

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Beta-Myrcene in Body Lotion and Shower Gel Products

August 18, 2026

This Notice of Violation 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 Illegal Toxic Threats Program 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 August 18, 2023, and are continuing to this day.
- Provision of Proposition 65: This Notice of Violation covers the “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 beta-Myrcene. Exposures to beta-Myrcene occur from use of the products identified in this Notice.
- Types of Products: The specific types of products causing these violations are body lotion and shower gel products. 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 beta-Myrcene. Use of the products subject to this Notice results in human exposures to beta-Myrcene. The products contain beta-Myrcene. The route of exposure for the violation is dermal contact and ingestion via hand to mouth. These exposures occur through the reasonably foreseeable use of the products when, for example, individuals apply the products to their skin. These exposures occur

in homes, workplaces, and everywhere else throughout California where the products are used. No clear and reasonable warning is provided with these products regarding the carcinogenic hazards of beta-Myrcene.

Resolution of Noticed Claims:

Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against each alleged violator unless such violator agrees in a binding written instrument to: (1) recall products already sold; (2) provide clear and reasonable warnings for products sold in the future or reformulate such products to eliminate the beta-Myrcene exposures; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If any alleged violator is interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact CEH through its counsel identified below. It should be noted that CEH cannot: (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 each alleged violator 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 beta-Myrcene in body lotion and shower gel products; purchase and sales 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 beta-Myrcene in such products; and representative exemplars of each lot of each variety of any such product sold by each alleged violator since one year prior to the date of 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 Mark N. Todzo at Lexington Law Group, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, mtodzo@lexlawgroup.com.

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

I, Mark N. Todzo, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have 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.

August 18, 2026



Mark N. Todzo
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
August 18, 2026 Notice of Violation
Beta-Myrcene in Body Lotion and Shower Gel Products

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products
Moroccanoil, Inc. 1185 Avenue of The Americas 33rd Floor, Legal Dept. New York, NY, 10036	Moroccanoil Shower Gel – Soleil de Tanger; 8.4 Fl Oz; UPC No. 7290116976211 Moroccanoil Shower Gel – Dahlia Rouge; 8.4 Fl Oz; UPC No. 7290116974057 Moroccanoil Shower Gel – Spa du Maroc; 8.4 Fl Oz; UPC No. 7290113146402
The Body Shop International Limited Watersmead, Littlehampton, West Sussex BN17 6LS, United Kingdom The Body Shop Brand Limited Watersmead, Littlehampton, West Sussex BN17 6LS, United Kingdom Cart.com, Inc. dba The Body Shop US 1334 Brittmoore Rd, Suite 225, Houston, TX 77043	The Body Shop Body Yogurt Satsuma; 6.91 Oz; UPC No. 5028197468675 The Body Shop Mango Shower Gel; 2.0 Fl Oz; UPC No. 5028197332617
Amazon.com, Inc. 410 Terry Avenue North Seattle, WA 98109 Amazon.com Services LLC 410 Terry Avenue North Seattle, WA 98109	The Body Shop Body Yogurt Satsuma; 6.91 Oz; UPC No. 5028197468675
Joonbyrd Limited 128 City Road, London, England, EC1V 2NX	Joonbyrd Kaleidoscope Body Serum; 3.3 Fl Oz; UPC No. 5061010691270 Joonbyrd Sunday Sofa Body Butter; 6.7 Fl Oz; UPC No. 5061010690051

1 **PROOF OF SERVICE**

2 I, Morgan Margulies, 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
mmargulies@lexlawgroup.com.

6 On August 18, 2026, I served the following document(s) on all interested parties in this
7 action by placing a true copy thereof in the manner and at the addresses indicated below:

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

9 **CERTIFICATE OF MERIT;** and

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

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

15 *Please see attached service list.*

16 ☒ **BY ELECTRONIC UPLOAD:** I transmitted a PDF version of the document(s) listed above,
17 as well as a Confidential Supporting Certificate of Merit, to the Office of the Attorney General of
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)
18 day-notice-search.

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

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

22 Executed on August 18, 2026 at San Francisco, California.

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25
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Morgan Margulies

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