

ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

01/03/2025 at 03:24:58 PM

By: Damaree Franklin,
Deputy Clerk

ENTORNO LAW, LLP

Noam Glick (SBN 251582)
Craig M. Nicholas (SBN 178444)
Jake W. Schulte (SBN 293777)
Janani Natarajan (SBN 346770)

225 Broadway, Suite 1900
San Diego, California 92101
Tel: (619) 629-0527
Email: noam@entornolaw.com
Email: craig@entornolaw.com
Email: jake@entornolaw.com
Email: janani@entornolaw.com

Attorneys for Plaintiff
Environmental Health Advocates, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

ENVIRONMENTAL HEALTH ADVOCATES,
INC.,

Plaintiff,

v.

IT'S HANBUL CO., LTD., a South Korean
corporation; CNF CO., LTD., a South Korean
corporation; WORLD MARKET, LLC, a
California limited liability company;
BANZAI LIVING, INC., a New York
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: **25CV105597**

**COMPLAINT FOR CIVIL PENALTIES
AND INJUNCTIVE RELIEF**

(Health & Safety Code § 25249.6 et seq.)

I.
INTRODUCTION

1
2 1. This Complaint is a representative action brought by Environmental Health Advocates,
3 Inc. (“Plaintiff”) in the public interest of the citizens of the State of California (“the People”). Plaintiff
4 seeks to remedy Defendants' failure to inform the People of exposure to diethanolamine ("DEA"), a
5 known carcinogen. Defendants expose consumers to DEA by manufacturing, importing, selling, and/or
6 distributing face masks including, but not limited to, Honey Firm & Glow Mask Sheet (“Products”).
7 Defendants know and intend that customers will use Products containing DEA.

8 2. Under California’s Safe Drinking Water and Toxic Enforcement Act of 1986, California
9 Health and Safety Code, section 25249.6 et seq. (“Proposition 65”), “[n]o person in the course of doing
10 business shall knowingly and intentionally expose any individual to a chemical known to the state to
11 cause cancer or reproductive toxicity without first giving clear and reasonable warning to such
12 individual. . . .” (Health & Safety Code, § 25249.6.)

13 3. California identified and listed DEA as a chemical known to cause cancer as early as
14 June 22, 2012.

15 4. Defendants failed to sufficiently warn consumers and individuals in California about
16 potential exposure to DEA in connection with Defendants' manufacture, import, sale, or distribution of
17 Products. This is a violation of Proposition 65.

18 5. Plaintiff seeks injunctive relief compelling Defendants to sufficiently warn consumers
19 in California before exposing them to DEA in Products. (Health & Safety Code, § 25249.7(a).) Plaintiff
20 also seeks civil penalties against Defendants for violations of Proposition 65 along with attorney’s fees
21 and costs. (Health & Safety Code, § 25249.7(b).)

II.
PARTIES

22
23 6. Plaintiff ENVIRONMENTAL HEALTH ADVOCATES, INC. (“Plaintiff”) is a
24 corporation in the State of California dedicated to protecting the health of California citizens through
25 the elimination or reduction of toxic exposure from consumer products. It brings this action in the public
26 interest pursuant to Health and Safety Code, section 25249.7.

27 ///

28 ///

1 7. Defendant IT'S HANBUL CO., LTD. ("Handbul") is a corporation organized and
2 existing under the laws of South Korea. Handbul is registered to do business in California, and does
3 business in the County of Alameda, within the meaning of Health and Safety Code, section 25249.11.
4 Handbul manufactures, imports, sells, or distributes the Products in California and Alameda County.

5 8. Defendant CNF CO., LTD. ("CNF") is a corporation organized and existing under the
6 laws of South Korea. CNF is registered to do business in California, and does business in the County of
7 Alameda, within the meaning of Health and Safety Code, section 25249.11. CNF manufactures, imports,
8 sells, or distributes the Products in California and Alameda County.

9 9. Defendant WORLD MARKET, LLC ("WM") is a limited liability company organized
10 and existing under the laws of California. WM is registered to do business in California, and does
11 business in the County of Alameda, within the meaning of Health and Safety Code, section
12 25249.11. WM manufactures, imports, sells, or distributes the Products in California and Alameda
13 County.

14 10. Defendant BANZAI LIVING, INC. ("BL") is a corporation organized and existing
15 under the laws of New York. BL is registered to do business in California, and does business in the
16 County of Alameda, within the meaning of Health and Safety Code, section 25249.11. BL manufactures,
17 imports, sells, or distributes the Products in California and Alameda County.

18 11. Plaintiff does not know the true names and/or capacities, whether individual, partners,
19 or corporate, of the Defendants sued herein as DOES 1 through 100, inclusive, and for that reason sues
20 said Defendants under fictitious names pursuant to Cal. Civ. Proc. § 474. Plaintiff will seek leave to
21 amend this Complaint when the true names and capacities of these Defendants have been ascertained.
22 Plaintiff is informed and believes and thereon alleges that these Defendants are responsible in whole or
23 in part for the remedies and penalties sought herein.

24 12. At all times mentioned, Defendants were the agents, alter egos, servants, joint venturers,
25 joint employers, or employees for each other. Defendants acted with the consent of the other Co-
26 Defendants and acted within the course, purpose, and scope of their agency, service, or employment.
27 All conduct was ratified by Defendants, and each of them.

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III.
VENUE AND JURISDICTION

13. California Constitution Article VI, Section 10 grants the Superior Court original jurisdiction in all cases except those given by statute to other trial courts. The Health and Safety Code statute upon which this action is based does not give jurisdiction to any other court. As such, this Court has jurisdiction.

14. Venue is proper in Alameda County Superior Court pursuant to Code of Civil Procedure, sections 394, 395, and 395.5. Wrongful conduct occurred and continues to occur in this County. Defendants conducted and continue to conduct business in this County as it relates to Products.

15. Defendants have sufficient minimum contacts in the State of California or otherwise purposefully avail themselves of the California market. Exercising jurisdiction over Defendants would be consistent with traditional notions of fair play and substantial justice.

IV.
CAUSES OF ACTION

FIRST CAUSE OF ACTION

(Violation of Proposition 65 – Against all Defendants)

16. Plaintiff incorporates by reference each and every allegation contained above.

17. Proposition 65 mandates that citizens be informed about exposures to chemicals that cause cancer, birth defects, and other reproductive harm.

18. Defendants manufactured, imported, sold, and/or distributed Products containing DEA in violation of Health and Safety Code, section 25249.6 et seq. Plaintiff is informed and believes such violations have continued after receipt of the Notice (defined *infra*) and will continue to occur into the future.

19. In manufacturing, importing, selling, and/or distributing Products, Defendants failed to provide a clear and reasonable warning to consumers and individuals in California who may be exposed to DEA through reasonably foreseeable use of the Products.

20. Products expose individuals to DEA through dermal absorption. This exposure is a natural and foreseeable consequence of Defendants placing Products into the stream of commerce. As such, Defendants intend that consumers will use Products, exposing them to DEA.

1 21. Defendants knew or should have known that the Products contained DEA and exposed
2 individuals to DEA in the ways provided above. The Notice informed Defendants of the presence of
3 DEA in the Products. Likewise, media coverage concerning DEA and related chemicals in consumer
4 products provided constructive notice to Defendants.

5 22. Defendants' actions in this regard were deliberate and not accidental.

6 23. More than sixty days prior to naming each defendant in this lawsuit, Plaintiff issued a
7 60-Day Notice of Violation (“Notice”) as required by and in compliance with Proposition 65. Plaintiff
8 provided the Notice to the various required public enforcement agencies along with a certificate of merit.
9 The Notice alleged that Defendants violated Proposition 65 by failing to sufficiently warn consumers in
10 California of the health hazards associated with exposures to DEA contained in the Products.

11 24. The appropriate public enforcement agencies provided with the Notice failed to
12 commence and diligently prosecute a cause of action against Defendants.

13 25. Individuals exposed to DEA contained in Products through dermal absorption resulting
14 from reasonably foreseeable use of the Products have suffered and continue to suffer irreparable harm.
15 There is no other plain, speedy, or adequate remedy at law.

16 26. Defendants are liable for a maximum civil penalty of \$2,500 per day for each violation
17 of Proposition 65 pursuant to Health and Safety Code, section 252497(b). Injunctive relief is also
18 appropriate pursuant to Health and Safety Code, section 25249.7(a).

19 *[Rest of page intentionally left blank.]*
20
21
22
23
24
25
26
27
28

1 **PRAYER FOR RELIEF**

2 Wherefore, Plaintiff prays for judgment against Defendants as follows:

3 1. Civil penalties in the amount of \$2,500 per day for each violation. Plaintiff alleges that
4 damages total a minimum of \$1,000,000;

5 2. A preliminary and permanent injunction against Defendants from manufacturing,
6 importing, selling, and/or distributing Products in California without providing a clear and reasonable
7 warning as required by Proposition 65 and related Regulations;

8 3. Reasonable attorney’s fees and costs of suit; and

9 4. Such other and further relief as may be just and proper.

10
11 Respectfully submitted:

12 Dated: January 3, 2025

ENTORNO LAW, LLP

13
14 By: 
Noam Glick

15
16 Craig M. Nicholas
17 Jake W. Schulte
18 Janani Natarajan

19 Attorneys for Plaintiff
20 Environmental Health Advocates, Inc.
21
22
23
24
25
26
27
28