exposure to Asbestos and Talc Containing Asbestiform Fibers in their Johnson’s
9 talcum Baby Powder (“JBP”) and Shower to Shower (“S+S”) products, which are chemicals
10 known to the State of California to cause cancer. Under the Safe Drinking Water and Toxic
11 Enforcement Act of 1986, Health and Safety Code §25249.6, a.k.a “Proposition 65”, businesses
12 must provide persons with a “clear and reasonable warning” before exposing individuals to
13 chemicals known to the State of California to cause cancer. The purpose of this requirement is to
14 ensure that California citizens are made fully aware of the presence of toxins in consumer
15 products, allowing them to make an informed choice/decision about whether or not to consume
16 products with toxins known to cause cancer. Asbestos and Talc Containing Asbestiform Fibers
17 exposures have occurred, and continue to occur, through the manufacturing, marketing,
18 distribution, sale and use of JBP and S+S.

19 2. This is a “Proposition 65”, 17200 and 17500 action that seeks, among other
20 things, injunctive relief, civil penalties, restitution, and disgorgement to remedy decades of
21 Defendants’ on-going failure to warn and otherwise negligent, reckless and/or knowing sale of
22 JBP and S+S containing Asbestos and Talc Containing Asbestiform Fibers, as well as
23 Defendants’ failure to warn California consumers of the existence of, and the dangers/risk
24 associated with, the use of JBP and S+S containing Asbestos and Talc Containing Asbestiform
25 Fibers. This action further seeks to remedy Defendants’ unfair, unlawful, and fraudulent business
26 practices, and to ensure that all California consumers are warned that they are being exposed to
27 Asbestos and Talc Containing Asbestiform Fibers before purchasing and/or using JBP and S+S.

28 3. Pursuant to Proposition 65, Plaintiffs further seek injunctive relief enjoining
Defendants from the continued manufacturing, packaging, distribution, marketing and or sales of

1 JBP without clear and reasonable warnings regarding the risk of cancer posed by exposure to
2 Asbestos and Talc Containing Asbestiform Fibers through the use of JBP and S+S. Plaintiffs seek
3 an injunctive order compelling Defendants to bring their business practices into compliance with
4 Proposition 65 by providing clear and reasonable warnings to each individual who has been in the
5 past and who in the future may be exposed to Asbestos and Talc Containing Asbestiform Fibers
6 through the use of JBP and S+S. Plaintiffs seek an injunction prohibiting Defendants from
7 offering JBP and S+S in California without either removing the Asbestos and Talc Containing
8 Asbestiform Fibers from JBP and S+S such that no Proposition 65 warning is necessary or
9 providing clear and reasonable warnings. Plaintiffs also seek an order compelling Defendants to
10 identify and locate each individual person who in the past purchased JBP and S+S, and to provide
11 to each such purchaser a clear and reasonable warning that the use of JBP and S+S will cause
12 exposure to Asbestos and Talc Containing Asbestiform Fibers.

13
14 4. In addition to injunctive relief, and pursuant to Proposition 65, Plaintiffs seek an
15 assessment of civil penalties of \$2,500 per day, per violation (i.e. per every container of JBP and
16 S+S manufactured, distributed, marketed and sold without the clear and reasonable warning
17 required by law) to remedy Defendants' failure to provide clear and reasonable warnings
18 regarding exposure to Asbestos and Talc Containing Asbestiform Fibers.

19
20 **PARTIES, VENUE AND JURISDICTION**

21 5. This Court has jurisdiction over this action pursuant to the California Constitution,
22 Article VI, §10, which grants the Superior Court "original jurisdiction in all causes except those
23 given by statute to other courts." The statutes under which this action is brought do not specify
24 any other basis for jurisdiction. The damages and restitution sought by Plaintiffs exceed the
25 minimal jurisdiction limit of the Superior Court and will be established according to proof at trial.

26 6. At all relevant times, Plaintiffs HERMELINDA LUNA, ALEXANDRIA
27 HANKS ON BEHALF OF THE ESTATE OF TANIA D. HANKS, ETHEL HERRERA,
28 JEANETTE JONES, BECKY CANZONERI, MARGARET REED and BRENDA VERSIC
(collectively,

1 Plaintiffs”) are and were citizens of the State of California and purchased JBP and S+S containing
2 Asbestos and Talc Containing Asbestiform Fibers in the State of California. At all relevant times,
3 JBP and S+S containing Asbestos and Talc Containing Asbestiform Fibers was manufactured and
4 packaged in one centralized location from the same raw talc and shipped to all fifty states. Thus,
5 consumers that purchased and used JBP and S+S containing Asbestos and Talc Containing
6 Asbestiform Fibers in any of the other 49 states outside of California would be exposed to the
7 same talc containing Asbestos and Talc Containing Asbestiform Fibers as a consumer that
8 purchased JBP and S+S in California, and vice versa.

9 7. Defendant Johnson & Johnson is a New Jersey corporation that is transacting and
10 conducting substantial business within the State of California.

11 8. At all pertinent times, Johnson & Johnson was engaged in the business of
12 manufacturing, marketing, testing, promoting, selling, and/or distributing the JBP and S+S
13 containing Asbestos and Talc Containing Asbestiform Fibers. At all pertinent times, Johnson &
14 Johnson regularly transacted, solicited, and conducted business in all States of the United States,
15 including the State of California.

16 9. Johnson & Johnson has derived substantial revenue from goods and products
17 purchased and used in the State of California. Johnson & Johnson expected or should have
18 expected its acts to have consequences within the State of California, and derived substantial
19 revenue from interstate commerce.

20 10. Johnson & Johnson mined, milled, processed, imported, converted, compounded,
21 designed, manufactured, marketed, supplied, distributed, sold and/or otherwise placed in the
22 stream of commerce JBP and S+S containing Asbestos and Talc Containing Asbestiform Fibers
23 without warnings to which Plaintiff and the consuming public in this State were exposed.

24 11. Defendant Johnson & Johnson Consumer Inc. (f/k/a Johnson & Johnson
25 Consumer Companies, Inc.) is a New Jersey corporation that is and was doing business in the
26 State of New Jersey and in the State of California. Johnson & Johnson Consumer Inc. mined,
27 milled, processed, imported, converted, compounded, designed, manufactured, marketed,
28 supplied, distributed, sold and/or otherwise placed in the stream of commerce JBP and S+S

1 containing Asbestos and Talc Containing Asbestiform Fibers without warnings to which Plaintiff
2 and the consuming public in this State were exposed.

3 12. Defendants DOES 1-25 are the fictitious names of corporations, partnerships or
4 other business entities or organizations whose identities are not presently known and that
5 participated in a conspiracy with other corporations, partnerships or other business entities or
6 organizations, including the named Defendants herein, and/or mined, milled, processed, imported,
7 converted, compounded, designed, manufactured, marketed, supplied, distributed, sold and/or
8 otherwise placed in the stream of commerce JBP and S+S containing Asbestos and Talc
9 Containing Asbestiform Fibers without warnings to which Plaintiff and the consuming public in
10 this State were exposed.

11 13. On August 23, 2017, Plaintiffs sent a 60-Day Notice of Violation of Proposition
12 65 ("Notice") to the requisite public enforcement agencies, and to the Defendants. A true and
13 correct copy of the Notice is attached hereto as **Exhibit A** and incorporated by reference. The
14 Notice was issued pursuant to, and in compliance with, the requirements of Health and Safety
15 Code §25249.7(d) and the statute's implementing regulations regarding the notice of the
16 violations to be given to certain public enforcement agencies and to the violater.

17 14. More than 60 days have elapsed since Plaintiffs sent the Notice to Defendants.
18 Additionally, the appropriate public enforcement agencies have failed to commence and
19 diligently prosecute a cause of action under Health and Safety Code §25249.5, *et. seq.*, based
20 upon the allegations herein.

21 15. Venue is proper in the Court because, upon information and belief, all Defendants
22 transact business in this County and the acts and omissions alleged herein took place in this
23 County.
24

25 **FACTUAL BACKGROUND**

26 16. For decades, Defendants have manufactured JBP and S+S containing Asbestos
27 and Talc Containing Asbestiform Fibers that were and are continuing to be sold and marketed as
28 safe for daily use by consumers to give off a pleasant smell, mask odors, prevent chaffing and/or

1 absorb moisture. Defendants' JBP and S+S products were advertised as healthful for babies,
2 children and adults and to be applied regularly to maintain freshness, keep skin soft, mask odors
3 with a floral fragrance, prevent chaffing and/or absorb moisture.

4 17. Defendants and the Cosmetic, Toiletry & Fragrance Association (n/k/a Personal
5 Care Products Council) ("CTFA") made false statements to Plaintiffs, the general public, news
6 media and government agencies that exercise regulatory authority over the cosmetic industry,
7 including, but not limited to, the U.S. Food & Drug Administration ("FDA"), the National
8 Institute of Occupational Health and Safety ("OSHA"), the National Institute for Occupational
9 Safety and Health ("NIOSH"), the Mine Health and Safety Administration ("MHS"), and the
10 National Toxicology Program ("NTP"), which, in turn, proximately caused Plaintiffs' harm
11 through intentional efforts to deceive the general public and regulatory authorities as to the safety
12 of and presence of carcinogens, including Asbestos and Talc Containing Asbestiform Fibers in
13 JBP and S+S.

14 18. Defendants and CTFA, for decades, possessed medical and scientific data that
15 raised concerns regarding the presence of carcinogens, including Asbestos and Talc Containing
16 Asbestiform Fibers in JBP and S+S and that demonstrated the existence of health hazards to those
17 exposed to Asbestos and Talc Containing Asbestiform Fibers in JBP and S+S.

18 19. Talc is a hydrous magnesium silicate, inorganic material that is mined from the
19 earth. It is used in the manufacture of goods, such as paper, plastic, paint and coatings, rubber,
20 food, electric cable, ceramics, and cosmetics. In its loose form and as used in JBP and S+S, talc is
21 known as "talcum powder."

22 20. Geologists, Defendants and CTFA—and their suppliers, experts, agents and
23 advisors—have long known that the deposits in the earth that are associated with talc are also
24 associated with the formation of asbestos. "Asbestos" is a commercial and legal term, rather than
25 a geologic or scientific term, referring to six now-regulated magnesium silicate minerals that
26 occur in fibrous form, including the serpentine mineral chrysotile, and amphibole minerals such
27 as actinolite, anthophyllite, tremolite, amosite and crocidolite. The United States Geological
28 Survey on Commercial Talc production in 1965, as well as those dating back to the 1800s, note

1 the presence of tremolite, anthophyllite and chrysotile commonly among those minerals found
2 within talc deposits.

3 21. Defendants and their talc suppliers, which have been and still are the largest talc
4 producers and/or talc-containing product manufactures in the world, admit that they have long
5 employed and/or consulted with doctors, scientists, geologists, mineralogists and toxicologists,
6 and that they have long maintained extensive medical and scientific libraries and archives
7 containing materials relating to the health hazards of talc and the presence of carcinogens,
8 including asbestos and asbestiform talc, in talc and talc deposits.

9 22. Beginning in the 1930s, medical and scientific literature emerged indicating talc
10 was commonly, if not invariably, contaminated with substances known or suspected of being
11 carcinogenic, such as asbestos, silica, quartz, nickel and arsenic. Within the next several decades,
12 an ever-growing body of medical and scientific literature demonstrated that direct and secondary
13 exposure to talc, including asbestos-containing talc, was hazardous to exposed persons' health in
14 that it could cause lung disease, cancer and death.

15 23. Defendants and their affiliates, employees, agents and/or suppliers were members
16 of the National Safety Council. In March of 1933, Waldemar C. Dreesen of the United States
17 Public Health Service reported to the National Safety Council the results of a study conducted
18 among tremolite, talc and slate workers. The study indicated that the talc was a hydrous calcium
19 magnesium silicate, being 45% talc and 45% tremolite, and the National Safety Council stated
20 "The results of the study seemed to indicate a relationship between the amount of dust inhaled
21 and the effect of this dust on the lungs of the workers." As early as 1934, the National Safety
22 Council was publishing that "a cause of severe pulmonary injury is asbestos, a silicate of
23 magnesium." In the September 1935 issue of *National Safety News*, an article entitled "No
24 Halfway Measures in Dust Control" by Arthur S. Johnson reported lowered lung capacity
25 resulting from "asbestosis" and "similar conditions" that developed "from exposure to excess of
26 many mineral dusts relatively low in free silica content." The article further noted that claims for
27 disabilities from workers who alleged exposure to "clay, talc, emery, and carborundum dusts" had
28 "claims prosecuted successfully." The article concluded that "[i]n the absence of adequate

1 diagnoses, occupational histories and a more satisfactory method of adjudicating claims than
2 prosecution at common law, we must conclude that it is necessary to find a practical method for
3 controlling all mineral dusts.”

4 24. In 1936, the National Safety Council published an article entitled “Lesser Known
5 Facts About Occupational Diseases” that found “exposure to asbestos fibers, present in the
6 weaving and grinding of dry asbestos material, offers another type of dust which may cause
7 fatalities among workers.” In 1958, The New York Department of Labor published Industrial
8 Code Rule No. 12 establishing regulations applying to all employees and employers relating to
9 dangerous air contaminants and listing both asbestos and talc as such substances.

10 25. In 1968, a study presented at the American Industrial Hygiene Conference &
11 Exposition and published in the American Industrial Hygiene Association *Journal* concluded that
12 “[a]ll of the 22 talcum products analyzed have a...fiber content...averaging 19%. The fibrous
13 material was predominantly talc but contained minor amounts of tremolite, anthophyllite, and
14 chrysotile as these are often present in fibrous talc mineral deposits...Unknown significant
15 amounts of such materials in products that may be used without precautions may create an
16 unsuspected problem.” L. J. Cralley, et al., *Fibrous and Mineral Content of Cosmetic Talcum*
17 *Products*, 29 AM. IND. HYG. ASSOC. J. 350-354 (1968). Defendants were aware of these findings.

18 26. In 1968, a scientific study of store-bought, commercially available talcum
19 powders conducted by the Occupational Health Program, National Center for Urban Industrial
20 Health, was published and presented by the American Industrial Hygiene Association. Defendants
21 were aware of this study. The study revealed that, contrary to popular belief, talcum powders
22 were not entirely pure, but rather contained various fibrous minerals, including tremolite,
23 anthophyllite and chrysotile. The study explained that such fibrous content was not unexpected
24 because these types of fibers are often present in fibrous talc mineral deposits. Available
25 documents indicate that during the same year and in the years following, at least one company
26 began testing store-bought talcum powders for asbestos content. Despite tests showing some
27 talcum powders contained asbestos, there is no evidence that positive results or the brand names
28

1 of contaminated products were communicated to any governmental agency, the media or the
2 public.

3 27. A 1976 follow-up study conducted by researchers at Mount Sinai Hospital in
4 New York concluded that “[t]he presence in these products of asbestiform anthophyllite and
5 tremolite, chrysotile, and quartz indicates the need for a regulatory standard for cosmetic
6 talc...We also recommend that evaluation be made to determine the possible health hazards
7 associated with the use of these products.” Rohl A.N., et al., *Consumer Talcums and Powders:
8 Mineral and Chemical Characterization*, 2 J. TOXICOL. ENVIRON. HEALTH 255-284 (1976). The
9 Mount Sinai study results were published by various newspapers, including the *New York Times*
10 and the *Washington Post*, and Defendants were aware of same.

11 28. In the early 1970s, the FDA began an inquiry into whether to regulate and require
12 warnings on talc-containing products. Defendants and CTFA, an exclusive lobbying and
13 advocacy group representing companies engaged in the cosmetic products industry, repeatedly
14 conspired and worked in concert to block efforts to label and warn consumers regarding the
15 dangers (including Asbestos and Talc Containing Asbestiform Fibers hazards) associated with
16 cosmetic talcum powder products, such as Defendants’ JBP and S+S.

17 29. In 1971, the New York City of Environmental Protection Administration Air
18 Resources Board conducted a study of two “leading” brands of talcum powder using transmission
19 electron microscopy (“TEM”) and X-ray diffraction (“XRD”) analysis, and found them to contain
20 5-25% tremolite and anthophyllite asbestos.

21 30. Soon thereafter, a symposium was held in August of 1971 at the FDA to discuss
22 the issue of asbestos content of talcum powders with the talc industry, government officials, and
23 doctors and scientists from Mt. Sinai Hospital, which was then the epicenter of the medical and
24 scientific study of asbestos. Among other statements, participants and attendees heard: that
25 asbestos should be banned in talcum powders; models should be set up to measure the levels
26 exposure to asbestos experienced by persons using talcum powder containing asbestos at the
27 lowest level of microscopic detection; and that finding asbestos in talc and talcum powder is
28 extremely difficult, and the only truly reliable way to determine the asbestos content of talc and

1 talcum powder is through TEM and electron diffraction. Defendants and CTFA, aware of the
2 foregoing and citing costs as well as their fear of the public learning talc was contaminated with
3 asbestos, ignored and completely rejected any measures to meaningfully test talc products to
4 make sure they were free from asbestos, asbestiform talc and other carcinogens.

5 31. After this 1971 symposium, Dr. Weissler of the FDA hired Dr. Seymour Z. Lewin
6 to test commercially available talcum powders for asbestos. Dr. Lewin tested 195 samples and
7 found asbestos of varying amounts in 43. Many of Dr. Lewin's positive results were eventually
8 corroborated by Pfizer Inc. The results, however, were uncorroborated by two other laboratories,
9 leading the FDA to the conclusion that XRD, optical and electron microscopy, and electron
10 diffraction must be used to detect asbestos in talc and talcum powders.

11 32. Dr. Lewin of New York University disclosed twice in 1972 that asbestos had
12 been found in cosmetic talc. In a report to the FDA on August 3, 1972, Dr. Lewin reported that of
13 195 talc products, 20 had tremolite, 7 had chrysotile, 9 had both tremolite and chrysotile, and 7
14 had substantial percentages of one of both. XRD had been used as the first step in analysis and the
15 presence of asbestos and was verified by the use of optical microscopy to disclose the presence of
16 significant numbers of fibers. Shortly thereafter, Dr. Lewin reported to Whittaker, Clark &
17 Daniels Inc. on September 30, 1972, that Italian talc 1615 contained about 2% tremolite and 0.5%
18 chrysotile as determined with XRD and detailed microscopic exam. In a July 31, 1973, review of
19 Dr. Lewin's testing of 195 talc samples, the FDA found "good semi-quantitative agreement" for
20 tremolite on selected samples re-analyzed using optical microscope analysis by FDA and XRD by
21 Pfizer. Agreement was not as good for chrysotile, but the review did warn that optical microscopy
22 could "completely miss the presence of chrysotile if the fibers are submicroscopic, which may
23 well be the case in finely-milled talc." In 1972, ES Laboratories reported that "1615" talc
24 contained 1% chrysotile and that "4615" talc contained 3% chrysotile and 3% anthophyllite. An
25 August 23, 1973, report by Johns-Manville on TEM analysis of commercial talcs reported that
26 nine of fourteen samples contained chrysotile. Only five samples did not have detectable levels of
27 chrysotile. Pages from the laboratory notebook of Colgate-Palmolive Co. scientist Paul Briscese
28 from March 7, 1976, show that Old Regal (North Carolina) talc tested positive for tremolite, New

1 Montana talc tested positive for anthophyllite and tremolite, and Italian talc tested positive for
2 tremolite.

3 33. A December 10, 1973, report of the CTFA's Talc Subcommittee disclosed that
4 optical microscope analyses of talcs from the Italian, Montana I & II, Alabama, Vermont, and
5 North Carolina mines had failed the proposed FDA's method because of elevated chrysotile
6 concentrations. This December 10, 1973, CTFA report also showed that several laboratories had
7 reported chrysotile in many of the talc samples sent by the CTFA for evaluation of analytical
8 methods as well as the several identifications of asbestos in talc mentioned.

9 34. In the early 1970s, the FDA began an inquiry into whether to regulate and require
10 warnings on consumer talcum powder products. CTFA, an exclusive lobbying and advocacy
11 group representing companies engaged in the cosmetic products industry, including Defendants
12 and their talc suppliers, repeatedly conspired and worked in concert to block efforts to label and
13 warn consumers regarding the dangers associated with cosmetic talcum powder products, such as
14 Talc Defendants' products. On September 3, 1973, the FDA sent CTFA a letter regarding various
15 means of measuring asbestos in talc, stating that "conventional methods employing X-ray
16 diffraction or differential thermal analysis are not sufficiently reliable to produce quantitative
17 results of the desired precision." The FDA further advised CTFA that it "has been exploring
18 refractory optical microscopy as a means of measuring asbestos in talc." CTFA responded to the
19 FDA's public notice on its proposed optical microscopy method on December 26, 1973. CTFA
20 contended that the proposed method was not "reliable" for the detection of asbestos in talc,
21 recommended a "collaborative effort between FDA and industry to develop such a method," and
22 urged deferment of the proposed rule. Minutes of CTFA's Talc Subcommittee meeting on March
23 15, 1976, indicate that the FDA's "Dr. Shaffner suggested the possibility of having industry
24 report periodically on the results of its analysis to the FDA." Dr. Estrin of CTFA responded that
25 "the subcommittee would give serious consideration to this suggestion."
26

27 35. Contemporaneously, evidence began to emerge from testing conducted by various
28 regulatory agencies revealing that asbestos was being found in food, beer and drugs, including
intravenously injected medicines. In 1972, and later in 1973, the FDA filed notices of proposed

1 rulemaking requiring talc used in food, food packing and drugs to be completely free of asbestos.
2 These were some of the same “grades” of talc used by Defendants.

3 36. The talc industry’s response, including that of the Defendants, was swift and
4 well-coordinated through CTFA, with which the Defendants conspired and worked in concert to
5 purposely create a flawed, voluntary testing and surveillance methodology for detecting asbestos
6 in talc and block efforts to label and warn consumers regarding the dangers associated with the
7 talc products, including Defendants’ JBP and S+S.

8 37. Regarding the FDA’s proposed 1972 rule-making, the FDA Director of Product
9 Development and Cosmetics, Dr. Schaffner, invited representatives of the talc industry to a
10 meeting in August of 1972 to discuss the results of Dr. Lewin’s study and inform them that the
11 FDA was preparing to release a “Proposed Statement of Policy On Asbestos in Cosmetics
12 Containing Talc.” Dr. Schaffner explained that he was duty-bound and must publicize the brand
13 names of the talcum powders that contained asbestos. CTFA’s president, Dr. Merritt, strongly
14 objected to the FDA alerting the general public and publishing the brand names of the talcum
15 powders, as it would cause the manufactures “economic hardship.” Dr. Merritt also threatened to
16 sue the FDA to prevent the disclosure of the brand names. As a result, the FDA, Defendants and
17 CTFA never revealed or publicized the brand names of the talcum powders that contained
18 asbestos, much to the detriment of the plaintiffs and the general public.

19 20 38. In 1973, CTFA created a talc subcommittee and the Scientific Advisory
21 Committee to develop a testing methodology for detecting asbestos in talc. Initially, CTFA
22 designated a group of its members to tests talc grades used in talcum powder utilizing the
23 methodology proposed by the FDA in its notice of rulemaking. Six samples of talc used in
24 commercially available talcum powders, plus one talc sample purposely spiked with tremolite and
25 chrysotile, were circulated among the members, including representatives of Defendants. Of the
26 eight participating members, four found asbestos in every sample, three did not find asbestos in
27 any sample (including the spiked sample), and one found asbestos only in the spiked sample. In
28 conclusion, all members agreed that the best and most reliable method of detecting asbestos in
talc is not optical microscopy, but rather TEM and electron diffraction. The same members,

1 however, dispensed with this analytical method, claiming TEM and electron diffraction
2 equipment was too expensive, despite Defendants then owning or having unfettered access to
3 same.

4 39. From there, the difference between what Defendants and CTFA knew diverged
5 from what they were representing to the FDA. Defendants, CTFA and others in the industry knew
6 that there was no such thing as asbestos-free talc—only talc in which asbestos could not be
7 detected using the prevailing, most economic analytical methodology, XRD, which at the time
8 could not accurately identify chrysotile asbestos in talc, nor detect tremolite asbestos
9 contamination levels below 2-5%.

10 40. Defendants and the CTFA also did not disclose to the FDA that the overwhelming
11 majority of talcum powder manufacturers and sellers were not testing their products for asbestos,
12 and even if they were testing, it was done so superficially: only four or so grams per 20 tons of
13 pre-shipment and pre-processed talc, as an example. Defendants and CTFA also failed to the
14 inform the FDA that they were not testing off-the-shelf talc powder products, but rather old
15 samples that were never from the end products themselves. They also failed to inform the FDA
16 that they were limiting their testing of talc to only one type of asbestos fiber to the exclusion of all
17 other fiber types that are commonly found in talc deposits. What is more, to the extent Defendants
18 found asbestos in their samples, these positive results were not reported to the FDA. Instead, on
19 their behalf, CTFA sent letters to the FDA in March of 1976 fraudulently claiming that industry
20 testing had shown all talcum powder products to be completely free of asbestos.

21 41. Beginning in 1975 and 1976, researchers at New York Air Resources Board, Mt.
22 Sinai School of Medicine, and the FDA became increasingly concerned that CTFA, Defendants
23 and the cosmetic industries were slow to address the issue of asbestos in talc and talcum powders.
24 Defendants had not issued any recalls, provided consumer warnings, informed the FDA of any
25 effort to ensure that talcum powders on the market did not contain asbestos, or developed a
26 reliable methodology or protocol for ensuring that talc and talcum powder did not contain
27 asbestos or asbestiform-talc.
28

1 42. Taking matters into their own hands, Mt. Sinai Hospital researchers published a
2 follow-up article to Dr. Lewin's 1971 study that demonstrated that some of Defendants' talcum
3 powders contained over 20% asbestos. The researchers concluded that "[t]he presence in these
4 products of asbestiform anthophyllite and tremolite, chrysotile, and quartz indicates the need for a
5 regulatory standard for cosmetic talc...We also recommend that evaluation be made to determine
6 the possible health hazards associated with the use of these products." The results of the Mount
7 Sinai study were known to the Defendants and published the same year by the *New York Times*
8 and the *Washington Post*.

9 43. Defendants and CTFA responded to these developments by falsely claiming that
10 the industry was doing "everything" it could to solve the problem; issuing press releases falsely
11 claiming that chrysotile had never been found in talcum powders; and intentionally suppressing
12 data that showed tremolite was commonly found in talc and talcum powder.

13 44. CTFA subsequently began in earnest to produce a voluntary protocol and
14 methodology that would provide Defendants cover from both lawsuits and regulation.
15 Egregiously, as concerned media members, citizens and regulators began asking more questions
16 about which other brands of talcum powder contained asbestos, Defendants and CTFA falsely
17 represented that talcum powders have never contained asbestos or asbestiform-talc.

18 45. Defendants, their talc suppliers, and third parties funded by Defendants
19 collectively met with and corresponded with CTFA, as well as collectively met with the FDA and
20 other government agencies, to individually and collectively advocate for the use of "voluntary"
21 XRD testing of miniscule portions of the tons of talc to be used in consumer products.
22 Defendants' "voluntary" method—that was developed collectively by Defendants and CTFA and
23 advocated to the FDA in lieu of regulations requiring asbestos labeling or warnings on talcum
24 powder products—was inadequate because levels of asbestos contamination in talc commonly fell
25 below the detection limit of the testing methods. Defendants and CTFA also knew that asbestos
26 contamination was not uniformly distributed, such that the miniscule amounts tested would not
27 reveal the true level of contamination in talc products, such as JBP and S+S to which Plaintiff and
28 the consuming public in this State were exposed.

1 46. In support of its voluntary XRD methodology, which was finally published in
2 1977, CTFA produced letters to the FDA written by its members, including Defendants,
3 identifying tests conducted showing talcum powder products did not contain asbestos. CTFA,
4 Defendants and other talc product producers, however, never informed the FDA of the hundreds
5 of positive tests showing talc and talcum powders contained asbestos and other carcinogens.

6 47. CTFA “Method J4-1,” published on October 7, 1976, states that TEM-SAED
7 “offers greater sensitivity, but is not presented since it is unsuitable for normal quality control
8 applications.” The published method, rather, relies on XRD with “the level of detection of
9 amphibole by this method [being] 0.5% and above.” CTFA met with and corresponded with
10 Defendants and third parties, to individually and collectively advocate to the FDA for the use of
11 inadequate XRD testing on miniscule portions of the tons of talc obtained from the mining
12 sources to be used in the consumer products, followed by fewer “periodic” tests by TEM. This
13 voluntary method was developed by CTFA and Defendants, and was advocated to the FDA by
14 CTFA and Defendants in lieu of regulations requiring labeling and warnings on talcum powder
15 products, even though CTFA and Defendants knew that the J4-1 method would not reveal the true
16 level of asbestos in the talc that reached consumers. In fact, the first “round robin” tests, which
17 analyzed a “CTFA Tremolite-Spiked Talc,” resulted in 6 of 7 participating laboratories failing to
18 detect the tremolite. In other words, 84% of the industry’s laboratories failed to detect asbestos in
19 a sample known to contain tremolite asbestos while using the CTFA’s own J4-1 method. There is
20 no evidence that CTFA or Defendants ever shared this remarkable failure with the FDA or the
21 public.
22

23 48. Minutes of CTFA’s Talc Subcommittee from February 24, 1975, stated “It was
24 agreed, however, that chrysotile is never found in cosmetic talcs, based on numerous analyses by
25 several investigators...” When referring to the challenge of chrysotile detection, an article entitled
26 “Talc” in the January/March 1976 CTFA *Cosmetic Journal*, states that “The only known backup
27 method for a positive identification in this event, is [TEM] with selected area diffraction.”
28 However, “despite many efforts, the committee had been unable to find a sample of cosmetic talc
containing naturally occurring asbestos...it was asked, ‘Why should we test for chrysotile if there

1 isn't any?'" CTFA's Specification for Cosmetic Talc, revised on October 7, 1976, falsely
2 represented that no fibrous asbestos was detected in cosmetic talc. Even after 1976, CTFA and
3 Defendants continued to obtain and/or receive results of testing performed internally and
4 externally indicating the presence of asbestos and other carcinogens in the talc being used to
5 manufacture cosmetic products. However, CTFA and Defendants continued to represent that no
6 asbestos was detected in cosmetic talc. These material representations adversely and directly
7 impacted the FDA's attempt to adequately test consumer talc for asbestos and regulate cosmetics.
8 The most sensitive method of identifying or detecting asbestos in cosmetic talc, TEM-SAED, was
9 not used because CTFA represented that its "ultra sensitivity could be a problem" and that it was
10 too expensive to use. Instead, its J4-1 method relied on XRD alone for detection of asbestos at
11 greater concentrations than 0.5%, a concentration that could allow more than a billion asbestos
12 fibers per gram of talc to be passed off as "asbestos-free."

13
14 49. Defendants and CTFA made and published such representations, claiming that
15 their testing method was adequate, that they were ensuring that talcum powder products were
16 safe, including JBP and S+S, and that the talc reaching consumers, including JBP and S+S, was
17 "safe," despite having substantial knowledge and evidence to the contrary. Defendants
18 intentionally and knowingly did so to avoid FDA, CalEPA, OEHHA and other governmental
19 agency regulations that, like California's Proposition 65, would have required them to place
20 warnings regarding the Asbestos and Talc Containing Asbestiform Fibers content of their JBP
21 and S+S products, and thereby inform the public in this State, including Plaintiffs, that JBP and
22 S+S contain Asbestos and Talc Containing Asbestiform Fibers.

23 50. CTFA then published an article in 1979 stating it conducted over three thousand
24 tests of talcum powders and none of them found chrysotile. The article and report failed to
25 disclose whether the talcum powders tested contained tremolite, anthophyllite or any other form
26 of asbestos. This publication of half-truths was conveyed to the FDA and the public with the
27 purpose of preventing regulations of cosmetic products. Thereafter CTFA's methodology became
28 the standard by which nearly all talc was analyzed by the entire industry, including talc used in
cosmetic and hygiene products today.

1 51. CTFA and Defendants have represented to various news media outlets and the
2 public at large that their products are “asbestos-free,” when, in fact, their products did test
3 positive for asbestos and those that did not were merely the result of inadequate and imprecise
4 testing methods. “No asbestos detected” does not mean the product does not contain asbestos, but
5 due to Defendants’ repeated conflation of the terms, the public has been lead to erroneously
6 believe talc products are safe. Furthermore, since Defendants and CTFA did not have sufficient
7 testing protocols in place to support the claims that talc products, including JBP and S+S, were
8 safe or asbestos-free, such statements were recklessly made, as they had no reason to believe
9 them.

10 52. Between 1970 and the 1990s, tests conducted by and on behalf of Defendants and
11 the talc industry continued to show that talc and talcum powder products contained asbestos.
12 None of these positive tests have ever been produced or made known to any regulatory agency,
13 and knowledge of their existence is only because of civil litigation. Defendants intentionally and
14 knowingly did so to avoid FDA and California’s Proposition 65 regulations that may have
15 required them to place warnings regarding the asbestos content of their products, including JBP
16 and S+S, and thereby inform the public, including Plaintiffs, that talc-containing products such as
17 JBP and S+S contained Asbestos and Talc Containing Asbestiform Fibers.

18 53. Defendants and CTFA’s failure to disclose these positive results and the
19 inadequacies of their testing protocols continued through the 1980s, 1990s and 2000s, even when
20 various government agencies, including California’s Environmental Protection Agency
21 (“CalEPA”) and Office of Environmental Health Hazard Assessment (“OEHHA”) and others,
22 raised concerns about the safety of talc, including the issue of asbestos content.

23 54. To this day, many talc-containing products presently on the market, including
24 JBP and S+S contain Asbestos and Talc Containing Asbestiform Fibers. Instead of publicizing
25 this fact, Defendants and CTFA continue to deny all the above to protect their pecuniary interests,
26 to the severe detriment of the public, including Plaintiffs.

27 55. Since at least 1979, Defendants have conducted a campaign to convince the
28 public that their products are regulated by the FDA, that their tests are conducted pursuant to

1 FDA regulations, and that talcum powder products are, therefore, safe. Nothing could be further
2 from the truth: the FDA has never been assigned a budget by Congress to regulate cosmetics,
3 including asbestos and other carcinogens in talcum powders. Defendants' concerns for the safety
4 of their products have always been voluntary and under the auspices of CTFA, a private industry
5 group, that in its 40 years has only banned the use of 11 ingredients in all cosmetics ever sold in
6 the United States. Indeed, as of today, asbestos-containing talc in cosmetics has not been banned
7 or otherwise regulated by CTFA or the FDA.

8 56. Defendants (and other entities in the talc industry and cosmetic industries,
9 including the CTFA), individually and collectively, failed to report to the FDA, CalEPA, OEHHA
10 and other regulatory agencies, tests performed both internally and by outside laboratories
11 confirming the presence of Asbestos and Talc Containing Asbestiform Fibers in both their
12 finished products, including JBP and S+S, as well as talc shipments from suppliers Defendants
13 obtained talc from and other sources that were used to produce finished products.

14 57. Defendants, and even the outside laboratories, including McCrone Associates,
15 sent letters to CTFA, to be and which were forwarded to the FDA, stating that results of testing of
16 talc used by them after 1972 had not revealed the presence of amphibole or chrysotile asbestos,
17 when in fact all of these entities had received or performed tests indicating the contrary when
18 such false representations were made.

19 58. After 1976, Defendants and CTFA continued to obtain and/or receive results of
20 testing performed internally and externally indicating the presence of Asbestos and Talc
21 Containing Asbestiform Fibers in JBP and S+S.

22 59. Defendants failed to place any warning on their JBP and S+S despite CalEPA and
23 OEHHA regulations otherwise, or ever disclose the fact that these products contain Asbestos or
24 Talc Containing Asbestiform Fibers, at any point, up to and including the present, despite the
25 clear hazard and direct information that their JBP and S+S did and continue to contain Asbestos
26 or Talc Containing Asbestiform Fibers.

27 60. Defendants and CTFA, collectively and through explicit agreement and
28 consciously parallel behavior, controlled industry standards regarding the testing, manufacture,

1 sale, distribution and use of talcum powder products, and controlled the level of knowledge and
2 information available to the public, including Plaintiffs, regarding the hazards of exposure to
3 carcinogens, including Asbestos and Talc Containing Asbestiform Fibers, from JBP and S+S.

4 61. Defendants and CTFA, through agreement and consciously parallel behavior,
5 knowingly and intentionally released, published and disseminated invalid, inaccurate, outdated
6 and misleading scientific data, literature and test reports containing misinformation and false
7 statements regarding the health risks associated with the use of talc and talcum powder products,
8 including JBP and S+S, to which Plaintiffs and the consuming public in this State have been
9 exposed.

10 62. Defendants and CTFA, while cognizant of the aforementioned data, deliberately
11 chose to ignore the health and safety issues raised in said data and embarked upon a plan of
12 deception intended to deprive the public at large in this State and elsewhere, including Plaintiffs,
13 of alarming medical and scientific findings, many of which remained in their exclusive
14 possession and under their exclusive control.

15 63. Defendants and CTFA conspired and/or acted in concert with each other and/or
16 with other entities through agreement and consciously parallel behavior:

- 17
- 18 a. to withhold from users of their products including Plaintiff and the general
19 consuming public of this State—and from persons who they knew and should
20 have known would be exposed thereto—information regarding the health risks
21 of inhaling and/or ingesting and/or perineal (genital) application of JBP and
22 S+S containing Asbestos and Talc Containing Asbestiform Fibers;
 - 23 b. to eliminate, suppress or prevent investigation into the health hazards of
24 exposure to asbestos and other carcinogens in talc and talcum powder
25 products;
 - 26 c. to ensure that asbestos-containing talc and talcum powder products became
27 widely used in commerce, irrespective of the potential and actual risk of harm
28 to the users and consumers from the asbestos and other carcinogens therein;
and
 - d. to falsely represent that talc and talcum powder products, including those of

1 Defendants, were safe and healthful for use by consumers such as Plaintiffs
2 and the general consuming public of this State.

3 64. Plaintiffs reasonably and in good faith relied upon the false and fraudulent
4 representations made by Defendants and CTFA regarding the hazards of talc and talcum powder
5 products that contained asbestos and other carcinogens, and he was, therefore, deprived of an
6 opportunity to make informed decisions concerning use of, exposure to and contact with said
7 products.

8 65. CTFA, as well as Defendants and other entities in the talc industry and cosmetic
9 industries, individually and collectively, failed to report to the FDA tests performed both
10 internally and by outside laboratories confirming the presence of asbestos in Defendants' and
11 other CTFA members' finished products as well as talc shipments from talc suppliers and other
12 sources that were used to produce finished products. Instead, CTFA sent letters to the FDA
13 stating that results of testing of talc used by the industry after 1972 had not revealed the presence
14 of amphiboles or chrysotile, when in fact all of these entities had received or performed tests
15 indicating the contrary by 1976, when such intentionally false misrepresentations were made.
16 CTFA and Defendants made and published such representations claiming that their collective
17 testing method was adequate, they were ensuring that talcum powder products, including JBP and
18 S+S, were safe, and that their testing of talc reaching consumers was "safe," despite knowing the
19 contrary.
20

21 66. The FDA, CalEPA, OEHHA, other regulatory bodies, and ultimately Plaintiffs
22 and the general consuming public of this State, directly and/or indirectly relied upon CTFA's and
23 Defendants' false representations regarding the safety of cosmetic talc. In fact, a FDA letter dated
24 January 11, 1979, states: "In cooperation with scientists from industry, our scientists have been
25 making progress in the development of such regulatory methods." The continuing lack of FDA
26 awareness regarding CTFA's and Defendants' misrepresentations was obvious seven years later.
27 In a response to a citizen petition to require an asbestos warning label on cosmetic talc, on July
28 11, 1986, the FDA states that an "analytical methodology was sufficiently developed" to ensure
that "such talc [is] free of fibrous amphibole..." CTFA's J4-1 method has continued for the past

1 four decades to be the cosmetic talc industry's method for "ensuring" "asbestos-free" talc. The
2 use of TEM, recognized by the CTFA as offering "greater sensitivity" for asbestos, continued to
3 increase over the following decades as its advantages were applied to more matrices. In 1990,
4 Kremer and Millette published a TEM method for analysis of asbestos in talc with a theoretical
5 detection limit of about 0.00005%. Despite such improvements in analytical techniques, the
6 cosmetic talc industry, including Defendants, continues, four decades later, to use and promote its
7 antiquated and wholly inadequate J4-1 method.

8
9 67. CTFA and Defendants, collectively and through explicit agreement and
10 consciously parallel behavior, controlled industry standards regarding the testing, manufacture,
11 sale, marketing, distribution and use of asbestos-containing talcum powder products, and
12 controlled the level of knowledge and information available to the public in this State regarding
13 the hazards of exposure to Asbestos and Talc with Asbestiform Fibers and other carcinogens from
14 talc and talc-containing products, including JBP and S+S.

15 68. CTFA and Defendants, through agreement and consciously parallel behavior,
16 intentionally failed to warn potential users, including Plaintiffs and the general consuming public
17 in this State, of the serious bodily harm and/or death which may result from the inhalation and/or
18 ingestion and/or perineal (genital) application of Asbestos and Talc Containing Asbestiform
19 Fibers from their JBP and S+S products.

20 69. CTFA and Defendants, through agreement and consciously parallel behavior,
21 knowingly and intentionally released, published and disseminated invalid, inaccurate, outdated
22 and misleading scientific data, literature and test reports containing misinformation and false
23 statements regarding the health risks associated with the use of talc and talcum powder, and
24 specifically talc and talcum powder used in the production of JBP and S+S products to which
25 Plaintiffs and the general consuming public in this State were exposed.

26 70. CTFA and Defendants, through agreement and consciously parallel behavior,
27 suppressed, altered, changed, destroyed and/or revised reports, data, tests, studies and other
28 documents regarding the potential presence of asbestos and other carcinogens in talc and talc-

1 containing products, including Defendants' JBP and S+S products to which Plaintiffs and the
2 consuming public in this State were exposed.

3 71. As recently as 2016, Defendants made material misrepresentations to the FDA
4 regarding Asbestos and Talc Containing Asbestiform Fibers in its talcum powder products.

5 72. Plaintiffs file this lawsuit within one year of first suspecting that JBP and S+S
6 products contain Asbestos and Talc Containing Asbestiform Fibers. Plaintiffs did not, and could
7 not, by the exercise of reasonable diligence, discover at an earlier time that JBP and S+S contain
8 Asbestos and Talc Containing Asbestiform Fibers due to the actions and/or inactions of
9 Defendants. Plaintiffs did not suspect, nor did Plaintiffs have reason to suspect, the unlawful
10 nature of the conduct of Defendants, until less than one year prior to the filing of this action.
11 Additionally, Plaintiffs were prevented from discovering this information sooner because
12 Defendants herein misrepresented and continue to misrepresent to the public, regulatory agencies,
13 the medical community, and the pharmacy profession that JBP and S+S products are "asbestos
14 free", and Defendants have fraudulently concealed facts and information that could have led
15 Plaintiffs to discover the basis for the causes of action alleged herein.
16

17 **PROPOSITION 65 ALLEGATIONS**

18 73. Plaintiffs bring the Proposition 65 claim in the public interest pursuant to
19 California Health & Safety Code §25249.7(d).
20

21 74. Health & Safety Code §25249.6 provides:

22 No person in the course of doing business shall knowingly and
23 intentionally expose any individual to a chemical known to the state to
24 cause cancer or reproductive toxicity without first giving clear and
reasonable warning to such individual...

25 75. "Knowingly" refers only to knowledge of the fact that a discharge of, release of,
26 or exposure to a chemical listed pursuant to Section 25249.8(a) of the Act is occurring. "No
27 knowledge that the discharge, release or exposure is unlawful is required (27 Cal. Code Regs, title
28 27, §25102(n)).

76. Proposition 65 also provides that any person "violating or threatening to violate"
the statute may be enjoined in a court of competent jurisdiction. (Health & Saf. Code §25249.7)

1 The phrase “threatening to violate” is defined to mean creating “a condition in which there is
2 substantial likelihood that a violation will occur.” (Health & Saf. Code §25249.11(e)). Violaters
3 are liable for civil penalties of up to \$2,500 per day for each violation of the Act. (Health & Saf.
4 Code §25249.7).

5 77. Asbestos is listed by the State of California as a chemical known to cause cancer.
6 Asbestos is therefore subject to the “clear and reasonable” warning requirements of Proposition
7 65 for cancer.

8 78. Due to the high toxicity of Asbestos in causing cancer, the No Significant Risk
9 Level (“NSRL”) or (“Safe Harbor”) for inhalation of Asbestos is 100 fibers/day (inhalation) (27
10 Cal. Code Regs, Title 27, CR 25709(b)). Defendants manufacture, distribute, market and/or sell
11 in California JBP and S+S containing Asbestos in levels exceeding the NSRL for inhalation
12 through normal and intended use of the products.

13 79. There is no Safe Harbor established for perineal (genital) exposure to Asbestos.

14 80. Talc Containing Asbestiform Fibers is also listed by the State of California as a
15 chemical known to cause cancer. Talc Containing Asbestiform Fibers is therefore subject to the
16 “clear and reasonable” warning requirements of Proposition 65 for cancer.

17 81. There are no Safe Harbors established for exposure to Talc Containing
18 Asbestiform Fibers.

19 82. Since there is no established Safe Harbor for perineal (genital) exposure to
20 Asbestos, or for inhalation or perineal (genital) exposure to Talc Containing Asbestiform Fibers,
21 the named Defendants must demonstrate that the exposure will produce no observable effect,
22 even at 1,000 times the level in question. *See*, 27 Cal. Code of Regs, Title 27, §25801 *et. seq.*
23 Clearly, at 1,000 times the Asbestos and Talc Containing Asbestiform Fibers levels in question,
24 the named Defendants are unable to show “no observable effect.”

25 83. At all times relevant to this action, Defendants have knowingly exposed
26 California consumers to Asbestos and Talc Containing Asbestiform Fibers in the offending JBP
27 and S+S talcum powder products without clear and reasonable warning to such individuals.
28

84. At all times relevant to this action, Defendants have failed to place a clear and reasonable Proposition 65 warning for Asbestos and Talc Containing Asbestiform Fibers, disclosing the cancer-causing effects, on its JBP and S+S talcum powder products.

85. At all times relevant to this action, Defendants' representatives have failed to warn California consumers that their JBP and S+S talcum powder products contain cancer-causing Asbestos and Talc Containing Asbestiform Fibers.

86. At all times relevant to this action, Defendants have failed to place a clear and reaonsable Proposition 65 warning for Asbestos and Talc Containing Asbestiform Fibers on its marketing materials.

87. At all times relevant to this action, Defendants have failed to place a clear and reasonable Proposition 65 warning for Asbestos and Talc Containing Asbestiform Fibers on store shelves.

88. At all times relevant to this action, Defendants have failed to place a clear and reasonable Proposition 65 warning for Asbestos and Talc Containing Asbestiform Fibers on their websites. To the contrary, Defendants continue to represent on their websites that JBP and S+S are “asbestos free.”

CAUSES OF ACTION

**FIRST CAUSE OF ACTION
VIOLATION OF HEALTH & SAFETY CODE §25249.5, *ET SEQ.*
(By Plaintiffs in the Public Interest Against all Defendants)**

89. Plaintiffs incorporate by reference all facts and allegations contained in the foregoing paragraphs as though fully laid out herein.

90. Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act, California Health and Safety Code §25249.5, *et seq.*) is a “right-to-know” law. It requires businesses to warn California consumers before exposing them to chemicals known to cause cancer by including that information on their product’s label. The intent of Proposition 65 is to protect California citizens from exposure to chemicals known to cause cancer, birth defects or other reproductive harm, and to inform California citizens about exposure to such chemicals.

1 91. Plaintiffs are California residents bringing this Proposition 65 private
2 enforcement action in the public interest.

3 92. Proposition 65 requires the State of California to maintain and update a list of
4 chemicals known by the state to cause cancer or reproductive toxicity. Two of the chemicals on
5 that list are Asbestos and Talc Containing Asbestiform Fibers. If a listed chemical exists in a
6 consumer product, such as JBP and S+S talcum powder products, the product must be labeled to
7 disclose the existence of the toxic chemical to the general public.

8 93. Proposition 65 also requires the State of California to keep a list of No Significant
9 Risk Levels (NSRLs) and Maximum Allowable Dosage Levels (MADLs), which establish “safe
10 harbor” levels for products contained listed toxic chemicals. As to cancer, if the amount of the
11 toxic chemical in the product is below the “safe harbor” limit, then it is exempt from liability
12 under Proposition 65. The “safe harbor” limit for inhalation of Asbestos is 100 fibers/day. There
13 is no “safe harbor” for perineal (genital) exposure to Asbestos. Nor is there any “safe harbor” for
14 inhalation or perineal (genital) exposure to Talc Containing Asbestiform Fibers. Each of the
15 Defendants’ JBP and S+S talcum powder products exceed the “safe harbor” provisions under
16 Proposition 65, where a “safe harbor” has been established. Further, since there is no established
17 Safe Harbor for perineal (genital) exposure to Asbestos or to inhalation or perineal (genital)
18 exposure to Talc Containing Asbestiform Fibers, the named Defendants must demonstrate that the
19 exposure will produce no observable effect, even at 1,000 times the level in question. *See*, 27 Cal.
20 Code of Regs, Title 27, §25801 *et. seq.* Clearly, at 1,000 times the Asbestos and Talc Containing
21 Asbestiform Fibers levels in question, the named Defendants are unable to show “no observable
22 effect.”

23 94. Defendants’ JBP and S+S talcum powder products cause exposures to Asbestos
24 and/or Talc Containing Asbestiform Fibers. Therefore, Proposition 65 requires Defendants to
25 provide a clear and reasonable warning that the use of their JBP and S+S talcum powder products
26 causes exposure to Asbestos and Talc Containing Asbestiform Fibers, chemicals known to the
27 State of California to cause cancer. Defendants have failed to provide the required warnings.

28 95. Plaintiffs are informed and reasonably believe that the Defendants knew and or
reasonably should have known that the foreseeable and intended use of their JBP and S+S results

1 in exposure to Asbestos and/or Talc Containing Asbestiform Fibers, thus requiring warnings
2 under Proposition 65.

3 96. Defendants knew and intend that Plaintiffs will use their JBP and S+S talcum
4 powder products, thus exposing Plaintiffs and the general consuming public in this State and
5 elsewhere to Asbestos and Talc Containing Asbestiform Fibers.

6 97. By manufacturing, supplying and distributing JBP and S+S talcum powder
7 products containing Asbestos and Talc Containing Asbestiform Fibers without first providing a
8 clear and reasonable warning, Defendants have engaged and continue to engage in conduct which
9 violates Health and Safety Code §25249.6.

10 98. Proposition 65 provides that any person “violating or threatening to violate” the
11 statute may be enjoined by any court of competent jurisdiction. (Health & Saf. Code §25249.7).

12 99. Violators of Proposition 65 are liable for civil penalties of up to \$2,500 per day
13 per violation, recoverable in a civil action. (Health & Saf. Code §25249.7(b)).

14 100. Many containers of the JBP and S+S talcum powder manufactured, distributed
15 and sold by the Defendants remain unopened and have not yet exposed a person to Asbestos and
16 Talc Containing Asbestiform Fibers, but when opened, these containers will expose Plaintiffs and
17 the general consuming public in this State and elsewhere to Asbestos and Talc Containing
18 Asbestiform Fibers. These containers require “a clear and reasonable warning” prior to exposure.

19 101. By engaging in this conduct, Defendants are liable, pursuant to §25249.7(b), for
20 civil penalties of up to \$2,500 per day per container of JBP and S+S sold.

21 102. By continuing to engage in this conduct even after the Notice of Violation has
22 been given, the Defendants have caused irreparable harm to the citizens of the State of California
23 for which there is no plain, speedy or adequate remedy at law.

24
25
26 **SECOND CAUSE OF ACTION**
27 **VIOLATION OF BUSINESS AND PROFESSIONS CODE SECTION 17200, *et seq.***
28 **(Against all Defendants)**

103. Plaintiffs hereby incorporate by reference all previous paragraphs of this
Complaint as if fully set forth herein and further allege as follows:

1 104. California Business & Professions Code § 17200 provides that unfair competition
2 shall mean and include “all unlawful, unfair or fraudulent business practices and unfair,
3 deceptive, untrue or misleading advertising.”

4 105. Plaintiffs purchased JBP and S+S containing Asbestos and Talc Containing
5 Asbestiform Fibers and have suffered injury in fact and have lost money or property as a result of
6 the unlawful, unfair or fraudulent business practices and unfair, deceptive, untrue or misleading
7 advertising.

8 106. The acts and practices described above violate California Health and Safety Code
9 §25249.5, *et seq.* (Proposition 65) and therefore satisfy and violate the “unlawful” prong of §
10 17200.

11 107. The acts and practices described above also violate the California Safe Cosmetic
12 Act of 2005 (Cal. Health & Safety Code §§ 111791 *et seq.*) for failing to notify the California
13 Safe Cosmetics Program that JBP and S+S contain Asbestos and Talc Containing Asbestiform
14 Fibers -- ingredients known to cause cancer. The California Safe Cosmetics Act is a California
15 State law that was enacted in 2005 and is implemented by the California Safe Cosmetics Program
16 in the California Department of Public Health. The Act requires companies to report cosmetics
17 products sold within the state that contain ingredients known or suspected to cause cancer, birth
18 defects, or other reproductive harm. The violations of Cal. Health & Safety Code §§ 111791 *et*
19 *seq.* also satisfy and violate the “unlawful” prong of § 17200.

20 108. The acts and practices described above were and are also likely to mislead the
21 general public and therefore constitute unfair business practices within the meaning of California
22 Business & Professions Code § 17200, including unfair, unlawful, and/or fraudulent practices.

23 109. The acts of untrue and misleading advertising set forth in presiding paragraphs
24 are incorporated by reference and are, by definition, violations of California Business &
25 Professions Code § 17200. This conduct is set forth fully herein, and includes, but is not limited
26 to: (a) Representing that JBP and S+S are safe for their intended and foreseeable use and “free of
27 asbestos”, knowing that said representations were false, and concealing that JBP and S+S contain
28 Asbestos and Talc Containing Asbestiform Fibers and had a serious propensity to cause injuries

1 to users; (b) Issuing promotional literature and commercials deceiving potential users of the JBP
2 and S+S by relaying positive information and concealing material relevant information regarding
3 the safety and efficacy of JBP and S+ S; and other unfair, unlawful and fraudulent conduct.

4 110. These practices constitute unlawful, unfair and/or fraudulent business acts or
5 practices, within the meaning of California Business & Professions Code § 17200. The fraudulent
6 conduct includes representing that JBP and S+S were safe for their intended use, and failing to
7 warn of the risks Defendants were aware of.

8 111. The unfair and unlawful conduct includes but is not limited to exposing Plaintiff
9 and the general consuming public of this State to risks of ovarian cancer, mesothelioma and other
10 cancers, without warning them, in order to profit from the sale of JBP and S+S in violation of the
11 California Safe Cosmetics Act of 2005, Proposition 65, and other statutes and laws.

12 112. The unlawful, unfair and fraudulent business practices of Defendants described
13 above present a continuing threat to members of the public in that Defendants continue to engage
14 in the conduct described therein.

15 113. As a result of their conduct described above, Defendants have been and will be
16 unjustly enriched. Specifically, Defendants have been unjustly enriched by receipt of hundreds of
17 millions of dollars in ill-gotten gains from the sale of the JBP and S+S in California, sold in large
18 part as a result of the acts and omissions described herein.

19 114. Plaintiffs, pursuant to California Business & Professions Code § 17203, seeks an
20 order of this court compelling the Defendants to provide restitutionary disgorgement and
21 injunctive relief calling for Defendants, and each of them, to cease unfair business practices in the
22 future.

23 115. Defendants' actions described above were performed willfully, intentionally, and
24 with reckless disregard of the life and safety of the Plaintiffs and the general consuming public in
25 this State.

26
27
28 **THIRD CAUSE OF ACTION**
VIOLATION OF BUSINESS AND PROFESSIONS CODE SECTION 17500, *et seq.*
(Against all Defendants)

1 116. Plaintiff hereby incorporates by reference all previous paragraphs of this
2 Complaint as if fully set forth herein and further allege as follows:

3 117. Plaintiff brings this cause of action pursuant to California Business & Professions
4 Code § 17500. California Business & Professions Code § 17500 provides that it is unlawful for
5 any person, firm, corporation or association to dispose of property or perform services, or to
6 induce the public to enter into any obligation relating thereto, through the use of untrue or
7 misleading statements.

8 118. Plaintiffs purchased JBP and S+S containing Asbestos and Talc Containing
9 Asbestiform Fibers and have suffered injury in fact and have lost money or property as a result of
10 the unlawful, unfair or fraudulent business practices and unfair, deceptive, untrue or misleading
11 advertising.

12 119. At all times herein alleged, Defendants have committed acts of disseminating
13 untrue and misleading statements as defined by California Business & Professions Code § 17500
14 by engaging in the following acts and practices with intent to induce members of the public to
15 purchase and use JBP and S+S: (a) Representing that JBP and S+S are safe for their intended and
16 foreseeable use and “free of asbestos”, knowing that said representations were false, and
17 concealing that JBP and S+S contain Asbestos and Talc Containing Asbestiform Fibers and have
18 a serious propensity to cause injuries to users; (b) Issuing promotional literature and commercials
19 deceiving potential users of JBP and S+S by relaying positive information and concealing
20 material relevant information regarding the safety and efficacy of JBP and S+S; and other unfair,
21 unlawful and fraudulent conduct.

22 120. The foregoing practices constitute false and misleading advertising within the
23 meaning of California Business & Professions Code § 17500.

24 121. The acts of untrue and misleading statements by Defendants described herein
25 above present a continuing threat to members of the public in that the acts alleged herein are
26 continuous and ongoing, and the public will continue to suffer the harm alleged herein.

27 122. As a result of their conduct described above, Defendants have been and will be
28 unjustly enriched. Specifically, Defendants have been unjustly enriched by receipt of hundreds of

1 millions of dollars in ill-gotten gains from the sale of JBP and S+S in California, sold in large part
2 as a result of the acts and omissions described herein.

3 123. Pursuant to California Business & Professions Code § 17535, Plaintiffs seeks an
4 order of this Court compelling the Defendants to provide restitution and injunctive relief calling
5 for Defendants, and each of them, to cease unfair business practices in the future.

6 124. Plaintiffs seek restitutionary disgorgment of the monies collected by Defendants,
7 and each of them, and other injunctive relief to cease such false and misleading advertising in the
8 future.

9 125. Defendants' actions described above were performed willfully, intentionally, and
10 with reckless disregard of the life and safety of the public and Plaintiffs.
11

12 **PRAYER FOR RELIEF**

13
14 WHEREFORE, Plaintiffs, individually, and on behalf of the general public, pray for
15 judgment against Defendants as follows:
16

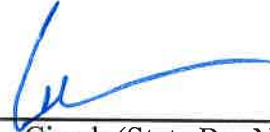
- 17 1. For a declaratory judgment that Defendants' acted unlawfully by exposing Plaintiffs
18 and consumers in this State of JBP and S+S to dangerous Asbestos and/or Talc
19 Containing Asbestiform Fibers;
- 20 2. For an order, pursuant to Health & Safety Code §25249.7(b), compelling Defendants
21 to identify and locate each individual to whom the offending JBP and S+S talcum
22 powder products were sold in the past four years, and to provide a warning to such
23 persons that use of the offending JBP and S+S talcum powder products will expose
24 them to chemicals known to cause cancer;
- 25 3. For an order, pursuant to Health & Safety Code §25249.7(b) enjoining Defendants,
26 their agents, employees, assigns and all persons acting in concert or participating with
27 Defendants in the manufacture, distribution or sale of the offending JBP and S+S
28 talcum powder products to (i) either remove all Asbestos and/or Talc Containing
Asbestiform Fibers such that no Proposition 65 warning is necessary; or (ii) provide a

1 clear and reasonable warning, within the meaning of Proposition 65, to the consumers
2 of JBP and S+S that may be exposed to Asbestos and/or Talc Containing Asbestiform
3 Fibers causing an increased risk of cancer;

- 4 4. For an order requiring Defendants to make full disclosure of the risks of exposure to
5 Asbestos and/or Talc Containing Asbestiform Fibers on the label of JBP and S+S
6 talcum powder containers such that it complies with all applicable labeling rules and
7 regulations;
- 8 5. For an order requiring Defendants to engage in corrective advertising regarding the
9 conduct discussed above;
- 10 6. For assessment of civil penalties pursuant to Health & Safety Code §25249.7(b)
11 against Defendants in the amount of \$2,500 per day for each violation of Proposition
12 65;
- 13 7. For an order awarding, as appropriate, compensatory damages and restitutionary
14 disgorgement to Plaintiffs;
- 15 8. For an order enjoining Defendants from continuing to market, advertise, distribute,
16 and sell these products in the unlawful manner described herein, and ordering
17 Defendants to engage in corrective action;
- 18 9. For all remedies available pursuant to the Civil Code;
- 19 10. For an order awarding attorneys' fees and costs pursuant to California Code of Civil
20 Procedure § 1021.5 or any other applicable provision(s) of law, as Plaintiffs shall
21 specify in further application to the Court;
- 22 11. For an order awarding punitive damages;
- 23 12. For an order awarding pre- and post-judgment interest; and
- 24 13. For an order providing such relief as this Court deems proper.

1
2 Dated: March 5, 2018

Respectfully Submitted,

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Michael Akselrud (State Bar No. 285033)
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10
11 W. Mark Lanier (*pro hac vice* pending)
Richard D. Meadow (*pro hac vice* pending)
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Facsimile: (713) 659-2204
Email: mark.lanier@lanierlawfirm.com
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16
17 Michael S. Burg (*pro hac vice* pending)
David K. TeSelle (*pro hac vice* pending)
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DTeselle@burgsimpson.com
SKatz@burgsimpson.com

23 *Attorneys for Plaintiff*

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Dated: March 5, 2018

Respectfully Submitted,

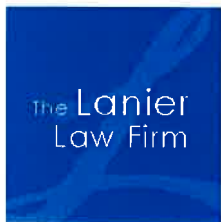
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Attorneys for Plaintiff

Exhibit A



A Professional Corporation

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Via Certified U.S. Mail

THE ENTITIES AND THE PUBLIC ENFORCEMENT AGENCIES LISTED ON THE DISTRIBUTION LIST ACCOMPANYING THE ATTACHED CERTIFICATE OF SERVICE

RE: Notice of Violation of California Health & Safety Code § 25249.6

To Whom It May Concern:

Becky Canzoneri, Tania Hanks, Ethel Herrera, Jeanette Jones, Hermelinda Luna, Margaret Reed, and Brenda Versic (“the Noticing Parties”) serve this Notice of Violation (“Notice”) on Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. (“the Noticed Parties”) pursuant to and in compliance with California Health and Safety Code § 25249.7(d) and 27 California Code of Regulations § 25903.

This Notice satisfies a prerequisite for the Noticing Parties to commence an action against the Noticed Parties to enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (“Proposition 65”). The Noticing Parties intend to begin an enforcement action sixty (60) days after effective service of this Notice, unless the public enforcement agencies have commenced an action to rectify the violations discussed in this Notice. This Notice is being served upon the Noticed Parties, the California Attorney General and the district attorney of every county in which a violation is alleged to have occurred, and upon the city attorneys of any cities with populations according to the most recent decennial census of over 750,000 and in which the violation is alleged to have occurred. Where the Noticed Parties have a current registration with the California Secretary of State that identifies a Chief Executive Officer, President, or General Counsel of the corporation, the Notice is addressed to one of those persons.

Attached as Exhibit A to this Notice is a copy of the “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.” The attached Summary was prepared by the California Environmental Protection Agency and provides general information about Proposition 65.

A description of Noticing Parties, the Noticed Parties, and the alleged violations address by this Notice are as follows:

The Noticing Parties: This Notice is provided by Becky Canzoneri, Tania Hanks, Ethel Herrera, Jeanette Jones, Hermelinda Luna, Margaret Reed, and Brenda Versic. The Noticing Parties are acting in the public interest pursuant to California Health & Safety Code § 25249.7(d) and are dedicated to protecting the health of all Californians. The Noticing Parties are located in Los Angeles, Riverside, Kern, Alameda, San Bernardino, and San Joaquin Counties in the State of California.

The Alleged Violators: The Alleged Violators are the Noticed Parties. Each of the Noticed Parties are believed to be in violation of California Health & Safety Code § 25249.6.

The Violation and the Chemicals Involved:

- (a) On February 27, 1987, the State of California officially listed Asbestos as a chemical known to the State to cause cancer. The Noticed Parties have exposed and continue to expose consumers within the State of California to Asbestos without providing clear and reasonable warning of this exposure. Such exposures have occurred and continue to occur at levels that exceed the No Significant Risk Level for inhalation. There is no "Safe Harbor" (i.e. No Significant Risk Level) established for perineal (genital) exposure to Asbestos.
- (b) On April 1, 1990, the State of California officially listed Talc Containing Asbestiform Fibers as a chemical known to the State to cause cancer. The Noticed Parties have exposed and continue to expose consumers within the State of California to Talc Containing Asbestiform Fibers without providing clear and reasonable warning of this exposure. There is no "Safe Harbor" (i.e. No Significant Risk Level) established for exposure to Talc Containing Asbestiform Fibers.

The Consumer Products: The products that are subject of this Notice are Johnson's Baby Powder and Shower to Shower products, all of which are produced, manufactured, marketed, and/or distributed by each of the Noticed Parties.

Route of Exposure: The principal routes of exposure with regard to Asbestos and Talc Containing Asbestiform Fibers are through inhalation and perineal (genital) exposure.

The Duration of the Violations: The violations addressed by this Notice began no later than February 27, 1987, have occurred on every day since at least February 27, 1987, and are ongoing and continuing.

Pursuant to Title 11 of the California Code of Regulations § 3100, a certificate of merit is attached hereto.

Please direct any inquiries regarding this Notice or any communication to the counsel for the Noticing Parties:

Lee A. Cirsch
The Lanier Law Firm, P.C.
10866 Wilshire Blvd.
Suite 400
Los Angeles, CA 90024
310.277.5100

DATED: August 24, 2017

A handwritten signature in blue ink, appearing to be 'Lee A. Cirsch', written above a horizontal line.

Lee A. Cirsch
Attorney for Noticing Parties

CERTIFICATE OF MERIT
Health and Safety Code § 25249.7(d)

I, Lee A. Cirsch, hereby declare:

- 1) This Certificate of Merit accompanies the attached sixty-day notice in which it alleged the parties identified in the notice 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 parties.
- 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 alleged exposure to the listed chemicals 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 plaintiffs' 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: August 24, 2017



Lee A. Cirsch

CERTIFICATE OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and a party to the within action. My business address is 10866 Wilshire Blvd., Suite 400, Los Angeles, CA 90024.

On August 24, 2017, I served the following:

- 1) 60-Day Notice of Intent to Sue Under Health & Safety Code section 25249.6
- 2) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary (Noticed Parties Copies)
- 3) Certificate of Merit: Health & Safety Code section 25249.7(d)
- 4) Certificate of Merit (Attorney General Copy); Factual Information Sufficient to Establish the Basis of the Certificate of Merit

on the interested parties in this action by either electronically filing these documents or placing a true copy thereof enclosed in a sealed envelope addressed as listed on the Service List attached.

X **MAIL** I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepared at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 24, 2017, at Los Angeles, California.



Michael Akselrud
Attorney for Noticing Parties

Service List					
<i>Noticed Party</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Johnson & Johnson	One Johnson & Johnson Plaza	New Brunswick	NJ	08933	
Johnson & Johnson Consumer Inc.	One Johnson & Johnson Plaza	New Brunswick	NJ	08933	
<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Office of the California Attorney General	Prop. 65 Enforcement Reporting				
Alameda County District Attorney	1225 Fallon Street Room 900	Oakland	CA	94612	
Alpine County District Attorney	270 Laramie Street P. O. Box 248	Markleeville	CA	96120	
Amador County District Attorney	708 Court Street	Jackson	CA	95642	
Butte County District Attorney	25 County Center Drive	Oroville	CA	95965	
Calaveras County District Attorney	891 Mountain Ranch Road	San Andres	CA	95249	
Colusa County District Attorney	346 Fifth Street	Colusa	CA	95932	
Contra Costa County District Attorney	900 Ward Street	Martinez	CA	94553	
Del Norte County District Attorney	450 H Street Room 171	Crescent City	CA	95531	
El Dorado County District Attorney	515 Main Street	Placerville	CA	95667	
Fresno County District Attorney	2220 Tulare Street, #1000	Fresno	CA	93721	
Glenn County District Attorney	P.O. Box 430	Willows	CA	95988	
Humboldt County District Attorney	825 5th Street	Eureka	CA	95501	
Imperial County District Attorney	940 West Main Street Suite 102	El Centro	CA	92243	
Inyo County District Attorney	P.O. Drawer D	Independence	CA	93526	
Kern County District Attorney	1215 Truxtun Avenue	Bakersfield	CA	93301	
Kings County District Attorney	1400 West Lacey Boulevard	Hanford	CA	93230	
Lake County District Attorney	255 North Forbes Street	Lakeport	CA	95453	
Lassen County District Attorney	220 S. Lassen Street, Suite 8	Susanville	CA	96130	

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Los Angeles County District Attorney	210 West Temple Street Suite 18000	Los Angeles	CA	90012
Madera County District Attorney	209 West Yosemite Avenue	Madera	CA	93637
Marin County District Attorney	3501 Civic Center Drive Room 130	San Rafael	CA	94903
Mariposa County District Attorney	5101 Jones Street P. O. Box 730	Mariposa	CA	95338
Mendocino County District Attorney	P.O. Box 1000	Ukiah	CA	95482
Merced County District Attorney	550 W. Main Street	Merced	CA	95340
Modoc County District Attorney	204 S. Court Street Room 202	Alturas	CA	96101
Mono County District Attorney	P.O. Box 617	Bridgeport	CA	93517
Monterey County District Attorney	P.O. Box 1131	Salinas	CA	93902
Napa County District Attorney	P.O. Box 720	Napa	CA	94559
Nevada County District Attorney	201 Commercial Street	Nevada City	CA	95959
Orange County District Attorney	401 Civic Center Drive West	Santa Ana	CA	92701
Placer County District Attorney	10810 Justice Center Drive Suite 240	Roseville	CA	95678
Plumas County District Attorney	520 Main Street Room 404	Quincy	CA	95971
Riverside County District Attorney	3960 Orange Street	Riverside	CA	92501
Sacramento County District Attorney	901 G Street	Sacramento	CA	95814
San Benito County District Attorney	419 4th Street Second Floor	Hollister	CA	95203
San Bernardino County District Attorney	316 N. Mountain View Avenue	San Bernardino	CA	92415
San Diego County District Attorney	330 W. Broadway Street	San Diego	CA	92101
San Francisco County District Attorney	850 Bryant Street Room 322	San Francisco	CA	94103
San Joaquin County District Attorney	P.O. Box 990	Stockton	CA	95201
San Luis Obispo County District Attorney	1035 Palm Street	San Luis Obispo	CA	93408

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
San Mateo County District Attorney	400 County Center Third Floor	Redwood City	CA	94063
Santa Barbara County District Attorney	1112 Santa Barbara Street	Santa Barbara	CA	93101
Santa Clara County District Attorney	70 West Hedding Street West Wing	San Jose	CA	95110
Santa Cruz County District Attorney	701 Ocean Street Room 200	Santa Cruz	CA	95060
Shasta County District Attorney	1355 West Street	Redding	CA	96001
Sierra County District Attorney	100 Courthouse Square Second Floor	Downieville	CA	95936
Siskiyou County District Attorney	P.O. Box 986	Yreka	CA	96097
Bain Solano County District Attorney	675 Texas Street Suite 4500	Fairfield	CA	94533
Sonoma County District Attorney	600 Administration Drive Room 212J	Santa Rosa	CA	95403
Stanislaus County District Attorney	832 12th Street Suite 300	Modesto	CA	95354
Adams Sutter County District Attorney	446 Second Street	Yuba City	CA	95991
Tehama County District Attorney	444 Oak Street, Room 1	Red Bluff	CA	96080
Trinity County District Attorney	P.O. Box 310	Weaverville	CA	96093
Tulare County District Attorney	221 South Mooney Boulevard, Suite 224	Visalia	CA	93291
Tuolumne County District Attorney	423 North Washington Street	Sonora	CA	95370
Ventura County District Attorney	800 South Victoria Avenue	Ventura	CA	93009
Yolo County District Attorney	301 Second Street	Woodland	CA	95695
Yuba County District Attorney	215 Fifth Street	Marysville	CA	95901
Office of the City Attorney, Los Angeles	200 North Main Street	Los Angeles	CA	90012
Office of the City Attorney, San Diego	1200 Third Avenue Suite 1620	San Diego	CA	92101
Office of the City Attorney, Sacramento	915 I Street, 4th Floor	Sacramento	CA	95814

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Office of the City Attorney, San Francisco	City Hall, Room 234 1 Dr. Carlton B. Goodlett Place	San Francisco	CA	94102
Office of the City Attorney, San Jose	200 East Santa Clara Street	San Jose	CA	95113