

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Benzophenone in Sunscreen September 18, 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 September 18, 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.

September 18, 2026



Patrick Carey
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

EXHIBIT 1
September 18, 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
Revlon Consumer Products LLC 55 Water Street, 43rd Floor New York, NY 10041 Walgreen Co. 108 Wilmot Road Deerfield, IL 60015 Walgreens Holding Company 108 Wilmot Road Deerfield, IL 60015	Revlon Illuminance Protect + Moisturize Primer SPF 30 Sunscreen	SPF 30; 0.95 fl. oz. (28 mL); UPC No. 3-0997025481-0
Goodai Global Inc. 5900 Katella Ave Building C, Ste 100 Cypress, CA 90630 Goodai Global Inc. Suite #502, Digital-ro 26-gil Guro-gu, Seoul Republic of Korea (07292) Sephora USA, Inc. 350 Mission Street, 7th Floor San Francisco, CA 94105	Beauty of Joseon Day Dew Sunscreen Broad Spectrum SPF 50	SPF 50; 1.69 fl. oz. (50 mL); UPC No. 8-809968-131243

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Alticor Inc. 7575 Fulton Street Ada, MI 49355 Amway Corp. 7575 Fulton Street Ada, MI 49355	Artistry Skin Nutrition Renewing Reactivation Day Lotion Broad Spectrum Sunscreen SPF 30	SPF 30; 1.7 oz. (50 g); UPC No. 123857
Coty, Inc. 350 Fifth Avenue New York, NY 10118 Coty DTC Holdings LLC 350 Fifth Avenue, 19th Floor New York, NY 10118 Ulta Salon, Cosmetics & Fragrance, Inc. 1000 Remington Blvd, Suite 120 Bolingbrook, IL 60440	Philosophy Hope in a Jar smooth-glow multi-tasking moisturizer broad spectrum SPF 30	SPF 30; 2 fl. oz. (60 mL); UPC No. 3- 616301782438

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Cosmax USA, Corporation 6701 Center Drive West, Ste 550 Los Angeles, CA 90045 Cosmax California Corp 6701 Center Drive West, Ste 550 Los Angeles, CA 90045 Fourcompany, Inc. 239 Myrtle Ave Fort Lee, NJ 07024 Fourcompany Co., Ltd. 239 Myrtle Ave Fort Lee, NJ 07024	Abib Airy Sunstick Smoothing Bar Broad Spectrum SPF 50+	SPF 50+; 0.81 oz. (23 g); UPC No. 8-809562- 557043

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Alchemee LLC 3 Skyline Dr, 2nd Floor Hawthorne, NY 10532 Taro Pharmaceuticals U.S.A., Inc. 3 Skyline Drive Hawthorne, NY 10532 Walmart, Inc. 1 Customer Dr Bentonville, AR 72716 Walmart.com, USA, LLC 850 Cherry Ave San Bruno, CA 94066	Proactiv Sun Clear Skin SPF 30 Broad Spectrum Sunscreen	SPF 30; 1.5 fl. oz. (45 mL); UPC No. 8-42944-10445-7
Walmart, Inc. 1 Customer Dr Bentonville, AR 72716 Walmart.com, USA, LLC 850 Cherry Ave San Bruno, CA 94066	Equate Sunscreen For All Skin Tones SPF 50	SPF 50; 8 fl. oz. (237 mL); UPC No. 1-9434625211-4

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Bath & Body Works Brand Management, Inc. 3 Limited Parkway Columbus, OH 43230 Bath & Body Works Direct, Inc. 3 Limited Parkway Columbus, OH 43230 Bath & Body Works, LLC 3 Limited Parkway Columbus, OH 43230	Bath & Body Works SPF 50 Sunscreen Spray at the BEACH Broad Spectrum SPF 50	SPF 50; 6 fl. oz. (177 mL); UPC No. 0-667559-261001
Mary Kay, Inc. 16251 Dallas Parkway Addison, TX 75001	Mary Kay timewise repair volu-firm day cream sunscreen broad spectrum spf 30	SPF 30; 1.7 oz. (48 g); DIN 02543893

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Brand Evangelists for Beauty, Ltd. 3rd Floor, 1 Ashley Road Altrincham Cheshire, UK WA142DT Brand Evangelists for Beauty, Inc. 200 Washington Street, 5th Floor Hoboken, NJ 07030 Ulta Salon, Cosmetics & Fragrance, Inc. 1000 Remington Blvd, Suite 120 Bolingbrook, IL 60440	The Inkey List Polyglutamic Acid Dewy Sunscreen SPF 30	SPF 30; 1.7 fl.oz (50 mL); UPC No. 5-060879-825017
Ulta Salon, Cosmetics & Fragrance, Inc. 1000 Remington Blvd, Suite 120 Bolingbrook, IL 60440	Kopari Body SPF 45 Rose Gold Sun Shield Body Glow SPF 45	SPF 45; 5 fl. oz. (150 mL); UPC No. 8-50036-83380-2

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Further Description of Non-Exclusive Exemplar
Image International Manufacturing LLC 7130 Seacrest Blvd Lantana, FL 33462 Interkontinental Investments Manufacturing, LLC 7130 Seacrest Blvd Lantana, FL 33462 Target Corporation 1000 Nicollet Mall Minneapolis, MN 55403	Image Skincare Daily Prevention protect and refresh mist BROAD SPECTRUM SPF 30 SUNSCREEN	SPF 30; 3.4 fl. oz. (100 mL); UPC No. 8-19984-01393-3

SERVICE LIST

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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 September 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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15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.

17 Executed on September 18, 2026 at San Francisco, California.

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Morgan Margulies