

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Benzophenone in Sunscreen May 26, 2026

This Notice of Violation (the “Notice”) is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice is provided by the Center for Environmental Health (“CEH”), 2201 Broadway, Suite 508, Oakland, CA 94612, (510) 655-3900. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health, and supporting environmentally sound practices. Shakoora Azimi-Gaylon is the Senior Director of the Toxic Exposures and Pollution Prevention program of and a responsible individual within CEH.

Description of Violation:

- Violators: The names and addresses of the violators are identified on the attached Exhibit 1.
- Time Period of Exposure: The violations have been occurring since at least May 26, 2023 and are continuing to this day.
- Provision of Proposition 65: This Notice covers the exposure/warning provision of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- Chemical(s) Involved: The name of the listed chemical involved in these violations is benzophenone (“Benzophenone”). Exposures to Benzophenone occur from use of the products identified in this Notice.
- Type of Product: The specific type of product causing these violations is sunscreen. Non-exclusive examples of this specific type of product are identified on the attached Exhibit 1.
- Description of Exposure: This Notice addresses consumer exposures to Benzophenone. Use of the products identified in this Notice results in human exposures to Benzophenone. Benzophenone is found in the products, which are applied to the skin. The routes of exposure for the violations are dermal absorption directly through the skin when consumers apply the products, and ingestion via hand-to-mouth contact after consumers touch the products, or touch skin onto which the products have been applied. No clear and reasonable

Proposition 65 warning is provided with these products regarding the presence of Benzophenone in the products.

Resolution of Noticed Claims:

Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against the alleged violators unless such violators agree in a binding written instrument to: (1) provide clear and reasonable warnings for products sold or otherwise provided to consumers in the future or reformulate such products to eliminate the Benzophenone exposures; and (2) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). The alleged violators are encouraged to contact CEH through its counsel identified below to discuss potential resolution. It should be noted that CEH cannot, however: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Preservation of Relevant Evidence:

This Notice also serves as a demand that the alleged violators preserve and maintain all relevant evidence, including all electronic documents and data, pending resolution of this matter. Such relevant evidence includes but is not limited to all documents relating to the presence or potential presence of Benzophenone in sunscreen; purchase and usage information for such products; efforts to comply with Proposition 65 with respect to such products; communications with any person relating to the presence or potential presence of Benzophenone in such products; and representative exemplars of any such products provided to customers or consumers by the alleged violator in the year preceding this Notice through the date of any trial of the claims alleged in this Notice.

Please direct any inquiries regarding this Notice to CEH's counsel Patrick Carey or Jacob Janzen at Lexington Law Group, LLP 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, pcarey@lexlawgroup.com, jjanzen@lexlawgroup.com.

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

I, Patrick Carey, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party identified in the notice has violated Health & Safety Code §25249.6 by failing to provide clear and reasonable warnings.

2. I am an attorney with the Lexington Law Group, LLP, and I represent the noticing party, the Center for Environmental Health.

3. Members of my firm and 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 exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on 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 plaintiff’s case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the 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 & Safety Code §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 26, 2026



Patrick Carey
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
May 26, 2026 Notice of Violation
Benzophenone in Sunscreen

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p style="text-align: center;">Kao USA Inc. 2535 Spring Grove Ave. Cincinnati, OH 45214</p>	<p style="text-align: center;">Biore UV Weightless Moisturizer Broad Spectrum SPF 50 Sunscreen</p>	<p style="text-align: center;">SPF 50; 1.7 Fl oz (50 mL); UPC No. 0-19100- 28686-3</p>
<p style="text-align: center;">Mario Badescu Skin Care, Inc. 320 East 52nd St. New York, NY 10022</p>	<p style="text-align: center;">Mario Badescu Skin Care Oil Free Moisturizer Broad Spectrum SPF 30 Sunscreen</p>	<p style="text-align: center;">SPF 30; 2 Fl oz (59 mL); UPC No. 7-85364-90019- 6</p>
<p style="text-align: center;">Chanel, Inc. 9 West 57th Street, 2nd Floor New York, NY 10019</p>	<p style="text-align: center;">Chanel UV Essentiel Protection Globale Complete UV Protection Sunscreen</p>	<p style="text-align: center;">SPF 50; 1 Fl oz (30 mL); UPC No. 3-145891- 41886-6</p>
<p style="text-align: center;">Sol De Janeiro USA, Inc. 60 E. 42nd Street, 19th Floor New York, NY 10165</p>	<p style="text-align: center;">Sol De Janeiro Rio Radiance SPF 50 Body Oil</p>	<p style="text-align: center;">SPF 50; 3 Fl oz (90 mL); UPC No. 8-10912-03475- 4</p>

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p>Elizabeth Arden, Inc. 55 Water Street, 43rd Floor New York, NY 10041</p> <p>Revlon Consumer Products LLC 55 Water Street, 43rd Floor New York, NY 10041</p>	<p>Elizabeth Arden Eight Hour HydraPlay Daily Defense Nourishing Fluid Broad Spectrum Sunscreen SPF 40</p>	<p>SPF 40; 1.7 Fl oz; UPC No. 0-85805-58106-0</p>
<p>CP Skin Health Group, Inc. 4110 N. Scottsdale Rd, Suite 300 Scottsdale, AZ 85251</p> <p>Elta MD, Inc. c/o CT Corporation System 3800 North Central Ave, Suite 460 Phoenix, AZ 85012</p> <p>Elta MD Holdings, Inc. c/o Corporation Trust Center 1209 Orange Street Wilmington, DE 19801</p> <p>Colgate-Palmolive Company 300 Park Ave New York, NY 10022</p>	<p>Elta MD Skincare UV Sheer Broad Spectrum SPF 50+ Face and Body Sunscreen</p>	<p>SPF 50; 1.7 oz (48 g); UPC No. 3-90205-02536-7</p>
<p>Murad, LLC 111 River Street, 8th Floor Hoboken, NJ 07030</p> <p>Unilever United States, Inc 111 River Street, 8th Floor Hoboken, NJ 07030</p> <p>Unilever Manufacturing (US), LLC 111 River Street, 8th Floor Hoboken, NJ 07030</p>	<p>Murad Superactive Moisturizer SPF 50: Mattifying Oil + Pore Control</p>	<p>SPF 50; 1.7 Fl oz (50 mL); UPC No. 7-67332-15034-5</p>

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p>Glossier, Inc. 233 Spring Street East, 10th Floor New York, NY 10013</p>	<p>Glossier invisible shield daily sunscreen</p>	<p>SPF 50; 1.7 Fl oz (50 mL); UPC No. 8-10086-25212-1</p>
<p>Clarins USA, Inc. 15 Olympic Drive Orangeburg, NY 10962</p> <p>Clarins Group North America, Inc. 15 Olympic Drive Orangeburg, NY 10962</p>	<p>Clarins Paris Sunscreen Body Lotion Spray</p>	<p>SPF 50+; 5 Fl oz (150 mL); UPC No. 3-666057-24608-1</p>
<p>Tonymoly USA LLC 20 Jay Street 848 Brooklyn, NY 11201</p> <p>Tonymoly Co., Ltd 2557, Nambusunhwan-ro, Seocho-gu Seoul, South Korea</p>	<p>Green Tea Superlight Daily Defense</p>	<p>SPF 50; 1.69 Fl oz (50 mL); UPC No. 8-806194-07471-9</p>
<p>Byoma US Inc. c/o Business Filings Incorporated 108 West 13th Street Wilmington, DE 19801</p> <p>Byoma Limited 5 Brayford Square London, England, E1 0SG</p>	<p>BYOMA Ultralight Face Fluid SPF 50</p>	<p>SPF 50; 1.69 Fl oz (50 mL); UPC No. 5-060489-79851-0</p>

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
<p>Sun Bum LLC 444 S Coast Hwy 101 Encinitas, CA 92024</p> <p>Sun Bum Suncare LLC 444 South Coast Hwy 101 Encinitas, CA 92024</p>	<p>Sun Bum Daily Body Sunscreen Moisturizing Lotion</p>	<p>SPF 50; 8 Fl oz (237 mL); UPC No. 8-40155-60367- 7</p>
<p>Ulta Salon, Cosmetics & Fragrance, Inc. 1000 Remington Blvd, Suite 120 Bolingbrook, IL 60440</p>	<p>Ulta Beauty Collection Tinted Moisturizer</p>	<p>SPF 24; 1.18 Fl oz (35 mL); UPC No. 7-17897- 12060-4</p>

1 **PROOF OF SERVICE**

2 I, Jacob Janzen, declare:

3 I am a citizen of the United States and employed in the County of San Francisco, State of
4 California. I am over the age of eighteen (18) years and not a party to this action. My business
5 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is
6 jjanzen@lexlawgroup.com.

7 On May 26, 2026, I served the following document(s) on all interested parties in this
8 action by placing a true copy thereof in the manner and at the addresses indicated below:

9 **NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND
10 TOXIC ENFORCEMENT ACT;**

11 **CERTIFICATE OF MERIT;** and

12 **THE SAFE DRINKING AND TOXIC ENFORCEMENT ACT OF 1986
13 (PROPOSITION 65): A SUMMARY** (only sent to those on service list marked with an
14 asterisk).

15 **BY MAIL:** I am readily familiar with the firm's practice for collecting and processing mail
16 with the United States Postal Service ("USPS"). Under that practice, mail would be deposited
17 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the
18 ordinary course of business. On this date, I placed sealed envelopes containing the above
19 mentioned documents for collection and mailing following my firm's ordinary business practices.

20 *Please see attached service list.*

21 **BY ELECTRONIC UPLOAD:** I transmitted a PDF version of the document(s) listed above,
22 as well as a Confidential Supporting Certificate of Merit, to the Office of the Attorney General of
23 California via the Proposition 65 60-Day Notice Search website at [https://oag.ca.gov/prop65/60-](https://oag.ca.gov/prop65/60-day-notice-search)
24 [day-notice-search](https://oag.ca.gov/prop65/60-day-notice-search).

25 **BY ELECTRONIC MAIL:** I transmitted a PDF version of the document(s) listed above via
26 email to the email address(es) indicated on the attached service list [or noted above] before 5 p.m.
27 on the date executed.

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

Executed on May 26, 2026 at San Francisco, California.



Jacob Janzen

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