

60-DAY NOTICE OF VIOLATION

SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)

DATE: May 8, 2015

To: Drugstore.com; Soap.com; Supergoop; Taylor James, Ltd; Valeant Pharmaceuticals North America LLC; Chums, Inc.; The Hain Celestial Group, Inc.; Lotus Brands, Inc.; Pierre Fabre Dermo Cosmetique USA, Inc.; Kiss My Face; Boots Retail USA, Inc.; C&K, LLC; The Hain Celestial Group, Inc.; Children's Healthcare Research Group, LLC; StriVectin Operating Company Inc.; Concept II Cosmetics Inc.; No-ad Products, LLC; Carma Laboratories Inc.; Physicians Formula, Inc.; Colour Prevails LLC; and

California Attorney General's Office;

District Attorney's Office for 58 Counties; and

City Attorney's Office for Los Angeles, San Diego, San Jose and San Francisco.

From: Shefa LMV, LLC

I. INTRODUCTION

Our name is Shefa LMV, LLC. We are citizens and a Limited Liability Company of the State of California acting in the interest of the general public. We seek to promote awareness of exposures to toxic chemicals in products sold in California and, if possible, to improve public health and safety by reducing the hazardous substances contained in such items. This Notice is provided to the parties listed above pursuant to California Health & Safety Code §25249.6, et seq. ("Proposition 65"). The violations alleged by this Notice consist of product exposures, routes of exposures, and types of harm that may potentially result from exposures to the toxic chemical ("listed chemical") identified below:

Product Exposure:	See Section VII, Exhibit A
Listed Chemical:	Benzophenone;
Routes of Exposure:	Dermal absorption;
	Ingestion; and Inhalation
Types of Harm:	Carcinogen

II. NATURE OF ALLEGED VIOLATION (PRODUCT EXPOSURE)

The specific type of product that is causing consumer and occupational exposures in violation of Proposition 65, and which is the subject of this Notice, is listed under "Product Category/Type" in Exhibit A in Section VII below. All products within the type covered by this Notice shall be referred to hereinafter as the "products." The sales of these products in California dating at least as far back as **June 23, 2013** are subject to this Notice. As a result of the sales of these products, exposures to the listed chemical have been occurring without clear and responsible warnings as required by Proposition 65. Without proper warnings regarding the toxic effects of exposures to the listed chemical, resulting from contact with the products from dermal and ingestion exposure as well as inhalation, California citizenry lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the toxic chemical from the reasonably foreseeable use of the products.

Through the act of buying, acquiring and using the products, citizens of California are exposed to the listed chemical in homes, workplaces and elsewhere throughout California where these products are utilized. Exposure to consumers includes, but is not limited to, application to their bodies, their pets or their children. Exposure to consumers includes, but is not limited to, when handling the product Benzophenone is absorbed through dermal, and other migration pathways, including but not limited to incidental ingestion after one touch's the chemical and then touch's food or otherwise places his hands on or near his lips where his tongue can or will continue this pathway to ingestion exposure. Exposure may continue to occur for a significant period after the initial contact. People likely to be exposed are women, men, infants and children. These violations and threatened violations pertain to Proposition 65 chemicals that are listed by the state as known to cause cancer.

III. CONTACT INFORMATION

Please direct all questions concerning this notice to us through our counsel's offices at the following address:

Daniel N. Greenbaum, Esq.
7120 Hayvenhurst Avenue, Suite 320
Van Nuys, CA 91406
Main: (818) 809-2199
Fax: (424) 243-7689
Email: dgreenbaum@greenbaumlawfirm.com

IV. PROPOSITION 65 INFORMATION

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment ("OEHHA") in the Proposition 65 Implementation Office at (916) 445-6900. For the alleged Violator(s), I have attached a copy of "Proposition 65 in Plain Language" which has been prepared by OEHHA.

V. RESOLUTION OF NOTICED CLAIMS

Based on the allegations set forth in this Notice, we intend to file a citizen enforcement lawsuit against the alleged Violator(s), unless such Violator enters into a binding written agreement to: (1) recall products already sold or undertake best efforts to ensure that the requisite health hazard warnings are provided to those whom have received such products; (2) provide clear and reasonable warnings for products sold in the future, or reformulate such products to eliminate the Benzophenone exposures.

If the alleged Violator is interested in resolving this dispute without resorting to time-consuming and expensive litigation, please feel free to contact my counsel identified in Section III. It should be noted that neither my counsel nor I can: (1) finalize any settlement until after the 60-day Notice period elapses; nor (2) speak for the Attorney General or any District Attorney or City Attorney who received this Notice. Therefore, while reaching an agreement that will resolve my claims, such an agreement may not be approved by the Attorney General after referral to them, or by the court as the last voice on settlements.

VI. ADDITIONAL INFORMATION

Product

Sunscreen; Face lotion; Lip tint;
Lip Balm; Skin Cream

Retailer(s)

Drugstore.com; Soap.com

Manufacturer(s)/Distributor(s)

Supergoop; Taylor James, Ltd.;
Valeant Pharmaceuticals North
America LLC; Chums, Inc.; The
Hain Celestial Group, Inc.; Lotus
Brands, Inc.; Pierre Fabre Dermo
Cosmetique USA, Inc.; Kiss My
Face; Boots Retail USA, Inc.; C&K,
LLC; The Hain Celestial Group,
Inc.; Children's Healthcare Research
Group, LLC; StriVectin Operating
Company Inc.; Concept II Cosmetics
Inc.; No-ad Products, LLC; Carma
Laboratories Inc.; Physicians
Formula, Inc.; Colour Prevails LLC

VII. EXHIBIT A

Identified below are named products which contain the alleged chemicals at issue, and this reference is supportive of the material facts that are a part of my counsels Certificate of Merit that is attached hereto as being available for purchase or use in California that is within the category or type of offending product covered by this Notice. Based on publicly available information, the retailers, distributors and/or manufacturers of the example within the category or type of product are also provided below. I believe and allege that the sale of the offending products also has occurred without the requisite Proposition 65 “clear and reasonable warnings” at one or more locations and/or via other means including, but not limited to, transactions made over-the-counter, business to business, through the internet, and/or via catalog by the alleged Violator(s) and other distributors and retailers of the product.

Product Category	Specific Product	UPC	Sold by	Manufacturer/Distributor
Sunscreen	Supergoop! SPF 30 w/ vitamin C	894280001662	drugstore.com	Supergoop / Taylor James, Ltd.
Sunscreen	CeraVe wet skin spray SPF 50	301872206010	drugstore.com	Valeant Pharmaceuticals North America LLC
Sunscreen	Beyond Coastal Active Facestick SPF 30	093039150167	drugstore.com	Chums, Inc.
Sunscreen	Alba Botanica Hawaiian Greentea SPF 45	724742008277	drugstore.com	The Hain Celestial Group, Inc.
Face Lotion	BWC daily facial lotion SPF 18	000056454154	drugstore.com	Lotus Brands, Inc.
Sunscreen	Eau Thermale Avene SPF 50	838760007898	drugstore.com	Pierre Fabre Dermo Cosmetique USA, Inc.
Sunscreen	Kiss my Face Kids defense spray SPF 50	028367841975	drugstore.com	Kiss My Face
Skin Cream	No. 7 Dual Action SPF 15	5000167143218	drugstore.com	Boots Retail USA, Inc.
Sunscreen	Coola Sport Unscented SPF 50	853319002735	drugstore.com	C&K, LLC
Sunscreen	Jason Sun Sport Sunscreen SPF 45	078522083207	Soap.com	The Hain Celestial Group, Inc.
Sunscreen	Baby blanket faces SPF 50	050778150032	drugstore.com	Children's Healthcare Research Group, LLC
Lip Tint	Strivectin CC plum SPF 20	817777007183	drugstore.com	StriVectin Operating Co. Inc.
Sunscreen	SolScents Broad Spectrum Flower BlastSPF 50	763319108620	drugstore.com	Concept II Cosmetics Inc.
Sunscreen	No-Ad Broad Spectrum SPF 85	897640002286	drugstore.com	No-ad Products, LLC
Lip Balm	Carmex Cherry Lip Balm	083078000301	drugstore.com	Carma Laboratories Inc.
Skin Cream	Physicians Formula Wrinkle Corrector SPF 15	044386075276	drugstore.com	Physicians Formula, Inc.
Skin Cream	Nonie Crème Colour Prevails Spectrum SPF 20	812580020091	drugstore.com	Colour Prevails LLC

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this case or action. My business address is: **7120 Hayvenhurst Avenue, Suite 320, Van Nuys, CA 91406**

A True and Correct copy of the documents entitled **60 DAY NOTICE OF VIOLATION; CERTIFICATE OF MERIT; THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY** will be served or was served in the manner stated below:

I. Interested Parties (Served via Certified Mail): On May 8, 2015, I served the following persons and/or entities at the last known addresses by placing a true and correct copy thereof in a sealed envelope in the United States Mail, postage prepaid, and addressed as follows:

Drugstore.com	ATTN: CEO or President	12835 Old Virginia Rd., Reno, NV 89521
Soap.com	ATTN: CEO or President	PO Box 483, Jersey City NJ 07303
Supergoop	ATTN: CEO or President	200 E GRAYSON ST STE 112, SAN ANTONIO, TX 78215-1269
Supergoop	ATTN: Holly Thaggard	2843 Thomas Ave., Dallas TX 75204
Taylor James Ltd.	ATTN: Taylor Thaggard	314 E. Commerce Street Suite 300, San Antonio TX 78205
Valeant Pharmaceuticals North America LLC	ATTN: CEO or President	700 RTE 202, BRIDGEWATER, NJ 08807
Valeant Pharmaceuticals North America LLC	ATTN: CEO or President	280 S. Mangum Street, Suite 210, Durham NC 27701
Valeant Pharmaceuticals North America LLC	ATTN: CEO or President	400 Somerset Corporate Blvd., Bridgewater NJ 08807
Chums, Inc.	ATTN: Charles Ferries	2424 South 2570 West, Salt Lake City, UT 84119
The Hain Celestial Group, Inc.	ATTN: General Counsel	1111 MARCUS AVE., NEW HYDE PARK, NY 11042-1221
Lotus Brands, Inc.	ATTN: Santosh Krinsky	1100 Lotus Drive Building 3, Silver Lake, WI 53170
Pierre Fabre Dermo Cosmetique USA, Inc.	ATTN: CEO or President	8 Campus Dr, Parsippany, NJ 07054
Kiss My Face	ATTN: CEO or President	144 MAIN ST., GARDINER, NY 12525-5245
C/O CT CORPORATION SYSTEM	Kiss My Face	111 8 th Ave., New York NY 10011
Boots Retail USA, Inc.	ATTN: CEO or President	383 Main Ave., 7th Floor, Norwalk, CT 06851
Corporation Service Company	c/o Boots Retail USA, Inc.	50 Weston Street, Hartford CT 06120
C & K, LLC	ATTN: CEO or President	1726 ORD WAY, OCEANSIDE, CA 92056-1501
C & K, LLC	ATTN: Julie Cardin	1726 ORD WAY, OCEANSIDE, CA 92056-1501
Children's Healthcare Research Group, LLC	ATTN: CEO or President	1504 BREAKERS WEST BLVD., WEST PALM BEACH, FL 33411
Children's Healthcare Research Group, LLC	C/O Kevin Richardson, Esq.	1401 Forum Way, Suite 720, West Palm Beach FL 33401
The Mercer Group LTD	ATTN: CEO or President	254 Hornbine Road, Rehoboth MA 02769
The Mercer Group LTD	ATTN: John Mercer	1628 Highland Ave., Fall River MA 02720
StriVectin Operating Company Inc.	ATTN: CEO or President	601 W 26TH ST., Suite 1505, NEW YORK, NY 10001-1138
Richard D. Gersten & Jonathan H. Owsley	StriVectin Operating Co, Inc.	7 Greenwich O.P. Ste 200, 599 West Putnam Ave., Greenwich CT 06830
Concept II Cosmetics	ATTN: CEO or President	2200 NW 92ND AVE., MIAMI, FL 33172-4813

Concept II Cosmetics	ATTN: Daniel Bittner	2200 NW 92ND AVE., MIAMI, FL 33172-4813
No-ad Products, LLC	ATTN: CEO or President	851 GREENSBORO RD., COCOA, FL 32926-4516
Carma Laboratories, Inc.	ATTN: CEO or President	9750 S FRANKLIN DR., FRANKLIN, WI 53132-8848
Carma Laboratories, Inc.	ATTN: Paul A. Woelbing	5801 W. Airways Ave., Franklin WI 53132
Physicians Formula, Inc.	ATTN: CEO or President	22067 FERRERO PKWY, CITY OF INDUSTRY, CA 91789-5214
Physicians Formula, Inc.	ATTN: Leslie Keegan	22067 FERRERO PKWY, CITY OF INDUSTRY, CA 91789-5214
Colour Prevails LLC	ATTN: CEO or President	950 3RD AVE., 3 rd Floor, NEW YORK, NY 10022-2705
Colour Prevails LLC	ATTN: Stuart J. Litman	950 3RD AVE., 3 rd Floor, NEW YORK, NY 10022-2705

II. California Attorney General (via website Portal): On May 8, 2015, I uploaded a true and correct copy thereof as a PDF file via the California Attorney General's website.

III. District and City Attorneys (via U.S. Mail): On May 8, 2015, I served the following persons and/or entities at the last known addresses by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and addressed as follows **See attached pages for full service list**

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

May 8, 2015

Daniel N. Greenbaum, Esq.

Date

Printed Name



Signature

District Attorney
ALAMEDA COUNTY
1225 Fallon Street, Room 900
Oakland, CA 94612

District Attorney
ALPINE COUNTY
PO Box 248
Markleeville, CA 96120

District Attorney
AMADOR COUNTY
708 Court Street, #202
Jackson, CA 95642

District Attorney
BUTTE COUNTY
25 County Center Drive —
Administration Building
Oroville, CA 95965

District Attorney
CALAVERAS COUNTY
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney
COLUSA COUNTY
346 5th Street, Suite. 101
Colusa, CA 95932

District Attorney
CONTRA COSTA COUNTY
900 Ward Street
Martinez, CA 94553

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DEL NORTE COUNTY
450 H Street, Room 171
Crescent City, CA 95531

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EL DORADO COUNTY
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Placerville, CA 95667

District Attorney
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Fresno, CA 93721

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GLENN COUNTY
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Willows, CA 95988

District Attorney
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El Centro, CA 92243

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Independence, CA 93526

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Hanford, CA 93230

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LAKE COUNTY
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Lakeport, CA 95453

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LASSEN COUNTY
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Susanville, CA 96130

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Los Angeles, CA 90012

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Madera, CA 93637

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3501 Civic Center Drive, Room 130
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Mariposa, CA 95338

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Alturas, CA 96101

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Riverside, CA 92501

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San Luis Obispo, CA 93408

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SAN MATEO COUNTY
400 County Center, Third Floor
Redwood City, CA 94063

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SANTA BARBARA COUNTY
1112 Santa Barbara Street
Santa Barbara, CA 93101

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SANTA CLARA COUNTY
70 West Hedding Street, West Wing
San Jose, CA 95110

District Attorney
SANTA CRUZ COUNTY
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Santa Cruz, CA 95060

District Attorney
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Redding, CA 96001

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San Diego, CA 92101

Richard Doyle
City Attorney
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San Jose, CA 95113

Dennis J. Herrera
City Attorney
CITY OF SAN FRANCISCO
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

CERTIFICATE OF MERIT

I, Daniel N. Greenbaum, hereby declare:

(1) This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices 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 party.

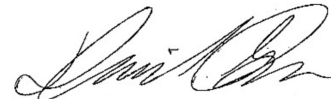
(3) I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of the action.

(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.

May 8, 2015

Daniel N. Greenbaum, Esq.



Date

Printed Name

Signature