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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

Lauren Wolf, Elizabeth Correia, and
Alyson Endlich individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Amazon.com, Inc., a Delaware
corporation,

Defendant.

No. 2:26-cv-01479-JNW

**AMENDED CLASS ACTION
COMPLAINT**

JURY TRIAL DEMANDED

Plaintiffs Lauren Wolf, Elizabeth Correia, and Alyson Endlich (collectively, “Plaintiffs”), by their counsel, on their own behalf and on behalf of all others similarly situated, bring this Amended Class Action Complaint against Defendant Amazon.com, Inc. (“Amazon” or “Defendant”). The following facts are alleged based upon personal knowledge, where applicable, information and belief, and the investigation of counsel:

NATURE OF THE ACTION

1. Defendant markets and sells sunscreen products on its internet platform. Plaintiffs Wolf, Correia, and Endlich represent consumers who purchased sunscreen products from Defendant that contained undisclosed heavy metals in the products (the “Contaminated

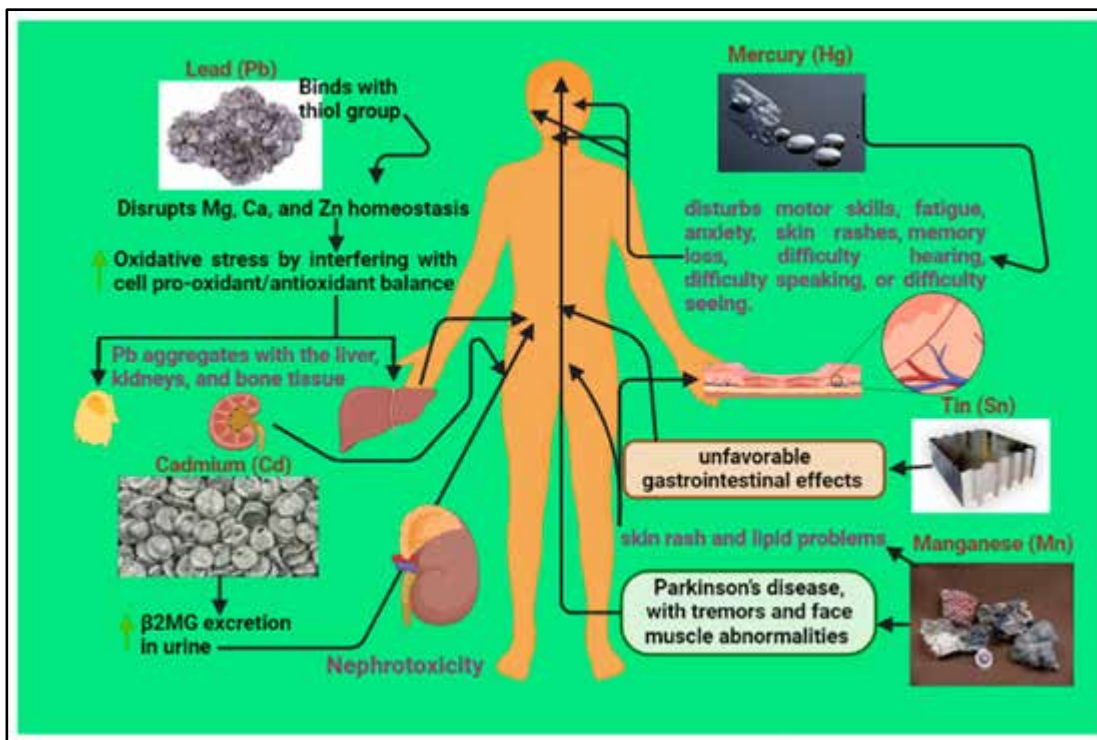
1 Product Plaintiffs”). Plaintiffs Correia and Endlich also represents consumers who purchased
 2 sunscreen products from Defendant that contained less SPF than advertised on the products
 3 (“SPF Product Plaintiffs”).

4 **A. Heavy Metals**

5 2. Heavy metals are known to pose significant and adverse health risks and
 6 consequences to humans. It is well-recognized that there are no safe levels of human exposure
 7 to any of the heavy metals, including cadmium and lead, especially for infants and children.¹
 8 Exposure to heavy metals, including cadmium and lead, can cause negative health effects, such
 9 as various cancers, gastric and vascular disorders, liver, kidney, and brain damage,
 10 miscarriages, and reproductive disorders:²

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 14 ¹ Transcript from Public Meeting, *Closer to Zero Action Plan: Impacts of Toxic Element*
 15 *Exposure and Nutrition at Different Crucial Developmental Stages for Babies and Young*
 16 *Children* (Nov. 18, 2021), <https://www.fda.gov/media/155396/download> at 32, 72, 179 (last
 17 accessed June 9, 2026) (“Closer to Zero Public Meeting Transcript”); *FDA Webinar: Action*
 18 *Levels for Lead in Food Intended for Babies and Young Children: Draft Guidance*, at 5 (March
 19 2, 2023), <https://www.fda.gov/media/166188/download> (last accessed June 9, 2026)
 20 (“Although we may not be able to say the reference level is a safe level, it is a level we could
 21 rely on as a benchmark to measure exposure to foods.”) (hereinafter “FDA Webinar”); *see also*
 22 Kevin Loria, *Congressional Report Finds More Problems With Heavy Metals in Baby Food*,
 23 *Consumer Reports* (Sept. 29, 2021, updated Oct. 20, 2021),
 24 [https://www.consumerreports.org/food-safety/problems-with-heavy-metals-in-baby-food-
 congressional-report-
 a6400080224/#:~:text=%E2%80%9CThere%20is%20no%20safe%20level,research%20and
 %20testing%20at%20CR](https://www.consumerreports.org/food-safety/problems-with-heavy-metals-in-baby-food-congressional-report-a6400080224/#:~:text=%E2%80%9CThere%20is%20no%20safe%20level,research%20and%20testing%20at%20CR) (last accessed June 9, 2026) (hereinafter “Congressional Report
 Finds More Problems with Heavy Metals in Baby Food”); *see, e.g.*, World Health
 Organization, *Lead Poisoning*, Sept. 27, 2024, [https://who.int/news-room/fact-
 sheets/detail/lead-poisoning-and-health](https://who.int/news-room/fact-sheets/detail/lead-poisoning-and-health) (last accessed June 9, 2026) (hereinafter “WHO Lead
 Poisoning”).

² Anirban Goutam Mukherjee, et al., *Heavy Metal and Metalloid Contamination in Food and*
Emerging Technologies for Its Detection, *Sustainability*, Jan. 9, 2023, 15(2),
<https://www.mdpi.com/2071-1050/15/2/1195> (last accessed June 9, 2026).



3. Experts stress the importance of applying sunscreen every day when outdoors.³

And for infants and others with sensitive skin, they recommend mineral sunscreens whose active ingredient is titanium dioxide and/or zinc oxide.⁴

³ American Academy of Dermatology, *Sunscreen FAQs*, Feb. 11, 2025, <https://www.aad.org/media/stats-sunscreen> (last accessed June 9, 2026) (hereinafter “Sunscreen FAQs”); healthychildren.org, *Sun Safety: Information for Parents About Sunburn & Sunscreen*, Aug. 9, 2024, <https://www.healthychildren.org/English/safety-prevention/at-play/Pages/Sun-Safety.aspx> (last accessed June 9, 2026) (“Use sunscreen any time you or your child spend time outdoors.”).

⁴ Sunscreen FAQs; Yaldo, Marissa, et al., *62644 Analysis of Popular Sunscreens for Babies and Children: Ingredient Profiles and Marketing Tactics*, JOURNAL OF THE AMERICAN ACADEMY OF DERMATOLOGY, Sept. 2025 (abstract), [https://www.jaad.org/article/S0190-9622\(25\)00810-2/abstract](https://www.jaad.org/article/S0190-9622(25)00810-2/abstract) (last accessed June 9, 2026).

1 4. Recent testing of sunscreen sold by retailers show that certain sunscreen
2 products sold by Amazon are contaminated with heavy metals, including cadmium and lead
3 (the “Contaminated Products”).⁵

4 **B. Sun Protection Factor (“SPF”)**

5 5. Sunscreen is intended to protect a person’s skin from the sun and prevent
6 sunburn and other harmful health effects caused by exposure to ultraviolet (“UV”) radiation.
7 Sunscreen absorbs or scatters UV radiation to prevent damage to skin.⁶

8 6. Consumers rely on the sunscreen’s SPF to determine the level of UV protection
9 provided by the sunscreen. “The higher the SPF, the more [ultraviolet B, or] UVB rays are
10 blocked.”⁷

11 7. Recent testing of sunscreen sold by retailers show that certain sunscreen
12 products sold by Amazon have lower levels of SPF than represented on the products (the “SPF
13 Products”).⁸

14 **C. Amazon’s Role**

15 8. Amazon controls the content of the product listings that describe the
16 Contaminated Products and SPF Products (collectively, the “Products”) to consumers. It

17 _____
18 ⁵ Appendix A lists each of the brands and products that comprise the Contaminated Products
at issue in this case.

19 ⁶ Science Insights, “What Makes Sunscreen Work? UV Filters Explained,” March 9, 2026,
20 <https://scienceinsights.org/what-makes-sunscreen-work-uv-filters-explained/> (last accessed
June 10, 2026).

21 ⁷ PBS, “Do you need SPF 30, 50 or 100? Dermatologists answer your burning sunscreen
22 questions,” May 30, 2026, [https://www.pbs.org/newshour/health/do-you-need-spf-30-50-or-
100-dermatologists-answer-your-burning-sunscreen-questions](https://www.pbs.org/newshour/health/do-you-need-spf-30-50-or-100-dermatologists-answer-your-burning-sunscreen-questions) (last accessed June 10, 2026)
(quoting Dr. Adewole Adamson, a dermatologist and internal medicine professor at the
University of Texas at Austin).

23 ⁸ Appendix C lists each of the brands and products that comprise the SPF Products at issue in
24 this case.

1 establishes requirements for manufacturers' product descriptions and also inserts its own
2 descriptions of the Products into product listings via "Rufus," an artificial intelligence
3 technology developed by Amazon. Amazon shoppers can also ask Amazon's artificial
4 intelligence assistant, "alexa", questions about products.⁹

5 9. Amazon also conveys the Products to consumers by selling the Products
6 directly to consumers and by storing, shipping, and delivering the Products that are listed by
7 other parties on Amazon's online marketplace.

8 10. Amazon sold the Contaminated Products with alarmingly high levels of heavy
9 metals, including cadmium and lead, with no warning to the intended consumer audience of
10 children and adults. Reasonable consumers would want to know about the presence of toxins
11 in any product, especially one that is put directly onto the bodies of their infants and children,
12 such as sunscreen.

13 11. Exposure to any source of heavy metals should be avoided and minimized, and
14 disclosure of the presence of heavy metals in products intended to be used on infants and
15 children, is material and should be disclosed.

16 12. Consumers, including parents and other caregivers, reasonably believe that the
17 sunscreen they purchase for their infants and children will *not* have detectable levels of heavy
18 metals, such as cadmium and lead. But Amazon fails to disclose that the Contaminated
19 Products contain heavy metals. Nowhere on Amazon's point-of-sale webpages does it disclose
20 that the Contaminated Products contain heavy metals, including cadmium and lead.

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23 ⁹ Amazon no longer uses Rufus and instead uses the Alexa shopping agent. *See* CNBC,
24 "[Amazon ditches Rufus chatbot, launches Alexa shopping agent in AI,](https://www.cnbc.com/2026/05/13/amazon-ditches-rufus-ai-chatbot-in-favor-of-alexa-shopping-agent.html)" May 13, 2026,
<https://www.cnbc.com/2026/05/13/amazon-ditches-rufus-ai-chatbot-in-favor-of-alexa-shopping-agent.html> (last accessed June 10, 2026).

1 13. Amazon sold the SPF Products with lower levels of SPF than promised on the
2 SPF Products' point-of-sale webpages. Reasonable consumers would want to know the actual
3 SPF levels in any sunscreen product.

4 14. Consumers care about minimizing their exposure to UV radiation, and
5 disclosure of the actual SPF level in products intended to be used to protect one's skin should
6 be disclosed correctly.

7 15. Consumers reasonably believe that the sunscreen they purchase will have the
8 level of SPF as promised on the point-of-sale webpages. But the levels of SPF promised on
9 the SPF Products' Amazon point-of-sale webpages do not convey that the actual level of SPF
10 in the SPF Products is lower than what is promised.

11 16. Plaintiffs bring this class action against Amazon for deceptive business
12 practices regarding the undisclosed presence of heavy metals in the Contaminated Products
13 and the lower than promised SPF levels in the SPF Products.

14 **D. The Contaminated Products**

15 17. No reasonable consumer purchasing sunscreen after seeing Amazon's point-of-
16 sale disclosures would expect the Contaminated Products to contain heavy metals.
17 Furthermore, reasonable consumers, like the Contaminated Product Plaintiffs, would consider
18 the inclusion of heavy metals a material fact when considering what sunscreen products to
19 purchase.

20 18. Reasonable consumers, like the Contaminated Product Plaintiffs, could not
21 learn of the inclusion of heavy metals in the Contaminated Products unless Amazon included
22 a proper disclosure, because identifying the presence of heavy metals requires expensive and
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1 sophisticated laboratory testing. But Amazon failed to perform or require any heavy metal
2 testing, or to disclose the presence of heavy metals.

3 19. A recent report published by Lead Safe Mama, LLC, a lead-poisoning
4 prevention and consumer goods safety advocate,¹⁰ found that certain sunscreen products
5 contain cadmium and lead:

6 Contaminated Product (Testing by LSM)	Cadmium	Lead
7 Sun Bum Baby Bum Mineral Sunscreen 8 Lotion (SPF 50)	232.4 ppb	495.1 ppb
9 Blue Lizard Sensitive Mineral Sunscreen 10 Lotion (SPF 50)	266.7 ppb	666.3 ppb
11 Coppertone Pure & Simple Baby Sunscreen 12 Lotion (SPF 50)	356.10 ppb	1,017.5 ppb
13 ThinkBaby Clear Zinc 20% Sunscreen Lotion 14 (SPF 30)	645 ppb	1,235.4 ppb
15 ThinkBaby Zinc Oxide Sunscreen Lotion 16 (SPF 50)	575.5 ppb	1,251.1 ppb

17 20. Plaintiffs' testing also confirmed the presence of detectable levels of cadmium
18 and lead in the Contaminated Products:

18 Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
19 365 by Whole Foods Market Sport Mineral Sunscreen 20 Lotion (SPF 30)	78.5 ppb	1,705.3 ppb
21 Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 22 50)	177.7 ppb	548 ppb

23 ¹⁰ See Lead Safe Mama, *Sunscreen Heavy Metals Comparison Chart, Lab Test Results*, June
24 17, 2025, <https://tamararubin.com/wp-content/uploads/2025/06/June-17-Draft-2-Lead-Safe-Mama-Sunscreen-Chart.png> (last accessed June 9, 2026) (hereinafter "Lead Safe Mama Chart" and attached hereto as Exhibit 1).

Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50) ¹¹	24.7 ppb	409.8 ppb
Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50) ¹²	117.1 ppb	982.7 ppb
Banana Boat Simply Protect Baby Sunscreen Lotion (SPF 50)	10.78 ppb	455.92 ppb
Banana Boat Simply Protect Kids Sunscreen Lotion (SPF 50)	97 ppb	323.9 ppb
Blue Lizard Baby Mineral Sunscreen Stick (SPF 50)	96.5 ppb	2,728.5 ppb
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50)	221.3 ppb	1,021.5 ppb
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50) ¹³	50.6 ppb	1,186 ppb
Coppertone Kids Tear Free Sunscreen Lotion (SPF 50)	12.59 ppb	264.1 ppb
Coppertone Pure & Simple Baby Sunscreen Lotion (SPF 50)	360.7 ppb	986.2 ppb
Coppertone Pure & Simple Kids Sunscreen Lotion (SPF 50)	429.7 ppb	1,350.9 ppb
Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50)	613.9 ppb	658.2 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)	656.5 ppb	1,364.7 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50) ¹⁴	133.7 ppb	869.3 ppb

¹¹ This testing represents results from product purchased by Plaintiff Wolf.

¹² This testing represents results from product purchased by Plaintiff Correia.

¹³ This testing represents results from product purchased by Plaintiff Correia.

¹⁴ This testing represents results from product purchased by Plaintiff Wolf.

1 21. Further, because of Amazon’s Omissions, with no disclosures as to the presence
 2 or risk of significant levels of heavy metals in the Contaminated Products, the Contaminated
 3 Product Plaintiffs did not expect the Contaminated Products to contain heavy metals.

4 22. The Contaminated Products are intended to provide sun protection to infants
 5 and children. Cadmium and lead provide no such protection and instead pose health risks to
 6 infants and children.

7 **E. The SPF Products**

8 23. No reasonable consumer purchasing sunscreen after seeing Amazon’s point-of-
 9 sale advertising would expect the SPF Products to contain a lower level of SPF than promised
 10 on the point-of-sale webpages. Furthermore, reasonable consumers, like the SPF Product
 11 Plaintiffs, would consider the SPF level a material fact when considering what sunscreen
 12 products to purchase.

13 24. Reasonable consumers, like the SPF Product Plaintiffs, could not learn of the
 14 actual level of SPF in the SPF Products unless Amazon included an accurate description,
 15 because identifying the SPF level requires expensive and sophisticated laboratory testing. But
 16 Amazon failed to perform or require any SPF testing, or to disclose the actual level of SPF in
 17 the SPF Products.

18 25. A recent report published by Consumer Reports found that certain sunscreen
 19 products contain lower levels of SPF than promised on the point-of-sale webpages.¹⁵

SPF Product	Average SPF
Sun Bum Glow Lotion SPF 30	10
Sun Bum Kids SPF 50 Face Stick	17

22 ¹⁵ See Compilation of Consumer Reports, “21 Best Sunscreens of 2026, Lab-Tested and
 23 Reviewed,” Updated April 27, 2026, available at
 24 <https://www.consumerreports.org/health/sunscreens/best-sunscreens-of-the-year-a7763432372/>
 (last accessed June 5, 2026) (hereinafter “Compilation of results from Consumer Reports”; see
 also Total Results from Consumer Reports, attached hereto as **Exhibit 3**).

1	Sun Bum Mineral Roll-On SPF 50	10
	Sun Bum Premium Lotion SPF 30	9
2	Sun Bum Premium Spray SPF 50	33
	Banana Boat Sport Ultra Roll-On SPF 60+	18
3	Banana Boat Sport Ultra Lotion SPF 50+	20
	Banana Boat Sport Cool Zone Spray SPF 30	18
4	Banana Boat Baby Mineral Lotion SPF 50+	12
	Banana Boat Baby Mineral Enriched Spray SPF 50	19
5	Banana Boat Protection + Vitamins Face Lotion SPF 50+	16
	Banana Boat Light as Air Lotion SPF 50+	13
6	Banana Boat Kid Sport Lotion SPF 50+	8
	Blue Lizard Sport Mineral Spray SPF 50+ Unscented	15
7	Blue Lizard Sheer Mineral Face Lotion SPF 50+	23
	Blue Lizard Sensitive Mineral Lotion SPF 50+	14
8	Coppertone Complete Spray SPF 50	23
	Coppertone Sport 4-in-1 Performance Spray SPF 50	19
9	Coppertone Glow Shimmer Spray SPF 30	13
	Coppertone Sport Mineral Spray SPF 50	13
10	Coppertone Water Babies Lotion SPF 50	64
	Coppertone Every Tone Sunscreen Lotion SPF 50	31
11	Coppertone Sport 4-in-1 Performance Lotion SPF 50	32
	Coppertone Kids SPF 50 Tear Free Lotion	13
12	Thinkbaby SPF 30 Sunscreen Stick	8
13	Thinkbaby Lotion SPF 50 Lightly Scented	12

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26. Because of Amazon's misrepresentations about the levels of SPF in the SPF Products, the SPF Product Plaintiffs did not expect the SPF Products to contain lower levels of SPF than promised on the point-of-sale webpages.

27. SPF is intended to provide a specific level of sun protection to individuals. The SPF Products do not provide the protection promised.

F. Amazon's Omissions and Misrepresentations

28. Based on the messaging and overall impression communicated by Amazon's point-of-sale webpages, including the material omissions and misrepresentations, no reasonable consumers, including Plaintiffs, could expect or understand the Contaminated Products contained or risked containing high levels of cadmium, lead, or other heavy metals,

1 nor could they expect or understand the SPF Products did not contain the level of SPF as
2 promised on the point-of-sale webpages.

3 29. No reasonable consumer purchasing sunscreen or seeing the misrepresentations
4 or partial misrepresentations and omissions on Amazon's point-of-sale webpages would
5 expect the Contaminated Products to contain heavy metals. Furthermore, reasonable
6 consumers, like Plaintiffs, would consider the inclusion of heavy metals like cadmium or lead
7 a material fact when considering what sunscreen products to purchase.

8 30. No reasonable consumer purchasing sunscreen or seeing the misrepresentations
9 on Amazon's point-of-sale webpages would expect the SPF Products to contain a lower level
10 of SPF than promised. Reasonable consumers, like Plaintiffs, would consider the actual SPF
11 level a material fact when considering what sunscreen products to purchase.

12 31. Amazon intended for consumers to rely on the misrepresentations, partial
13 misrepresentations, omissions, concealment, and other deceptive conduct regarding the
14 Products' quality, ingredients, standards, and suitability for use. Amazon's business practices,
15 including the misrepresentations and omissions, were deceptive, misleading, unfair, and/or
16 false because, among other things, the Contaminated Products contained undisclosed toxic
17 heavy metals, and the SPF Products contained lower levels of SPF than promised.

18 32. Amazon knows its customers trust the quality of the products sold through its
19 platform and expect the Contaminated Products to be properly and safely manufactured and
20 to not contain or risk containing alarming levels of heavy metals.

21 33. Amazon also knows that certain consumers will seek out and wish to purchase
22 sunscreen products that do not have detectable levels of contaminants such as heavy metals
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1 and that these consumers will pay more for sunscreen products that they believe possess these
2 qualities.

3 34. Amazon knows its customers trust the quality of the products sold through its
4 platform and expect the SPF Products to accurately portray the SPF level and not contain a
5 lower SPF level than promised.

6 35. Amazon also knows that certain consumers will seek out and wish to purchase
7 sunscreen products that have specific levels of SPF, including higher levels, and that these
8 consumers will pay more for sunscreen products that they believe possess these specific SPF
9 levels.

10 36. Indeed, Amazon has intentionally and knowingly positioned itself in the market
11 as the world's top e-commerce company selling consumer goods such as the Products.¹⁶

12 37. Plaintiffs seek injunctive and monetary relief on behalf of the proposed Class,
13 including (i) requiring Amazon to fully disclose the presence of heavy metals in its marketing,
14 advertising, and labeling, including the point-of-sale webpages, of the Contaminated Products;
15 (ii) requiring Amazon to accurately state the levels of SPF in the SPF Products in its marketing,
16 advertising, and labeling, including the point-of-sale webpages; (iii) requiring Amazon to test
17 all the Contaminated Products' ingredients and final products for heavy metals; (iv) requiring
18 Amazon to test the SPF Products for SPF levels; and (v) restoring monies to the members of
19 the proposed Class.

20 38. Plaintiffs bring this proposed consumer class action individually and on behalf
21 of all other members of the Class (as defined herein), who purchased for personal/household
22

23 ¹⁶ *Leading E-Commerce Companies Worldwide as of May 2026, By Market Cap*, STATISTA,
24 [https://www.statista.com/statistics/245340/leading-large-cap-e-commerce-companies-
market-cap/](https://www.statista.com/statistics/245340/leading-large-cap-e-commerce-companies-market-cap/) (last accessed June 9, 2026).

1 use and not resale any of the Products. Plaintiffs assert claims under the Washington Consumer
2 Protection Act and Washington common law.

3 **JURISDICTION AND VENUE**

4 39. This Court has jurisdiction over this action pursuant to the Class Action
5 Fairness Act of 2005 (“CAFA”), 28 U.S.C. §1332(d)(2), because at least one Class Member is
6 of diverse state citizenship from Defendant, there are more than 100 Class Members, and the
7 aggregate amount in controversy exceeds \$5 million, exclusive of interest and costs. Amazon
8 sells the Products from coast to coast in the United States and, as such, Class Members are
9 citizens of numerous diverse states outside of Washington. Any exemptions to jurisdiction
10 under 28 U.S.C. §1392(d)(2) do not apply.

11 40. The Western District of Washington has personal jurisdiction over Amazon as
12 it is headquartered in this District and conducts substantial business in this State and in this
13 District through its headquarters and sale of products, including the Products.

14 41. Venue is appropriate in this District pursuant to 28 U.S.C. § 1391(b)(1) because
15 Amazon is headquartered and resides in this District. Venue is further appropriate in this
16 district pursuant to the forum selection clause in Amazon’s online “conditions of use,” which
17 are available when a consumer signs up for an Amazon account and makes purchases. The
18 conditions provide that “[a]ny dispute or claim relating in any way to your use of any Amazon
19 Service will be adjudicated in the state or Federal courts in King County, Washington, and you
20 consent to exclusive jurisdiction and venue in these courts.”

PARTIES

A. Contaminated Product Plaintiffs

42. Plaintiff Lauren Wolf (“Plaintiff Wolf”) is, and at all times relevant, has been a citizen and resident of the state of Texas, residing in Fort Worth, in Tarrant County, Texas. Plaintiff Wolf purchased the Contaminated Products from Amazon, including Sun Bum Baby Bum Mineral Sunscreen Stick SPF 50 and Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50), in approximately June 2025 and March 2026.

43. Before making these purchases, Plaintiff Wolf viewed the information available on Amazon’s Product Detail Pages for Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50) and Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50). None of that information disclosed that the sunscreen contained detectable levels of heavy metals.

44. When Plaintiff Wolf purchased Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50) via Amazon’s marketplace, Amazon was the seller of the sunscreen.

1 45. Plaintiff Elizabeth Correia (“Plaintiff Correia”) is, and at all times relevant, has
2 been a citizen and resident of the state of California, residing in Cardiff, in San Diego County,
3 California. Plaintiff Correia purchased the Contaminated Products from Amazon, including
4 Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50) in approximately October 2023,
5 December 2023, and June 2024; Sun Bum Baby Bum Sunscreen Lotion (SPF 50) in
6 approximately June 2021, March 2022, and March 2023; Sun Bum Baby Bum Sunscreen
7 Spray (SPF 50) in approximately April 2022; Blue Lizard Baby Mineral Sunscreen Stick (SPF
8 50) in approximately October 2023, November 2023, December 2023, May 2024, June 2024,
9 and August 2025; Blue Lizard Kids Mineral Sunscreen Stick (SPF 50) in approximately April
10 2026, and Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50) in approximately June 2020.

11 46. Before making these purchases, Plaintiff Correia viewed the information
12 available on Amazon’s Product Detail Pages for Sun Bum Baby Bum Mineral Roll-On
13 Sunscreen (SPF 50), Sun Bum Baby Bum Sunscreen Lotion (SPF 50), Sun Bum Baby Bum
14 Sunscreen Spray (SPF 50), Blue Lizard Baby Mineral Sunscreen Stick (SPF 50), Blue Lizard
15 Kids Mineral Sunscreen Stick (SPF 50), and Thinkbaby Baby Mineral Sunscreen Lotion (SPF
16 50). None of that information disclosed that the sunscreens contained detectable levels of
17 heavy metals.

18 47. When Plaintiff Correia purchased Sun Bum Baby Bum Mineral Roll-On
19 Sunscreen (SPF 50), Sun Bum Baby Bum Sunscreen Lotion (SPF 50), Blue Lizard Baby
20 Mineral Sunscreen Stick (SPF 50), Blue Lizard Kids Mineral Sunscreen Stick (SPF 50), and
21 Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50) via Amazon’s marketplace, Amazon was
22 the seller of the sunscreens.

1 48. Plaintiff Alyson Endlich (“Plaintiff Endlich”) is, and at all times relevant, has
2 been a citizen and resident of the state of New York, residing in Westbury, in Nassau County,
3 New York. Plaintiff Endlich purchased the Contaminated Product from Amazon, including
4 Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50), approximately May 2024.

5 49. Before making her purchase, Plaintiff Endlich viewed the information available
6 on Amazon’s Product Detail Page for Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF
7 50). None of that information disclosed that the sunscreens contained detectable levels of
8 heavy metals.

9 50. When Plaintiff Endlich purchased Sun Bum Baby Bum Mineral Roll-On
10 Sunscreen (SPF 50) via Amazon’s marketplace, Amazon was the seller of the sunscreen.

11 51. The Contaminated Product Plaintiffs believed they were purchasing sunscreen
12 products that were nontoxic and without detectable levels of heavy metals, including cadmium
13 and lead. During the time they purchased and used the Contaminated Products, and due to the
14 misrepresentations, partial misrepresentations, and omissions by Amazon, they were unaware
15 the Contaminated Products contained (or had a material risk of containing) significant levels
16 of cadmium and lead. If Amazon had disclosed that the Contaminated Products contained (or
17 had a material risk of containing) heavy metals including cadmium and lead, or that Amazon
18 had inadequately tested, or never tested, or never required third-party sellers to test, for heavy
19 metals, in its ingredients and/or finished Contaminated Products, the Contaminated Product
20 Plaintiffs would not have purchased the Contaminated Products or otherwise would have paid
21 less for them. The Contaminated Product Plaintiffs would be willing to purchase the
22 Contaminated Products in the future if they could be certain they do not contain (or have a
23 material risk of containing) heavy metals.

1 52. The Contaminated Product Plaintiffs relied on the Contaminated Products’
2 point-of-sale webpages, misrepresentations and partial misrepresentations and omissions by
3 Amazon, which were prepared, reviewed, and/or approved by Amazon and its agents at its
4 headquarters in Washington and disseminated by Amazon and its agents through the point-of-
5 sale disclosures. The omissions were material content that reasonable consumers would
6 consider important when purchasing the Contaminated Products, and the misrepresentations
7 and partial misrepresentations were misleading, unfair, and deceptive based on the inclusion
8 and/or risk of significant levels of cadmium and lead.

9 **B. SPF Product Plaintiffs**

10 53. Plaintiff Correia also purchased the SPF Product, the Sun Bum Kids SPF 50
11 Face Stick, from Amazon in approximately March 2024.

12 54. Before making her purchase, Plaintiff Correia viewed the information available
13 on Amazon’s Product Detail Page for Sun Bum Kids SPF 50 Face Stick. None of that
14 information disclosed that the SPF Product contained a lower level of SPF than promised.

15 55. When Plaintiff Correia purchased Sun Bum Kids SPF 50 Face Stick via
16 Amazon’s marketplace, Amazon was the seller of the sunscreen.

17 56. Plaintiff Endlich also purchased the SPF Product, the Sun Bum Kids SPF 50
18 Face Stick, from Amazon in approximately May 2024.

19 57. Before making her purchase, Plaintiff Endlich viewed the information available
20 on Amazon’s Product Detail Page for Sun Bum Kids SPF 50 Face Stick. None of that
21 information disclosed that the SPF Product contained a lower level of SPF than promised.

22 58. When Plaintiff Endlich purchased Sun Bum Kids SPF 50 Face Stick via
23 Amazon’s marketplace, Amazon was the seller of the sunscreen.

1 59. Plaintiffs Correia and Endlich believed they were purchasing a sunscreen
2 product that contained the level of SPF that was promised on the point-of-sale webpage.
3 During the time they purchased and used the SPF Products, and due to the misrepresentations
4 by Amazon, they were unaware the SPF Products contained a lower level of SPF than promised
5 on the point-of-sale webpage. If Amazon had correctly represented the SPF Products contained
6 a lower level of SPF than promised through the point-of-sale webpage, or that Amazon had
7 inadequately tested, or never tested, or never required third-party sellers to test, for SPF, in the
8 SPF Products, Plaintiffs Correia and Endlich would not have purchased the SPF Products or
9 otherwise would have paid less for the SPF Products. Plaintiffs Correia and Endlich would be
10 willing to purchase the SPF Product in the future if they could be certain it contains the level
11 of SPF promised on the point-of-sale webpage.

12 60. Plaintiffs Correia and Endlich relied on the SPF Products' point-of-sale
13 webpage and misrepresentations by Amazon, which were prepared, reviewed, and/or approved
14 by Amazon and its agents at its headquarters in Washington and disseminated by Amazon and
15 its agents through the point-of-sale webpage. The misrepresentations were material content
16 that reasonable consumers would consider important when purchasing the SPF Products, and
17 the misrepresentations were misleading, unfair, and deceptive based on actual level of SPF in
18 the SPF Products which was lower than what was promised.

19 **C. Defendant**

20 61. Amazon is an American multinational consumer goods and technology
21 company that conducts business in all 50 states and the District of Columbia. Amazon is a
22 Delaware corporation with principal executive offices located at 410 Terry Avenue North,
23 Seattle, Washington 98109.

1 62. Amazon knowingly created, oversaw, and/or authorized the unlawful,
2 fraudulent, unfair, misleading, and/or deceptive point-of-sale webpages and related marketing
3 for the Contaminated Products that did not disclose the presence of heavy metals, including
4 cadmium or lead.

5 63. Amazon knowingly created, oversaw, and/or authorized the unlawful,
6 fraudulent, unfair, misleading, and/or deceptive point-of-sale webpages and related marketing
7 for the SPF Products that represented the SPF Products had a higher level of SPF than they
8 actually contained.

9 64. Plaintiffs relied on the point-of-sale webpages and omissions and
10 misrepresentations, which were prepared, reviewed, and/or approved by Amazon and its
11 agents at its headquarters in Seattle and disseminated by Amazon and its agents. The
12 Omissions and misrepresentations were material content that a reasonable consumer would
13 consider important when purchasing the Products.

14 **FACTUAL ALLEGATIONS**

15 **I. Amazon Sells the Products in Its Online Marketplace and Delivers the Products**
16 **Directly to Consumers**

17 65. Amazon operates the largest online retail marketplace in the United States,
18 which includes its website, applications for mobile devices, and voice-controlled devices that
19 allow consumers to make purchases from Amazon (“Amazon’s marketplace”).

20 66. Amazon directly sells a wide range of consumer goods—approximately 12
21 million goods per day—to customers on its marketplace.¹⁷ Some of these products are
22 manufactured by third parties but sold to consumers by Amazon as a traditional first-party

23 ¹⁷ *Amazon Statistics: Key Numbers and Fun Facts*, AMAZON SCOUT,
24 <https://amzscout.net/blog/amazon-statistics> (last accessed June 9, 2026).

1 retailer. Other products are manufactured by Amazon or its subsidiaries and marketed under
2 one of Amazon's many in-house brand names.

3 67. Amazon is the manufacturer and seller of one Contaminated Product at issue:
4 365 Whole Foods Sport Mineral Sunscreen Lotion SPF 30.¹⁸

5 68. Amazon also sells several of the Contaminated Products directly to consumers
6 as a first party, including 365 by Whole Foods Market Sport Mineral Sunscreen (SPF 30), Sun
7 Bum Baby Bum Mineral Sunscreen (SPF 50), Blue Lizard Baby Mineral Sunscreen (SPF 50),
8 Blue Lizard Kids Mineral Sunscreen (SPF 50), and Coppertone Pure & Simple Baby
9 Sunscreen (SPF 50).

10 69. Amazon also sells several of the SPF Products directly to consumers as a first
11 party, for example: Sun Bum Premium Spray SPF 50, Banana Boat Sport Ultra Roll-On SPF
12 60+, Banana Boat Sport Ultra Lotion SPF 50+, Banana Boat Sport Cool Zone Spray SPF 30,
13 Banana Boat Baby Mineral Lotion SPF 50+, Banana Boat Baby Mineral Enriched Spray SPF
14 50, Banana Boat Protection + Vitamins Face Lotion SPF 50+, Banana Boat Light as Air Lotion
15 SPF 50+, Banana Boat Kids Sport Lotion SPF 50+, Blue Lizard Sport Mineral Spray SPF 50+
16 Unscented, Blue Lizard Sheer Mineral Face Lotion SPF 50+, Blue Lizard Sensitive Mineral
17 Lotion SPF 50+, Coppertone Complete Spray SPF 50, Coppertone Sport 4-in-1 Performance
18 Spray SPF 50, Coppertone Glow Shimmer Spray SPF 30, Coppertone Sport Mineral Spray
19 SPF 50, Coppertone Water Babies Lotion SPF 50, and Coppertone Sport 4-in-1 Performance
20 Lotion SPF 50.

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23 _____
24 ¹⁸ Whole Foods is a wholly owned subsidiary of Amazon. Whole Foods' CEO, Jason Buechel,
is also Amazon's Vice President of Worldwide Grocery Stores.

1 70. In other words, Amazon itself—not a third party—lists the above-referenced
2 Products on Amazon’s marketplace and sells, ships, and delivers them to consumers.

3 71. In addition to selling goods as a first party, Amazon allows third-party sellers
4 to list products on Amazon’s marketplace. Such sellers enter into an agreement with Amazon
5 to participate in its ecommerce marketplace by executing Amazon’s Business Solutions
6 Agreement as well as other related agreements.

7 72. Amazon’s Business Solutions Agreement with third-party sellers provides,
8 *inter alia*, that Amazon controls: the formatting of product listings on its online marketplace;
9 all communications about the third party’s products with Amazon customers, which must take
10 place exclusively through Amazon’s online platform; and the processing of all payments,
11 including what the permissible means of purchase are, and remittance of payments to
12 merchants minus Amazon’s substantial service fees—which range from 15-40% of the
13 purchase price.

14 73. Amazon operates a fulfillment service known as “Fulfillment by Amazon.” For
15 third-party sellers participating in Fulfillment by Amazon, there are additional policies and
16 requirements that govern the third party’s products’ presence on Amazon’s marketplace.

17 74. When a third-party seller participates in Fulfillment by Amazon, Amazon
18 undertakes numerous activities to put the seller’s goods in consumers’ hands. Amazon stores
19 Fulfillment by Amazon products at Amazon warehouses and tracks data related to inventory
20 of the product. When a consumer places an order for the goods on Amazon’s marketplace,
21 Amazon facilitates the transaction, sorts and packages the goods in its warehouses, ships the
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1 goods directly to the consumer’s doorstep, often via Amazon delivery vehicles, and handles
2 customer service, including processing of returns, complaints, and refund requests.¹⁹

3 75. Sales on Amazon’s marketplace make up between 65% and 70% of all online
4 marketplace sales in the United States and account for over 50% of all online retail sales
5 revenue in the United States.²⁰ The vast majority of sales on Amazon’s marketplace are of
6 products that are either sold by Amazon as a first party or handled and shipped by Amazon via
7 Fulfillment by Amazon.

8 76. Some of the Products, including Coppertone Pure & Simple Kids Sunscreen
9 (SPF 50), Thinkbaby Baby Mineral Sunscreen (SPF 50), and Thinkbaby Baby Sunscreen for
10 Sensitive Skin (SPF 50), and the Sun Bum Mineral Roll-On SPF 50, are listed and sold by
11 third parties, but stored, handled, and shipped to consumers by Amazon via Fulfillment by
12 Amazon.

13 **II. Amazon Controls and Creates Content for the Products’ Detail Pages at Point-of-** 14 **Sale**

15 **A. Amazon’s General Control Over Marketing of the Products**

17 ¹⁹ *In the Matter of Amazon.com, Inc.*, No. 21-2, Decision and Order of the United States
18 Consumer Product Safety Commission at 7–11 (July 29, 2024). In regulatory proceedings,
19 Amazon has attempted to avoid responsibility for selling dangerous products by arguing that
20 it is a “third-party logistics provider” rather than a distributor. *Id.* at 6. In 2024, the United
21 States Consumer Product Safety Commission rejected that argument, finding that Amazon acts
22 as a distributor via Fulfillment by Amazon, and noting that Amazon “controls communications
23 between [third-party sellers] and customers,” and that “Amazon controls the distribution of
24 Fulfilled by Amazon products from the initial transactions on Amazon.com through product
returns.” *Id.* at 34, 39.

²⁰ *Investigation of Competition in Digital Markets, Majority Staff Report and
Recommendations*, SUBCOMMITTEE ON ANTITRUST, COMMERCIAL, AND ADMINISTRATIVE LAW
OF THE COMMITTEE ON THE JUDICIARY OF THE HOUSE OF REPRESENTATIVES, 117th Congress,
(released Oct. 2020, adopted Apr. 2021), at 255, <https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf> (last accessed June 9, 2026).

1 77. Amazon refers to the point-of-sale webpages for individual products sold on
2 Amazon as “Product Detail Pages.”

3 78. Amazon exercises extensive control over the format and content of Product
4 Detail Pages, even for products listed by third parties. The Business Solutions Agreement
5 requires third-party sellers to provide certain “Required Product Information,” on Detail
6 Pages, including a description, SKU number, information regarding in-stock status and
7 availability, product category information, digital images, price information, shipping and
8 handling information, product dimensions, and “any text, disclaimers, warnings, notices,
9 labels, warranties, or other content required by applicable Law to be displayed, or that are
10 necessary for the safe use of Your Product, in connection with the offer, merchandising,
11 advertising, or sale of Your Product.”²¹

12 79. Amazon also does not allow what it deems as “misleading claims”:

13 A misleading claim falsely advertises, or uses language that is not
14 directly truthful, such as unsubstantiated representations about a
15 product’s features. Misleading claims are not necessarily false in their
16 literal wording, but they could create a false impression or mislead a
17 consumer. For example, a salad dressing labeled ‘Olive oil and
18 Balsamic’ could mislead consumers if the primary oil used is not olive
19 oil.

20 Amazon policy prohibits the sale of products that are misleading about
21 the qualities or characteristics of the product.²²

22 80. This further demonstrates the broad control Amazon exercises over the
23 marketing of all products sold on its website, including the Products at issue here.
24

21 ²¹ *Amazon Services Business Solutions Agreement*, AMAZON SELLER CENTRAL,
22 <https://sellercentral.amazon.com/help/hub/reference/external/G1791> (last accessed June 9,
2026).

23 ²² *Misleading and prohibited claims*, AMAZON SELLER CENTRAL,
24 <https://sellercentral.amazon.com/help/hub/reference/external/G202024200?locale=en-US> (last
accessed June 11, 2026).

1 81. Amazon monitors the content of product listings. If Amazon determines that
2 Required Product Information is missing from a product listing, it asks the seller to provide
3 the required information, and it removes the product listing from Amazon’s marketplace if the
4 seller does not comply.

5 82. Amazon provides third-party sellers with “Product detail page rules” that
6 specify the format and content of product descriptions on Detail Pages. The rules include
7 “policies for writing listings,” which specify the number of characters a product title can have,
8 prohibit the use of emojis, and forbid sellers from including quotes, testimonials, or requests
9 for positive customer reviews in Detail Page content.

10 83. When more than one third-party seller sells a given product on Amazon’s
11 marketplace, Amazon decides what information is displayed on the Detail Page.

12 84. Amazon sells the Products to consumers on its platform.

13 85. Each of the Products is sold on Amazon’s website via a Product Detail Page.
14 The Detail Page for each Product includes a product description and a picture of the product’s
15 ingredients panel, the specifications of which are set by Amazon.

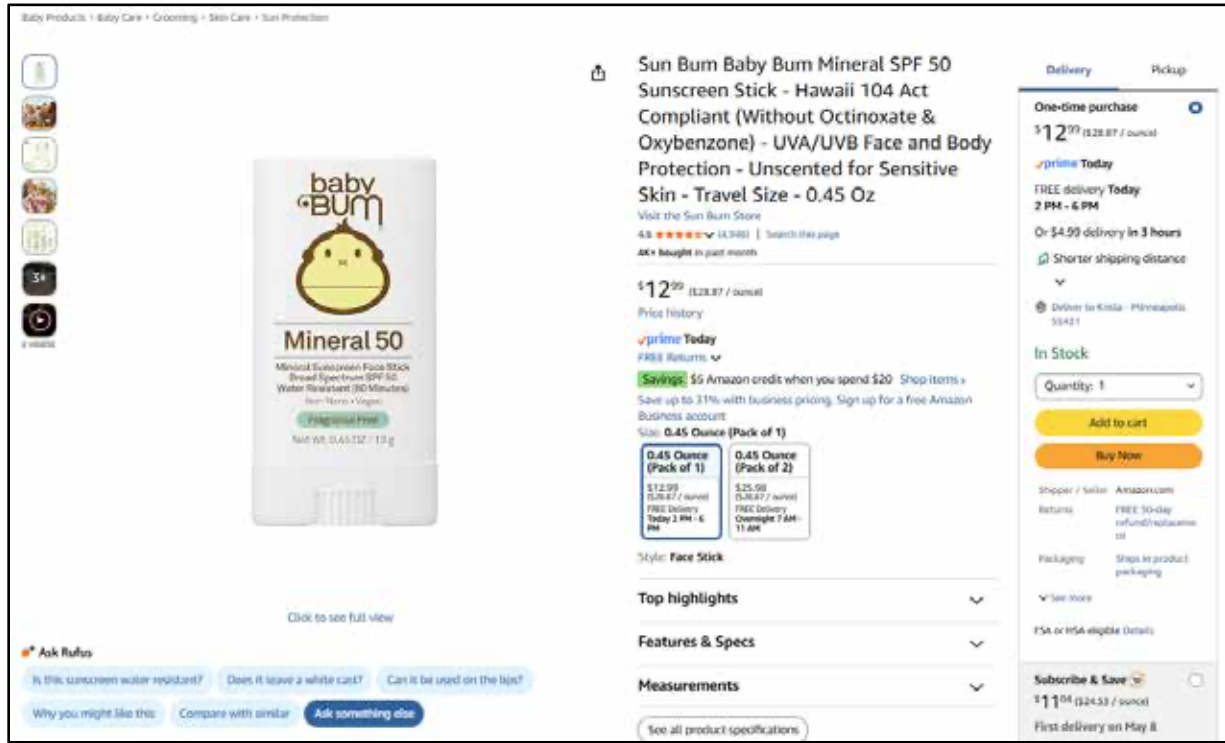
16 **B. Amazon’s Marketing of the Contaminated Products Omits Heavy Metals**

17 86. Amazon does not require sellers of the Contaminated Products to test their
18 products for heavy metals or include the results of such tests on Detail Pages.

19 87. Amazon also does not include the results of heavy metals tests on Detail Pages
20 for the Contaminated Products manufactured by Amazon itself or its subsidiaries.

21 88. The Contaminated Products at issue in this case, and the levels of heavy metals
22 found in each product, are listed in Appendix A.

89. For example, the Detail Page for the Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50) purchased by Plaintiff Wolf is set forth below:



90. The Product Detail Page contains language touting the superiority of this particular product, describing it as “gentle,” “meet[ing] the needs of delicate baby skin,” and “specifically formulated for kids, toddlers, and babies.” Nowhere does it disclose that the sunscreen contains dangerous heavy metals, including arsenic and cadmium:

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Top highlights ^

Scent Unscented

Product Gentle Mineral-active, Ultra-Violet Protection

Benefits

Sun Protection 15 Sun Protection Factor (SPF)

Factor

Item Weight 0.03 Pounds

Number of 1

Items

About this item

- **BABY BUM SPF 50 SUNSCREEN FACE STICK.** Our convenient, get-out-the-door faster format is gentle mineral-active based protection. The easy roll-on face stick applies and absorbs quickly to face (and body) with a non-oily feel for UVA/UVB protection. Fit this mini size in your carry-on for your next sunny vacation.
- **GENTLE, PLANT-BASED SKIN CARE.** Our plant-based formula contains zinc oxide, coconut oil, shea butter and cocoa butter to nourish and hydrate all skin types. Vegan, Cruelty, Gluten and Dye Free to meet the needs of delicate baby skin.
- **HOW TO USE.** Chase 'em down and get their face. Swipe across forehead starting at the hairline and work your way down careful not to miss a spot. Apply 15 minutes before sun. Reapply after 80 minutes of swimming, and immediately after a towel dry.
- **FORMULATED FOR OUR RAD LITTLE KIDS.** Specifically formulated for kids, toddlers and babies with naturally moisturizing ingredients. Pediatrician and Dermatologist tested. Paraben, Sulfate, Silicone and Phthalate free.
- **TRUST THE BUM.** What does that mean? It means trust us, the ones who live on the beach and need products that work on the most intense days in the sun. The simple truth is, when you make products to protect the ones you love, you make 'em better.
- **Baby Bum SPF 50 Mineral Sunscreen Face Stick** is FSA/HSA eligible and meets FDA requirements for sun protection, giving you peace of mind while you protect your skin

19 91. Another section of the Detail Page claims that the sunscreen is “made of safe
 20 minerals to protect babies’ skin[.]” This product description also does not disclose that the
 21 sunscreen contains dangerous heavy metals, including arsenic and cadmium:

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Product Description

Broad spectrum, lightweight, and non-greasy, our SPF 50 sunscreen face stick is made of safe minerals to protect babies' skin from UVA/UVB rays. Water resistant (80 mins).

1 92. Amazon also includes statements from the manufacturer on the Detail Page,
2 including claims that the sunscreen is “super gentle” and “uses the best ingredients for delicate
3 and sensitive skin,” that “was designed with sensitive skin in mind and made without using
4 synthetic fragrances, dyes, or parabens.” None of the statements disclose the presence of heavy
5 metals.

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7 **Made for our rad little ones.**

8 We make our products for our own little ones, so every detail matters. Our Baby Bum collection is super gentle and uses the best ingredients for delicate and sensitive skin.

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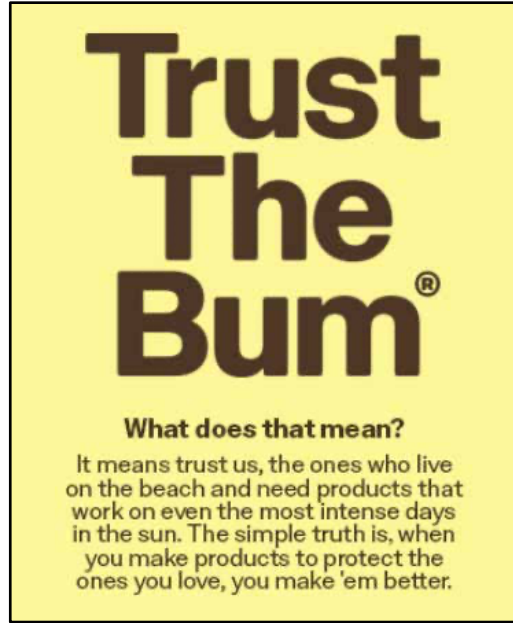
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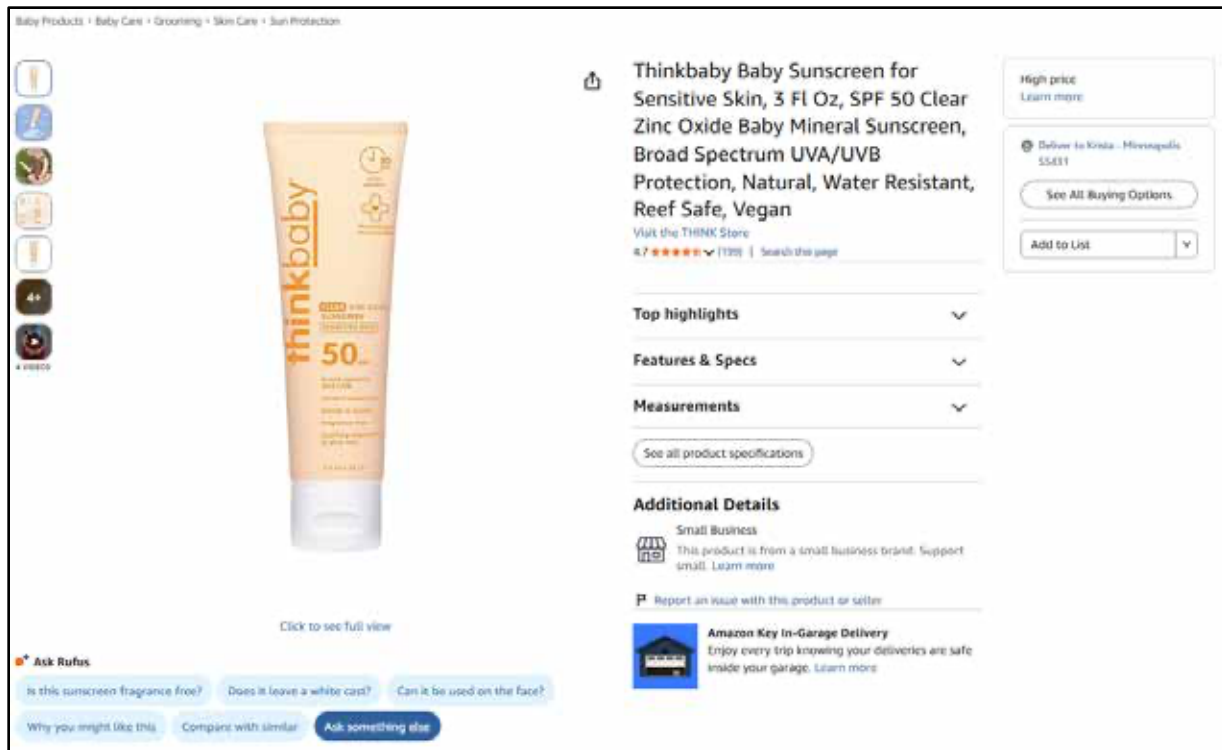
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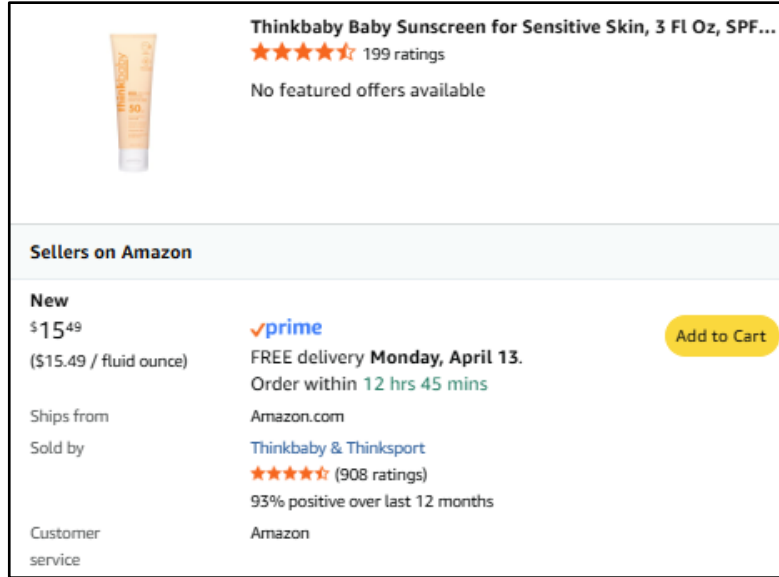
17 93. Further, the Detail Page also includes claims meant to invoke trust in the
18 manufacturer, “Trust the Bum... It means trust us... The simple truth is, when you make
19 products to protect the ones you love, you make ‘em better.”



94. The Detail Page for the Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)

purchased by Plaintiff Wolf is set forth below:





10 95. The Product Detail Page contains language touting the superiority of this
11 particular product, describing it as “formulated without fragrance or harmful ingredients,”
12 “Dermatologist recommended as a safe and effective choice for sensitive skin,” and “CLEAN
13 MINERAL FORMULA: Suitable for sensitive skin.” Nowhere does it disclose that the
14 sunscreen contains dangerous heavy metals, including arsenic and cadmium:

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Top highlights ^

Scent	Chamomile
Product Benefits	SPF 50, broad spectrum UVA/UVB protection, water resistant for 80 minutes, soothing for sensitive skin
Sun Protection Factor	50 Sun Protection Factor (SPF)
Item Weight	0.12 Kilograms
Number of Items	1

About this item

- **CALMING PROTECTION:** Our non-nano zinc oxide mineral sunscreen is formulated without fragrance or harmful ingredients and infused with soothing chamomile & moisturizing shea butter to help calm and nourish extra sensitive skin
- **WATER RESISTANT:** This baby and kids sunscreen provides reliable, long-lasting sun protection and is water-resistant for up to 80 minutes. Dermatologist recommended as a safe and effective choice for sensitive skin
- **EASY APPLICATION:** Kids hate standing still, so this is sunscreen kids and adults can quickly and easily apply, and protection begins instantly. The fast absorbing sunscreen for kids won't leave skin feeling oily or sticky, and has no unpleasant chemical scent.
- **CLEAN MINERAL FORMULA:** Suitable for sensitive skin and active lifestyles. This children and toddler sunscreen has no BPA, vegan, never tested on animals, reef-friendly, travel-sized, and TSA-approved
- **SUNCARE BY THINK SUN:** Thinkdaily, Thinkbaby, Thinkkids & Thinksports have got your family covered with gentle and reef-safe ingredient based clean sunscreen, made to be effective for delicate and sensitive skin without sacrificing protection

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96. Another section of the Detail Page claims that the sunscreen as “perfect for extra sensitive little ones!” “gentle on skin,” “free of harmful chemicals,” and “dermatologist recommended.” This product description also does not disclose that the sunscreen contains dangerous heavy metals, including arsenic and cadmium:

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thinkbaby

Non-nano Zinc Oxide UV filters combine with soothing Aloe Vera and Jojoba Seed Oil for advanced protection — perfect for extra sensitive little ones!

clear zinc oxide spf 50 sensitive skin

gentle on skin, tough on rays

enriched with soothing chamomile & shea butter

non-nano mineral zinc oxide SPF 50 for complete broad-spectrum defense

blends quickly for all skin types & tones

thinksun
mineral sunscreen

80 min water resistant

EWG VERIFIED & RATED

free of harmful chemicals


dermatologist recommended

reef friendly

cruelty-free

97. The Detail Page for the Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50) purchased by Plaintiffs Correia and Endlich is set forth below:

Beauty & Personal Care › Skin Care › Sunscreens & Tanning Products › Sunscreens › Body Sunscreens



Sun Bum Baby Bum Mineral SPF 50 Roll-On Sunscreen - Vegan and Hawaii 104 Act Compliant (Without Octinoxate & Oxybenzone) - Broad Spectrum Moisturizing UVA/UVB - Travel Size - 3 oz | Mineral, Vegan, Broad Spectrum, Moisturizing, UVA/UVB

Visit the Sun Bum Store

4.8 ★★★★★ (805) | Search this page

6K+ bought in past month

Price history

\$16⁴⁹ (\$5.50 / fluid ounce)

Get \$175 off instantly: Pay \$0.00 upon approval for Prime Visa.

prime Today
FREE Returns

Size: 3 Fl Oz (Pack of 1)

One-time purchase

\$16⁴⁹ (\$5.50 / fluid ounce)

prime Today

FREE delivery Today
7 AM - 11 AM. Order within 4 hrs 17 mins

Shorter shipping distance

Deliver to Krista - Minneapolis 55431

In Stock

Quantity: 1

Add to cart

Buy Now

Shipper / Seller Amazon.com

Returns FREE 30-day refund/replacement

Customer service Amazon.com

See more

FSA or HSA eligible Details

Click to see full view

Ask Rufus

Is this sunscreen water resistant? Does it leave a white cast?

Can it be used on the face? Why you might like this Compare with similar

98. The Product Detail Page contains language touting the superiority of this particular product, describing it as “gentle,” “meet[ing] the needs of delicate baby skin,” and “specifically formulated for kids, toddlers, and babies.” Nowhere does it disclose that the sunscreen contains dangerous heavy metals, including arsenic and cadmium:

Top highlights ^

Scent	Unscented
Product Benefits	Gentle Mineral-active, Ultra-Violet Protection
Sun Protection Factor	50 Sun Protection Factor (SPF)
Brand	Sun Bum
Item Weight	88 Grams

About this item

- BABY BUM SPF 50 MINERAL ROLL-ON LOTION. We know how tough it can be to get our little ones to stand still. So, we made a sunscreen option that's gentle mineral-active based, lightweight, and most importantly, easy to apply. Fit this mini size in your carry-on for your next sunny vacation.
- Baby Bum SPF 50 Mineral Roll-On Sunscreen Lotion is FSA/HSA eligible and meets FDA requirements for sun protection, giving you peace of mind while you protect your skin
- GENTLE, PLANT-BASED SKIN CARE. Our plant-based formula contains natural zinc oxide, coconut oil, shea butter and cocoa butter to nourish and hydrate all skin types. Vegan, Cruelty, Gluten and Dye Free to meet the needs of delicate baby skin.
- TRUST THE BUM. What does that mean? It means trust us, the ones who live on the beach and need products that work on the most intense days in the sun. The simple truth is, when you make products to protect the ones you love, you make 'em better.
- FORMULATED FOR OUR RAD LITTLE KIDS. Specifically formulated for kids, toddlers and babies with naturally moisturizing ingredients. Pediatrician and Dermatologist tested. Paraben, Sulfate, Silicone and Phthalate free.
- HOW TO USE. Shake well before use. Chase 'em down, apply liberally and spread by hand 15 minutes before sun exposure. Reapply: after 80 minutes of swimming or sweating. Immediately after towel drying. At least every 2 hours.

99. Another section of the Detail Page claims that the sunscreen is “made of safe minerals to protect babies’ skin[.]” This product description also does not disclose that the sunscreen contains dangerous heavy metals, including arsenic and cadmium:

Product Description

Broad spectrum, lightweight, and non-greasy, our SPF 50 roll on sunscreen is made of safe minerals to protect babies' skin from UVA/UVB rays. Water resistant (80 mins).

100. Amazon also includes statements from the manufacturer on the Detail Page, including claims that the sunscreen is “super gentle” and “uses the best ingredients for delicate

1 and sensitive skin,” that “was designed with sensitive skin in mind and made without using
2 synthetic fragrances, dyes, or parabens.” None of the statements disclose the presence of heavy
3 metals:

Made for our rad little ones.

We make our products for our own little ones, so every detail matters. Our Baby Bum collection is super gentle and uses the best ingredients for delicate and sensitive skin.










Made Without:
• Oxybenzone • Octinoxate





Pediatrician Tested
Thumbs up for overall safety & sensitivity. Still important to consult with your doctor.

Fragrance Free
Our Baby Sunscreen formula was designed with sensitive skin in mind and made without using synthetic fragrances, dyes, or parabens.

Non-Nano Zinc
Non-nano zinc reflects UVA and UVB rays from the surface of our skin.

14 101. Further, the Detail Page also includes claims meant to invoke trust in the
15 manufacturer, “Trust the Bum... It means trust us... The simple truth is, when you make
16 products to protect the ones you love, you make ‘em better.”

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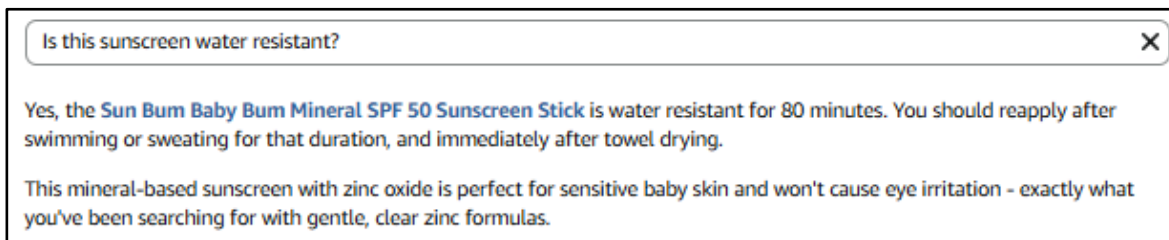


102. The Detail Pages also contain a feature called “Ask Rufus.” “Rufus” is Amazon’s “AI-powered conversational shopping assistant.” It is powered by technology that is proprietary to Amazon, and Amazon—not third parties—causes Rufus to appear on Product Detail Pages.

103. On the Detail Page for Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50), Amazon—via “Rufus”—poses the question “Is this sunscreen water resistant?”:



14 104. When consumers click on that question, Amazon states that “The product
15 information does not provide explicit details about the presence or absence of additives or
16 preservatives”:



21 105. The “Ask Rufus” feature currently appears on the Detail Pages for each of the
22 Contaminated Products sold on Amazon.

1 106. The contents of the point-of-sale Detail Pages for the Contaminated Products
2 show that (1) Amazon knows that the benefits and ingredients of a sunscreen product are
3 material to consumers, and (2) Amazon fails to disclose to consumers the fact that the
4 Contaminated Product contains heavy metals.

5 107. Excerpts from the Product Detail Pages for the Contaminated Products are
6 attached in Appendix B.

7 **C. Amazon’s Marketing Misrepresents the SPF Levels in the SPF Products**

8 108. Amazon does not require sellers of the SPF Products to test their products for
9 SPF or include the results of such tests on Detail Pages.

10 109. Amazon also does not include the results of SPF tests on Detail Pages for the
11 SPF Products manufactured by Amazon itself or its subsidiaries.

12 110. The SPF Products at issue in this case, and the levels of heavy metals found in
13 each product, are listed in Appendix C.

14 111. For example, the Detail Page for the Sun Bum Kids SPF 50 Face Stick
15 purchased by Plaintiffs Correia and Endlich is set forth below:

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[Click to see full view](#)



Sun Bum Kids SPF 50 Clear Sunscreen Face Stick | Wet or Dry Application | Hawaii 104 Act Compliant (Octinoxate & Oxybenzone Free) Broad Spectrum UVA/UVB Sunscreen | 0.53 oz (Pack of 2)

Visit the Sun Bum Store
4.7 ★★★★★ (5,800)
800+ bought in past month

\$26⁹⁸ (\$1.12 / ounce)

Get \$10 off instantly: Pay \$16.98 \$26.98 upon approval for the Amazon Store Card. No annual fee.

Get Fast, Free Shipping with Amazon Prime

FREE Returns

Size: 12 Ounce (Pack of 2)

12 Ounce (Pack of 2)	0.53 Ounce (Pack of 1)
\$26.98 (\$1.12 / ounce)	\$12.49 (\$23.57 / ounce) \$18.49

Top highlights

Features & Specs

Measurements



[Click to see full view](#)

Top highlights

Product Benefits	Ultra-Violet Protection
Material Type Free	Octinoxate Free, Oxybenzone Free
Scent	Fragrance Free
Liquid Volume	0.53 Fluid Ounces
Item Form	Gel

About this item

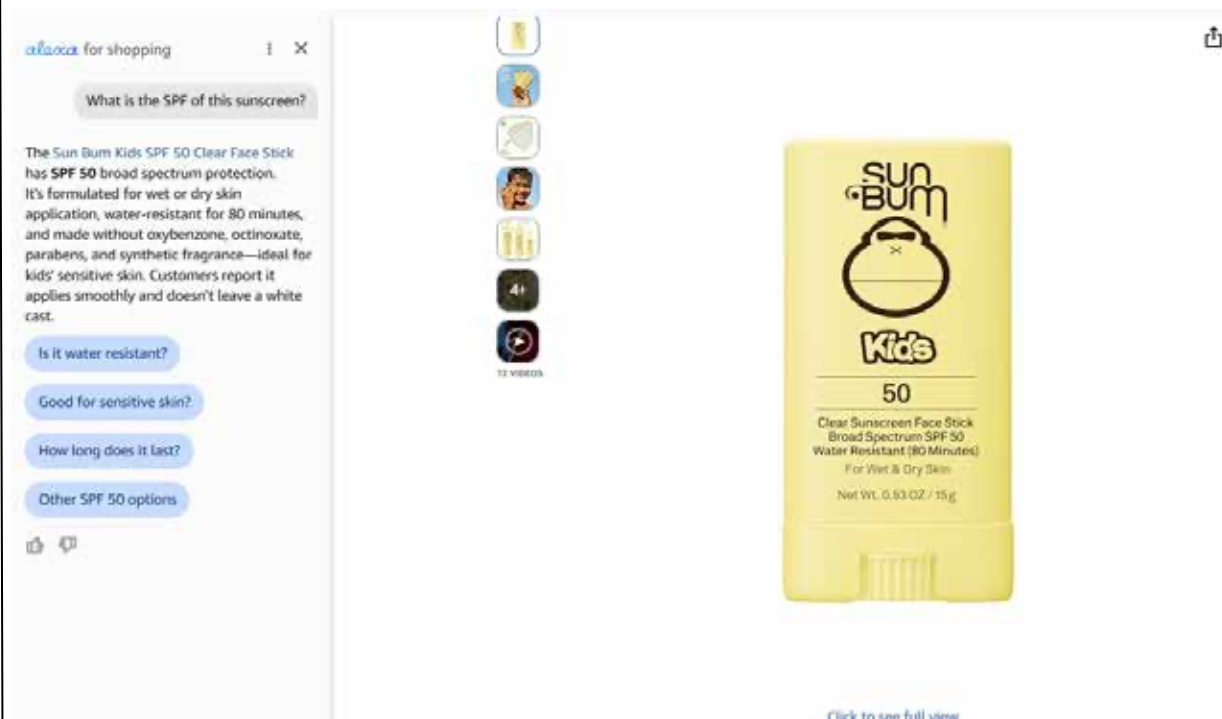
- **KIDS SPF 50 FACE STICK:** Our Kids SPF 50 Clear Face Stick glides on clear and features a water-resistant formula that can be applied to wet or dry skin to keep up with our most active kids. Formulated for wet & dry application and made to keep up with our most active kids.
- **HOW TO USE.** Apply liberally 15 minutes before sun exposure. Reapply: after 80 minutes of swimming or sweating. Immediately after towel drying. At least every 2 hours. Children under 6 months of age: ask a doctor.
- **MADE WITHOUT.** Our Kids line is formulated without Oxybenzone, Octinoxate, Gluten, Parabens, and Synthetic Fragrance.
- **TRUST THE BUM.** For All Skin Types, Broad Spectrum Protection, Dermatologist Tested, Paraben Free, Vegan, Cruelty Free, Hawaii 104 Reef Act Compliant

Features & Specs

Product Benefits	Ultra-Violet Protection
Scent Name	Fragrance Free
Item Form	Gel

1 112. On the Detail Page for Sun Bum Kids SPF 50 Face Stick, Amazon promises
2 “Our Kids SPF 50 Clear Face Stick glides on clear and features a water-resistant formula that
3 can be applied to wet or dry skin to keep up with our most active kids.”

4 113. On the Detail Page for Sun Bum Kids SPF 50 Face Stick, a shopper can ask
5 Amazon—via “alexa”— “What is the SPF of this sunscreen?” and “alexa” answers that it has
6 “SPF 50 broad spectrum protection”:



18 114. The contents of the point-of-sale Detail Pages for the SPF Products show that
19 (1) Amazon knows that the benefits and ingredients of a sunscreen product are material to
20 consumers, and (2) Amazon misrepresents to consumers the amount of SPF in the SPF
21 Products, which is an amount that is less than what is promised.

22 115. Excerpts from the Product Detail Pages for the SPF Products are attached in
23 Appendix D.

III. The Omissions and Misrepresentations Are Material to Reasonable Consumers

A. Heavy Metal Omissions

116. Although Amazon misleadingly causes consumers to believe the Contaminated Products do not contain heavy metals due to the misrepresentations, partial misrepresentations, the omissions, concealment, and other deceptive conduct, the Contaminated Products do in fact contain undisclosed, detectable levels of heavy metals, including cadmium and lead, which is material information to reasonable consumers.

117. The Contaminated Product Plaintiffs’ counsel had samples of the Contaminated Products tested. That testing confirmed the presence of undisclosed heavy metals:

Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
365 by Whole Foods Market Sport Mineral Sunscreen Lotion (SPF 30)	78.5 ppb	1,705.3 ppb
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50)	177.7 ppb	548 ppb
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50) ²³	24.7 ppb	409.8 ppb
Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50) ²⁴	117.1 ppb	982.7 ppb
Banana Boat Simply Protect Baby Sunscreen Lotion (SPF 50)	10.78 ppb	455.92 ppb
Banana Boat Simply Protect Kids Sunscreen Lotion (SPF 50)	97 ppb	323.9 ppb
Blue Lizard Baby Mineral Sunscreen Stick (SPF 50)	96.5 ppb	2,728.5 ppb
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50)	221.3 ppb	1,021.5 ppb

²³ This testing represents results from product purchased by Plaintiff Wolf.

²⁴ This testing represents results from product purchased by Plaintiff Correia.

Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50) ²⁵	50.6 ppb	1,186 ppb
Coppertone Kids Tear Free Sunscreen Lotion (SPF 50)	12.59 ppb	264.1 ppb
Coppertone Pure & Simple Baby Sunscreen Lotion (SPF 50)	360.7 ppb	986.2 ppb
Coppertone Pure & Simple Kids Sunscreen Lotion (SPF 50)	429.7 ppb	1,350.9 ppb
Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50)	613.9 ppb	658.2 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)	656.5 ppb	1,364.7 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50) ²⁶	133.7 ppb	869.3 ppb

118. Testing conducted by lead-poisoning prevention and consumer goods safety advocate Lead Safe Mama, LLC (“LSM”) in May 2025 also confirmed the presence of heavy metals in popular sunscreen products, including certain Contaminated Products.²⁷

119. In June 2025, LSM published its testing results that showed five of the Contaminated Products, contained extremely high levels of cadmium and lead.²⁸

²⁵ This testing represents results from product purchased by Plaintiff Correia.

²⁶ This testing represents results from product purchased by Plaintiff Wolf.

²⁷ See **Exhibit 1** (Lead Safe Mama Chart), *supra*.

²⁸ See *id.*; see also Lab Results from Purity Laboratories for Contaminated Products tested by Lead Safe Mama, attached hereto as **Exhibit 2**.

Contaminated Product (Testing by LSM)	Cadmium	Lead
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50)	232.4 ppb	495.1 ppb
Blue Lizard Sensitive Mineral Sunscreen Lotion (SPF 50)	266.7 ppb	666.3 ppb
Coppertone Pure & Simple Baby Sunscreen Lotion (SPF 50)	356.10 ppb	1,017.5 ppb
ThinkBaby Clear Zinc 20% Sunscreen Lotion (SPF 30)	645 ppb	1,235.4 ppb
ThinkBaby Zinc Oxide Sunscreen Lotion (SPF 50)	575.5 ppb	1,251.1 ppb

120. The levels of lead, in particular, are significantly high and far exceed the action level set by the U.S. Environmental Protection Agency (“EPA”) of 15 parts per billion (“ppb”) for public water that requires actions and treatment technique requirements.²⁹

121. Regardless of level, though, as stated herein, no level of heavy metals is safe.³⁰

122. Moreover, the Contaminated Products are intended to provide sun protection. Cadmium and lead provide no such protection and instead pose health risks to infants and children

123. Based on the misrepresentations, partial misrepresentations, and omissions, and other deceptive conduct, reasonable consumers, including the Contaminated Product

²⁹ Forensic Analytical Consulting Services, *Guide to PPB and “Safe” Lead Levels in Water: Understanding the Standards*, Mar. 20, 2024 (last updated Mar. 20, 2026), <https://facs.com/blog/guide-to-ppb-and-safe-lead-levels-in-water-understanding-the-standards/#:~:text=There%20is%20no%20safe%20level%20of%20lead.,include%20replacement%20of%20lead%20plumbing> (last accessed June 9, 2026).

³⁰ Closer to Zero Public Meeting Transcript, *supra*, at 32, 72, 179; FDA Webinar, *supra*, at 5; *Congressional Report Finds More Problems With Heavy Metals in Baby Food*, *supra*.

1 Plaintiffs, would not expect heavy metals, including cadmium and lead, to be present in the
 2 Contaminated Products.

3 124. Further, reasonable consumers would not be able to detect the presence of
 4 heavy metals in the Contaminated Products without conducting their own scientific tests or
 5 reviewing scientific testing.

6 125. Accordingly, reasonable consumers must and do rely on Amazon to honestly
 7 report what the Contaminated Products it sells contain.

8 126. The Contaminated Product Plaintiffs relied on the Contaminated Products’
 9 point-of-sale webpages, misrepresentations, partial misrepresentations, and omissions by
 10 Amazon when making their purchasing decisions.

11 **B. SPF Misrepresentations**

12 127. While Amazon misleadingly causes consumers to believe the SPF Products
 13 contain a certain level of SPF due to the misrepresentations and other deceptive conduct, the
 14 SPF Products in fact contain a lesser amount of SPF than promised, which is material
 15 information to reasonable consumers.

16 128. Consumer Reports testing confirmed the actual levels of SPF in the SPF
 17 Products:

SPF Product	Average SPF
Sun Bum Glow Lotion SPF 30	10
Sun Bum Kids SPF 50 Face Stick	17
Sun Bum Mineral Roll-On SPF 50	10
Sun Bum Premium Lotion SPF 30	9
Sun Bum Premium Spray SPF 50	33
Banana Boat Sport Ultra Roll-On SPF 60+	18
Banana Boat Sport Ultra Lotion SPF 50+	20
Banana Boat Sport Cool Zone Spray SPF 30	18
Banana Boat Baby Mineral Lotion SPF 50+	12
Banana Boat Baby Mineral Enriched Spray SPF 50	19
Banana Boat Protection + Vitamins Face Lotion SPF 50+	16

1	Banana Boat Light as Air Lotion SPF 50+	13
	Banana Boat Kid Sport Lotion SPF 50+	8
2	Blue Lizard Sport Mineral Spray SPF 50+ Unscented	15
	Blue Lizard Sheer Mineral Face Lotion SPF 50+	23
3	Blue Lizard Sensitive Mineral Lotion SPF 50+	14
	Coppertone Complete Spray SPF 50	23
4	Coppertone Sport 4-in-1 Performance Spray SPF 50	19
	Coppertone Glow Shimmer Spray SPF 30	13
5	Coppertone Sport Mineral Spray SPF 50	13
	Coppertone Every Tone Sunscreen Lotion SPF 50	31
6	Coppertone Sport 4-in-1 Performance Lotion SPF 50	32
	Coppertone Kids SPF 50 Tear Free Lotion	13
7	Thinkbaby SPF 30 Sunscreen Stick	8
8	Thinkbaby Lotion SPF 50 Lightly Scented	12

129. SPF is intended to provide a specific level of sun protection to individuals. The SPF Products do not provide the protection promised.

130. Based on Defendant’s misrepresentations and other deceptive conduct, reasonable consumers, including the SPF Product Plaintiffs, expect the SPF Product to contain the level of SPF as promised on the point-of-sale webpages.

131. Further, reasonable consumers would not be able to detect the actual level of SPF in the SPF Products without conducting their own scientific tests or reviewing scientific testing.

132. Accordingly, reasonable consumers must and do rely on Amazon to honestly report the levels of SPF that the SPF Products actually contain.

133. The SPF Product Plaintiffs relied on the SPF Products’ point-of-sale webpages and misrepresentations by Amazon when making their purchasing decisions.

IV. Amazon Has Actively Concealed the Truth About the Contaminated Products from Consumers

134. Amazon actively and knowingly concealed from and failed to disclose to consumers, including the Contaminated Product Plaintiffs and the Contaminated Product

1 Class, that the Contaminated Products it sells to consumers contain or materially risk
2 containing heavy metals, including cadmium and lead.

3 135. Amazon actively and knowingly concealed and failed to disclose material facts
4 to Contaminated Product Plaintiffs and other consumers about the negative health effects of
5 the Contaminated Products it sells.

6 136. Information regarding the presence of heavy metals in the Contaminated
7 Products is in the exclusive possession of Amazon and not readily available to consumers.
8 Amazon chose to not disclose such information to consumers and thus actively concealed the
9 presence of heavy metals in the Contaminated Products.

10 137. Amazon knowingly and actively concealed the material facts from consumers
11 because it knew consumers cared about the Contaminated Products' quality, ingredients,
12 standards, and suitability for use, and if consumers were to learn the truth about Amazon's
13 claims, it would negatively affect Amazon's finances.

14 138. Amazon knew or should have known of the negative health effects caused by
15 exposure to heavy metals, yet knowingly and actively concealed the presence or material risk
16 of heavy metals in the Contaminated Products.

17 139. The knowing and active concealment of these material facts render the point-
18 of-sale webpages for the Contaminated Products' deceptive, misleading, and unfair because
19 without full disclosure, reasonable consumers, including Contaminated Product Plaintiffs and
20 the Class, believe the Contaminated Products to be of a certain quality and suitable for use
21 when they are not.

22 140. The Contaminated Product Plaintiffs and the Class Members made purchases
23 they would not have made or paid a premium price for the Contaminated Products had they
24

1 known the truth based on Amazon’s active concealment, omissions, misrepresentations, and
 2 partial representations regarding the presence or material risk of heavy metals in the
 3 Contaminated Products.

4 141. Amazon charged, and Plaintiffs purchased Contaminated Products, paying a
 5 premium price, despite the availability of comparable, lesser-priced sunscreen products sold
 6 by other retailers with no detectable levels of heavy metals:

Contaminated Products	Price/ Ounce	Competitor Sunscreen Product	Price/ Ounce
Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50)	\$3.50	Up & Up Kids’ Sunscreen Spray Lotion (SPF 50)	\$0.82
Sun Bum Baby Bum Sunscreen Lotion (SPF 50)	\$3.66	Up & Up Kids’ Sunscreen Lotion (SPF 50)	\$0.62
Sun Bum Baby Bum Sunscreen Spray (SPF 50)	\$3.84	Up & Up Kids’ Sunscreen Spray (SPF 50)	\$0.91
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)	\$5.16	Coppertone Water Babies Sunscreen Lotion (SPF 50)	\$1.11
Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50)	\$5.50	Coppertone Kids Sunscreen Spray (SPF 50)	\$1.36
Blue Lizard Baby Mineral Sunscreen Stick (SPF 50)	\$17.48		
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50)	\$17.54		
Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50)	\$28.87		

18
 19 142. The facts concealed, omitted, or not disclosed by Amazon were material such
 20 that reasonable consumers, including the Contaminated Product Plaintiffs and the Class, would
 21 have considered them when deciding whether to purchase the Contaminated Products. Had the
 22 Contaminated Product Plaintiffs known the truth, she would not have purchased the
 23 Contaminated Products or paid the premium price.

1 **V. Amazon Has Misrepresented the Truth About the SPF Products from**
2 **Consumers**

3 143. Amazon actively and knowingly misrepresented to consumers, including the
4 SPF Product Plaintiffs and the Class, that the SPF Products it sells to consumers contain a
5 level of SPF that the SPF Products actually do not contain.

6 144. The actual SPF level is material to consumers as it relates to the central purpose
7 of the sunscreen for any consumer and can determine the frequency sunscreen must be applied
8 by a consumer.

9 145. Each SPF Product on Amazon's platform emphasizes the misrepresented SPF
10 level to consumers.

11 146. Amazon actively and knowingly misrepresented material facts to SPF Product
12 Plaintiffs and other consumers about the levels of SPF that the SPF Products it sells actually
13 contains.

14 147. Information regarding the true levels of SPF in the SPF Products is not readily
15 available to consumers. Amazon chose to misrepresent this material information to consumers.

16 148. Amazon knowingly and actively misrepresented the material facts from
17 consumers because it knew consumers cared about the SPF Products' quality, ingredients,
18 standards, and suitability for use, and if consumers were to learn the truth about Amazon's
19 claims, it would negatively affect Amazon's finances.

20 149. Amazon knew or should have known of the lower UV protection caused by
21 lower SPF levels, yet knowingly and actively misrepresented the levels of SPF in the SPF
22 Products.

23 150. The knowing and active misrepresentation of these material facts render the
24 point-of-sale webpages for the SPF Products' deceptive, misleading, and unfair because

1 without accurate disclosure, reasonable consumers, including SPF Product Plaintiffs and the
 2 Class, believe the SPF Products to be of a certain quality and suitable for use when they are
 3 not.

4 151. The SPF Product Plaintiffs and the SPF Product Class made purchases they
 5 would not have made or paid a premium price for the SPF Products had they known the truth
 6 based on Amazon’s misrepresentations regarding the levels of SPF in the SPF Products.

7
 8 152. The facts misrepresented by Amazon were material such that reasonable
 9 consumers, including the SPF Product Plaintiffs and the Class, would have considered them
 10 when deciding whether to purchase the SPF Products. Had the SPF Product Plaintiffs known
 11 the truth, they would not have purchased the SPF Products or paid the premium price.

12
 13 **VI. The Omissions and Misrepresentations Make Amazon’s Point-of-Sale**
 14 **Webpages Materially Misleading**

15 **A. Heavy Metals**

16 **i. No Safe Levels**

17 153. Testing conducted by the Contaminated Product Plaintiffs and LSM show the
 18 Contaminated Products contain detectable levels of both cadmium and lead.

Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
365 by Whole Foods Market Sport Mineral Sunscreen Lotion (SPF 30)	78.5 ppb	1,705.3 ppb
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50)	177.7 ppb	548 ppb

Contaminated Product (Testing by Plaintiffs)	Cadmium	Lead
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50) ³¹	24.7 ppb	409.8 ppb
Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50) ³²	117.1 ppb	982.7 ppb
Banana Boat Simply Protect Baby Sunscreen Lotion (SPF 50)	10.78 ppb	455.92 ppb
Banana Boat Simply Protect Kids Sunscreen Lotion (SPF 50)	97 ppb	323.9 ppb
Blue Lizard Baby Mineral Sunscreen Stick (SPF 50)	96.5 ppb	2,728.5 ppb
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50)	221.3 ppb	1,021.5 ppb
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50) ³³	50.6 ppb	1,186 ppb
Coppertone Kids Tear Free Sunscreen Lotion (SPF 50)	12.59 ppb	264.1 ppb
Coppertone Pure & Simple Baby Sunscreen Lotion (SPF 50)	360.7 ppb	986.2 ppb
Coppertone Pure & Simple Kids Sunscreen Lotion (SPF 50)	429.7 ppb	1,350.9 ppb
Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50)	613.9 ppb	658.2 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)	656.5 ppb	1,364.7 ppb
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50) ³⁴	133.7 ppb	869.3 ppb

³¹ This testing represents results from product purchased by Plaintiff Wolf.

³² This testing represents results from product purchased by Plaintiff Correia.

³³ This testing represents results from product purchased by Plaintiff Correia.

³⁴ This testing represents results from product purchased by Plaintiff Wolf.

Contaminated Product (Testing by LSM)	Cadmium	Lead
Sun Bum Baby Bum Mineral Sunscreen Lotion (SPF 50)	232.4 ppb	495.1 ppb
Blue Lizard Sensitive Mineral Sunscreen Lotion (SPF 50)	266.7 ppb	666.3 ppb
Coppertone Pure & Simple Baby Sunscreen Lotion (SPF 50)	356.10 ppb	1,017.5 ppb
ThinkBaby Clear Zinc 20% Sunscreen Lotion (SPF 30)	645 ppb	1,235.4 ppb
ThinkBaby Zinc Oxide Sunscreen Lotion (SPF 50)	575.5 ppb	1,251.1 ppb

154. Government agencies and other experts acknowledge and agree there are no known safe levels of heavy metals:

- Conrad Choiniere, Director of the Office of Analytics and Outreach in the U.S. Food and Drug Administration’s (“FDA”) Center for Food Safety and Applied Nutrition: “However overall exposure adds up because many of the foods we eat contain these contaminants in small amounts. This is not to say that we should not be concerned. On the contrary, for the contaminants we are discussing today, we have not identified safe levels of exposure for developmental outcomes.”³⁵
- Dr. Aparna Bole, pediatrician speaking on behalf of the American Academy of Pediatrics (“AAP”): “There is no known safe level of exposure to these metals for children. Exposure to toxic elements has a disproportionate effect on infants and toddlers because their brains are rapidly developing, especially during their first 1,000 days.”³⁶

³⁵ Closer to Zero Public Meeting Transcript, *supra*, at 32.

³⁶ *Id.* at 179.

- Dr. Karagas, Professor and Chair of the Department of Epidemiology at the Geisel School of Medicine at Dartmouth College: “Arsenic, cadmium, mercury and lead, shown here, circled in these red circles, they do not have any known physiologic essential function in the body and there is no known safe level to our knowledge.”³⁷

155. Heavy metals are neurotoxins, or poisons, which affect the nervous system.³⁸

156. With respect to children, exposure to these heavy metals “diminish[es] quality of life, reduce[s] academic achievement, and disturb[s] behavior, with profound consequences for the welfare and productivity of entire societies.”³⁹ Heavy metals can harm the “developing brain and nervous system” and cause negative impacts such as “the permanent loss of intellectual capacity and behavioral problems like attention-deficit hyperactivity disorder (‘ADHD’).”⁴⁰ Even in trace amounts, heavy metals can alter the developing brain and erode a child’s intelligence quotient (“IQ”).⁴¹

³⁷ *Id.* at 72.

³⁸ *See, e.g.*, U.S. House of Representatives, Committee on Oversight and Reform, Subcommittee on Economic and Consumer Policy, *Staff Report: Baby Foods Are Tainted with Dangerous Levels of Arsenic, Lead, Cadmium, and Mercury*, at 2, Feb. 4, 2021, <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2021-02-04%20ECP%20Baby%20Food%20Staff%20Report.pdf> (last accessed June 9, 2026) (hereinafter “Congressional Committee Report”) (“The Food and Drug Administration and the World Health Organization have declared them [heavy metals] dangerous to human health, particularly to babies and children, who are most vulnerable to their neurotoxic effects. Even low levels of exposure can cause serious and often irreversible damage to brain development.”).

³⁹ Healthy Babies Bright Futures, *What’s in My Baby’s Food?*, at 13, Oct. 2019, https://hbbf.org/sites/default/files/2022-12/BabyFoodReport_ENGLISH_R6_0.pdf (last accessed June 9, 2026) (hereinafter “HBBF Report”).

⁴⁰ *Id.* at 6.

⁴¹ *See* Congressional Committee Report, *supra*, at 2.

1 157. Due to their smaller physical size and still-developing brain and organs, babies
2 and toddlers are particularly susceptible to the toxic effects of heavy metals because “[t]hey
3 also absorb more of the heavy metals that get into their bodies than adults do.”⁴²

4 158. Of additional concern to developing children are the health risks related to
5 simultaneous exposure to multiple heavy metals as “co-exposures can have interactive adverse
6 effects.”⁴³ Heavy metals disturb the body’s metabolism and cause “significant changes in
7 various biological processes such as cell adhesion, intra- and inter-cellular signaling, protein
8 folding, maturation, apoptosis, ionic transportation, enzyme regulation, and release of
9 neurotransmitters.”⁴⁴

10 159. According to Victor Villarreal, Ph.D., Assistant Professor in the Department of
11 Educational Psychology at the University of Texas at San Antonio who has studied the effects
12 of heavy metals on childhood development, “[t]he effects of early exposure to heavy metals
13 can have long-lasting impacts that may be impossible to reverse.”⁴⁵

14 160. Research continues to confirm that exposures to heavy metals cause “troubling
15 risks for babies, including cancer and lifelong deficits in intelligence[.]”⁴⁶

17 ⁴² Jesse Hirsch, *Heavy Metals in Baby Food: What You Need to Know*, CONSUMER REPORTS,
18 (Aug. 16, 2018, updated June 27, 2023, [https://www.consumerreports.org/food-safety/heavy-
metals-in-baby-food/](https://www.consumerreports.org/food-safety/heavy-metals-in-baby-food/) (last accessed June 9, 2026) (internal citation omitted) (hereinafter
19 “Consumer Reports: Heavy Metals in Baby Food”).

20 ⁴³ Rachel Morello-Frosch, et al., *Environmental Chemicals in an Urban Population of
Pregnant Women and Their Newborns from San Francisco*, ENVIRONMENTAL SCIENCE &
TECHNOLOGY, Oct. 26, 2016, <https://pmc.ncbi.nlm.nih.gov/articles/PMC6681912/> (last
21 accessed June 9, 2026).

22 ⁴⁴ Monisha Jaishankar, et al., *Toxicity, Mechanism and Health Effects of Some Heavy Metals*
at 62, INTERDISCIPLINARY TOXICOLOGY, Nov. 14, 2014, [https://reference-
global.com/article/10.2478/intox-2014-0009?tab=preview](https://reference-global.com/article/10.2478/intox-2014-0009?tab=preview) (last accessed June 9, 2026).

23 ⁴⁵ Consumer Reports: Heavy Metals in Baby Food, *supra*.

24 ⁴⁶ HBBF Report, *supra*, at 1.

1 161. As Dr. James E. Rogers, the director of food safety research and testing at
2 Consumer Reports, has said “[t]here is no safe level of heavy metals, so the goal should be to
3 have no measurable levels of any heavy metal in baby and toddler foods.”⁴⁷

4 162. The FDA and the World Health Organization (“WHO”) have declared heavy
5 metals “dangerous to human health, particularly to babies and children, who are most
6 vulnerable to their neurotoxic effects.”⁴⁸

7 163. The health effects associated with exposure to heavy metals are not limited to
8 infants and young children. Exposure to heavy metals, even in small amounts, can lead to life-
9 long effects. Heavy metals can remain in the human body for years and as a result, can
10 accumulate in the body, such as in the kidneys and other internal organs, increasing their risk
11 to a person over time.⁴⁹

12 164. Because heavy metals can bioaccumulate in the body, even regular exposure to
13 small amounts can increase the material risk of various health issues, including bladder, lung,
14 and skin cancer; cognitive and reproductive problems; and type 2 diabetes.⁵⁰

15 165. Exposure to heavy metals has also been shown to have long-lasting effects on
16 cardiovascular toxicity, hypertension, arrhythmia, atherosclerosis,⁵¹ as well as gastrointestinal
17
18

19 ⁴⁷ Congressional Report Finds More Problems with Heavy Metals in Baby Food, *supra*
(emphasis added).

20 ⁴⁸ Congressional Committee Report, *supra*, at 2.

21 ⁴⁹ *See id.*

22 ⁵⁰ *See id.*

23 ⁵¹ Pan Ziwei, Gong Tingyu, and Ping Liang, *Heavy Metal Exposure and Cardiovascular*
24 *Disease*, CIRCULATION RESEARCH, Apr. 26, 2024,
<https://www.ahajournals.org/doi/epub/10.1161/CIRCRESAHA.123.323617> (last accessed
June 9, 2026).

1 and kidney dysfunction, nervous system disorders, skin lesions, vascular damage, immune
2 system dysfunction, birth defects, and cancer.⁵²

3 **ii. Children are Especially Vulnerable to Exposure to Heavy Metals**

4 166. Infants and children can be exposed to heavy metals through a variety of
5 pathways, including through hand-to-mouth behavior and dermal absorption.

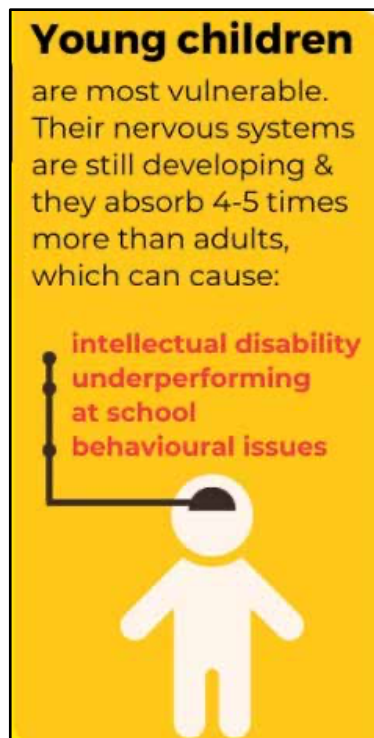
6 167. Children are especially vulnerable to the negative health effects associated with
7 exposure to heavy metals like lead.⁵³ The EPA has stated that vulnerability is because
8 children’s “growing bodies absorb more lead than adults, and their brains and nervous systems
9 are more sensitive to the effects of lead.”⁵⁴ The CDC has also stated that “Children have a
10 higher intake of lead per unit of body weight than adults.... Children absorb more lead via the
11 gastrointestinal tract than adults. Lead can cross the blood-brain barrier. As children’s central
12 nervous systems are still developing, they are particularly vulnerable to neurotoxic effects of
13 lead.”⁵⁵

14
15 ⁵² Mahdi Balali-Mood, et al., *Toxic Mechanisms of Five Heavy Metals: Mercury, Lead, Chromium, Cadmium, and Arsenic*, FRONTIERS IN PHARMACOLOGY, Apr. 12, 2021, <https://www.frontiersin.org/journals/pharmacology/articles/10.3389/fphar.2021.643972/full> (last accessed June 9, 2026).

17 ⁵³ Mayo Clinic, *Lead Poisoning*, Dec. 24, 2025, <https://www.mayoclinic.org/diseases-conditions/lead-poisoning/symptoms-causes/syc-20354717> (last accessed June 9, 2026) (“Children younger than age 6 are especially vulnerable to lead poisoning, which can severely affect how a child’s body grows and brain develops.”).

19 ⁵⁴ U.S. Environmental Protection Agency, *Learn About Lead*, Last updated on May 28, 2026, <https://www.epa.gov/lead/learn-about-lead> (last accessed June 9, 2026) (hereinafter “Learn About Lead”).

21 ⁵⁵ World Health Organization, *Preventing Disease Through Health Environments: Exposure to Lead: A Major Public Concern*, at 5, 4th Ed., <https://iris.who.int/server/api/core/bitstreams/48b6e05d-1d82-4ccd-adc6-a0bbea71b456/content> (last accessed June 9, 2026) (hereinafter, “WHO Exposure to Lead”); see also CDC, *Lead Exposure Symptoms and Complications*, April 10, 2024, <https://www.cdc.gov/lead-prevention/symptoms-complications/index.html> (last accessed June 9, 2026); WHO Lead Poisoning, *supra* (“Young children are particularly vulnerable to



168. Like children’s hands or other objects like toys or soil that are contaminated with lead dust, after sunscreen (that contains heavy metals such as lead and cadmium) is applied, children can be exposed to heavy metals after they put their hands or skin in their mouths.

169. The AAP has stated that “children [can] unintentionally ingest [lead] through normal hand-to-mouth behavior.⁵⁶ Similarly, the WHO has recognized that “children’s innate

lead poisoning as they may absorb up to 4-5 times as much lead as adults from an ingested dose.”);WHO, *Lead Poisoning, Symptoms*, https://www.who.int/health-topics/lead-poisoning#tab=tab_2 (last accessed June 9, 2026) (“Young children are particularly vulnerable because they have higher exposures than adults and because lead affects the developing brain, potentially resulting in reduced intellectual ability.”); WHO, *FACT: Lead is toxic*, <https://cdn.who.int/media/images/default-source/headquarters/campaigns/international-lead-poisoning-prevention-week-of-action/2025/lead-exposure-lppw2025-4.png> (last accessed June 9, 2026).

⁵⁶ American Academy of Pediatrics, *Lead Exposure in Children*, May 12, 2025, <https://www.aap.org/en/patient-care/lead-exposure/lead-exposure-in-children/> (last accessed June 9, 2026) (hereinafter “Lead Exposure in Children”).

1 curiosity and their age-appropriate and frequent hand-to-mouth and object-to-mouth behaviors
2 increase their risk of exposure to lead-contaminated dust, soil and paint.”⁵⁷ As the CDC stated,
3 “[c]hildren younger than 6 years are more likely to be exposed due to their hand-to-mouth
4 behavior.”⁵⁸

5 170. “Dermal absorption happens when a chemical goes through the skin and
6 travels into the body.”⁵⁹ “Cosmetics don’t just stay on our skin. Our bodies’ skin not only
7 absorbs some of the harmful chemicals that are applied to it, but we can also inhale the
8 chemicals or wind up ingesting them from products like lipstick.”⁶⁰

9 171. “Scientific evidence from multiple research approaches confirms that
10 chemicals from personal care products are readily absorbed through the skin and can be
11 detected throughout the body.”⁶¹

12 172. Infants are particularly susceptible to dermal exposure to heavy metals because
13 “[i]nfant skin is thinner and more absorbent than adult skin, and babies lack the detoxification
14

15 ⁵⁷ WHO Lead Poisoning, *supra*; WHO Exposure to Lead, *supra* (“Contaminated dust and soil
16 are important sources of lead exposure for infants due to their high levels of hand-to-mouth
and object-to-mouth behaviors.”).

17 ⁵⁸ CDC, *About Childhood Lead Poisoning Prevention*, Aug. 21, 2025,
<https://www.cdc.gov/lead-prevention/about/index.html> (last accessed June 9, 2026); *see also*
18 CDC, *Risk Factors and Children*, Aug. 21, 2025, [https://www.cdc.gov/lead-prevention/risk-
factors/children.html](https://www.cdc.gov/lead-prevention/risk-factors/children.html) (last accessed June 9, 2026) (“Young children may also put their hands
19 or other objects with lead dust, into their mouths.”).

20 ⁵⁹ CDC, *Skin Exposures and Effects*, Mar. 4, 2026, [https://www.cdc.gov/niosh/skin-
exposure/about/index.html#:~:text=Dermal%20Absorption,of%20reported%20occupational
%20skin%20disease](https://www.cdc.gov/niosh/skin-exposure/about/index.html#:~:text=Dermal%20Absorption,of%20reported%20occupational%20skin%20disease) (last accessed June 9, 2026).

21 ⁶⁰ Toxic-Free Future, *Implementation of the Toxic-Free Cosmetics Act*,
<https://toxicfreefuture.org/washington-state/implementation-of-the-toxic-free-cosmetics-act/>
22 (last accessed June 9, 2026).

23 ⁶¹ Breast Cancer Prevention Partners, *BCPP Overview: How Do We Know Cosmetics Are*
Absorbed Into the Body?, Jan. 15, 2026, [https://www.bcpp.org/how-do-we-know-cosmetics-
are-absorbed-into-the-body/](https://www.bcpp.org/how-do-we-know-cosmetics-are-absorbed-into-the-body/) (last accessed June 9, 2026).
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1 capacity of older children or adults even small amounts of contamination can become
2 clinically meaningful when exposure is repeated day after day Repeated dermal exposure
3 to toxicants during this window is not benign, even when individual exposures seem small . .
4 . . . When applied frequently to permeable infant skin during rapid brain development, even
5 low-level contamination becomes meaningful.”⁶²

6 173. While sunscreen products are considered over the counter drugs, not cosmetics,
7 their routes of application (e.g., rubbed into or sprayed onto skin) are similar to cosmetics,
8 which can cause negative health effects. For example, the New York City Health Department
9 recently warned consumers about the danger of using skin lightening cream that contains
10 elevated levels of mercury.⁶³ “Mercury in skin products can harm the user. Household
11 members who are not using the products themselves can also be exposed by breathing in
12 mercury vapors emitted by the products and by coming into contact with bed linens, towels or
13 other clothing contaminated by the products.”⁶⁴ Similarly, certain religious cosmetics and
14 powders that contain lead “can enter your body if you put your hands in your mouth after
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18 ⁶² Perro, Michelle, *What Parents Can Do About Diaper Creams After Disturbing Heavy-Metal*
19 *Test Results*, Jan. 19, 2026, [https://michelleperromd337477.substack.com/p/what-parents-can-](https://michelleperromd337477.substack.com/p/what-parents-can-do-about-diaper)
20 [do-about-diaper](https://michelleperromd337477.substack.com/p/what-parents-can-do-about-diaper) (last accessed June 9, 2026); *see also* Children’s Health Defense, Canada
21 Chapter, *Heavy Metals and Infant Exposure: What Parents Need to Know About Diaper*
22 *Creams and Baby Formula*, Jan. 23, 2026, [https://childrenshealthdefense.ca/news/heavy-](https://childrenshealthdefense.ca/news/heavy-metals-and-infant-exposure-what-parents-need-to-know-about-diaper-creams-and-baby-formula/)
23 [metals-and-infant-exposure-what-parents-need-to-know-about-diaper-creams-and-baby-](https://childrenshealthdefense.ca/news/heavy-metals-and-infant-exposure-what-parents-need-to-know-about-diaper-creams-and-baby-formula/)
24 [formula/](https://childrenshealthdefense.ca/news/heavy-metals-and-infant-exposure-what-parents-need-to-know-about-diaper-creams-and-baby-formula/) (last accessed June 9, 2026).

⁶³ NYC Health, *New York City Health Department Warns New Yorkers About Skin Lightening*
22 *Products That Contain Dangerous Amounts of Mercury*, Mar. 18, 2025,
23 [https://www.nyc.gov/site/doh/about/press/pr2025/health-department-warns-new-yorkers-](https://www.nyc.gov/site/doh/about/press/pr2025/health-department-warns-new-yorkers-about-skin-lightening-products.page)
24 [about-skin-lightening-products.page](https://www.nyc.gov/site/doh/about/press/pr2025/health-department-warns-new-yorkers-about-skin-lightening-products.page) (last accessed June 9, 2026).

⁶⁴ *Id.*

1 handling these products. Children are at an increased risk because they often put their hands
2 in their mouths.”⁶⁵

3 174. Heavy metals can “absorb through the skin and enter into the blood due to the
4 long-term exposure.”⁶⁶ Further, heavy metals can accumulate in the outermost layer of the skin
5 and “may penetrate through the skin appendages or through trans-cellular and intracellular
6 pathways and reach blood circulatory system of human body.”⁶⁷ Dermal absorption of heavy
7 metals, including cadmium and lead, can lead to bioaccumulation and toxicity.⁶⁸

8 175. “Exposure to contaminants in consumer products can occur from direct or
9 indirect contact[, including] from applying cosmetics or other personal care products to the
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14 ⁶⁵LeadFreeNYC, *Cosmetics & Religious Powders*,
<https://www.nyc.gov/content/leadfree/pages/cosmetics-religious-powders> (last accessed June
15 9, 2026).

16 ⁶⁶ Akhtar, Asma, et al., *Human Exposure to Toxic Elements Through Facial Cosmetic
Products: Dermal Risk Assessment*, REGULATORY TOXICOLOGY AND PHARMACOLOGY, June
17 2022, <https://www.sciencedirect.com/science/article/abs/pii/S0273230022000320> (last
18 accessed June 9, 2026); see also Abed, M. S., et al., *Heavy Metals in Cosmetics and Tattoos:
A Review of Historical Background, Health Impact, and Regulatory Limits*, JOURNAL OF
19 HAZARDOUS MATERIALS ADVANCES, Feb. 2024,
20 <https://doi.org/10.1016/j.hazadv.2023.100390> (last accessed June 9, 2026); CDC, *Skin
Exposures and Effects*, Mar. 4, 2026, [https://www.cdc.gov/niosh/skin-
exposure/about/index.html#:~:text=Dermal%20Absorption,of%20reported%20occupational
%20skin%20disease](https://www.cdc.gov/niosh/skin-exposure/about/index.html#:~:text=Dermal%20Absorption,of%20reported%20occupational%20skin%20disease) (last accessed June 9, 2026) (“Chemicals can enter the body through the
skin and injure individual organs or groups or organs.”).

21 ⁶⁷ Arshad, H., et al., *Evaluation of Heavy Metals in Cosmetic Products and Their Health Risk
Assessment*, SAUDI PHARMACEUTICAL JOURNAL, May 29, 2020,
22 <https://doi.org/10.1016/j.jsps.2020.05.006> (last accessed June 9, 2026).

23 ⁶⁸ Witkowska, D., et al., *Heavy Metals and Human Health: Possible Exposure Pathways and
the Competition for Protein Binding Sites*, MOLECULES, Oct. 7, 2021,
24 <https://doi.org/10.3390/molecules26196060> (last accessed June 9, 2026).

1 skin, or unintentional direct contact could occur from contact with laundry detergent or surface
2 cleaner while in use.”⁶⁹

3 176. In 2023, Washington passed the Toxic-Free Cosmetics Act (“TFCA”). Wash.
4 Rev. Code Chapter 70A.560. The TFCA “prevents the sale and distribution of cosmetic
5 products containing certain chemicals [including lead] that are linked to harmful impacts.”⁷⁰
6 Cosmetic products include makeup, perfume, shampoo, hair gel, body wash, deodorant, hand
7 lotion, and shaving cream.⁷¹

8 177. Washington enacted the TFCA because:

9 (1) The legislature finds that certain chemicals used in cosmetic
10 products are linked to harmful impacts on health, such as cancer,
11 birth defects, damage to the reproductive system, organ system
12 toxicity, and endocrine disruption. Many of these chemicals have
13 been identified by the state of Washington as high priority
14 chemicals of concern.

15 (2) In order to ensure the safety of cosmetic products and protect
16 Washington residents from toxic exposures, the legislature intends
17 to prohibit use of toxic chemicals found in cosmetic and personal
18 care products and join other jurisdictions in creating a safer global
19 standard for cosmetic products and bringing more sustainable,
20 safer ingredients to the marketplace.⁷²

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18 ⁶⁹ EPA, *Exposure Assessment Tools by Routes – Dermal*, Last updated on Aug. 21, 2025,
19 <https://www.epa.gov/expobox/exposure-assessment-tools-routes-dermal> (last accessed June
20 9, 2026).

21 ⁷⁰ Washington Department of Ecology, *Toxic-Free Cosmetics Act Guide: Restrictions for
22 Cosmetic Industry & Sellers*, at 4, Apr. 2024,
23 [https://web.archive.org/web/20250314195216/https://apps.ecology.wa.gov/publications/docu
24 ments/2404019.pdf](https://web.archive.org/web/20250314195216/https://apps.ecology.wa.gov/publications/documents/2404019.pdf) (last accessed June 9, 2026) (hereinafter “Toxic-Free Cosmetics Act
25 Guide”).

26 ⁷¹ *Id.* at 6.

27 ⁷² Wash. Rev. Code Chapter 70A.560.005, *Cosmetic Products – Toxic Chemicals: Finding -
28 Intent*, <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.560.005> (last accessed June 9,
29 2026); *see also* Toxic-Free Future, *Implementation of the Toxic-Free Cosmetics Act*,
30 <https://toxicfreefuture.org/washington-state/implementation-of-the-toxic-free-cosmetics-act/>

1 178. As of January 1, 2025, the TFCA restricts lead and lead compounds to one part
 2 per million and “even when the lead is added to the product through an impurity in an
 3 intentionally added ingredient.”⁷³

4 iii. Negative Health Effects of Lead

5 179. Lead is a highly toxic heavy metal, identified as a carcinogen, whose harmful
 6 effects cannot be reversed or remediated due to its accumulation in the body over time.⁷⁴

7 180. No amount of lead is safe for human exposure or consumption, according to
 8 the FDA, CDC, AAP, and WHO.⁷⁵

9 181. This exposure risk has long been recognized. In 1978, because of concerns over
 10 exposure risks to lead, the U.S. banned lead-based paint use in residential homes,⁷⁶ which is
 11 notable given that paint is not a product intended to be put directly into the body or
 12 bloodstream.

13 _____
 14 (last accessed June 9, 2026) (“chemicals linked to cancer and developmental and reproductive
 15 harm are put into cosmetic products and personal care products.”).

16 ⁷³ Toxic-Free Cosmetics Act Guide, *supra*, at 10 (emphasis added).

17 ⁷⁴ See Consumer Reports: Heavy Metals in Baby Food, *supra*; see also Agency for Toxic
 18 Substances and Disease Registry, *ToxFAQs for Lead*, Page last reviewed: Aug. 7, 2020,
 19 <https://www.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=93&toxid=22> (last
 20 accessed June 9, 2026).

21 ⁷⁵ See FDA, *Lead in Food and Foodwares*, Jan. 6, 2025,
 22 [\(https://www.fda.gov/food/environmental-contaminants-food/lead-food-and-
 23 foodwares#:~:text=Although%20no%20safe%20level%20for,blood%20\(%C2%B5g%20%2Fdl\)](https://www.fda.gov/food/environmental-contaminants-food/lead-food-and-foodwares#:~:text=Although%20no%20safe%20level%20for,blood%20(%C2%B5g%20%2Fdl)) (last accessed June 9, 2026); CDC, *Childhood Lead Poisoning Prevention: CDC Updates
 24 Blood Lead Reference Value*, Apr. 2, 2024, [https://www.cdc.gov/lead-prevention/php/news-
 features/updates-blood-lead-reference-value.html](https://www.cdc.gov/lead-prevention/php/news-features/updates-blood-lead-reference-value.html) (last accessed June 9, 2026); Lead Exposure
 in Children, *supra*; WHO Lead Poisoning, *supra*; see also USA Today, *FDA: Recalled
 Applesauce Pouches Had Elevated Lead Levels and Another Possible Contaminant*, Jan. 5,
 2024, updated Jan. 9, 2024,
[https://www.usatoday.com/story/money/food/2024/01/05/applesauce-pouch-recall-
 contamination-spreads/72121869007/](https://www.usatoday.com/story/money/food/2024/01/05/applesauce-pouch-recall-contamination-spreads/72121869007/) (last accessed June 9, 2026).

⁷⁶ *Childhood Lead Poisoning Prevention: About Lead in Paint*, CDC, March 26, 2025,
<https://www.cdc.gov/lead-prevention/prevention/paint.html> (last accessed June 9, 2026).

1 182. Exposure to lead can cause cancer, neuropathy and brain damage, hypertension,
2 decreased renal function, increased blood pressure, and gastrointestinal and cardiovascular
3 effects. It can also cause reduced fetal growth or lower birth weights.⁷⁷



18 183. The EPA has found that “[l]ead can harm almost every organ and system in
19 your body Lead is especially dangerous to children six years old and younger. Their
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22 ⁷⁷ Geneva Environment Network, *Update, Preventing Lead Poisoning from Geneva,*
23 *Environmental and Health Impacts of Lead*, Last updated May 18, 2026,
24 <https://www.genevaenvironmentnetwork.org/resources/updates/lead-poisoning-prevention/>
(last accessed June 9, 2026).

1 growing bodies absorb more lead than adults, and their brains and nervous systems are more
2 sensitive to the effects of lead.”⁷⁸

3 184. “Babies and children may have higher exposure because they often put their
4 hands, toys and other objects, which can have lead dust or soil on them, into their mouths. In
5 children, exposure to lead can cause: anemia, damage to the brain and nervous system,
6 decreased ability to pay attention, hearing and speech problems, hyperactivity, learning and
7 behavior problems, lower IQ, slowed growth and developmental effects, and
8 underperformance in school.”⁷⁹

9 185. Lead can also be transmitted from pregnant women to their babies during
10 pregnancy because “[l]ead can accumulate in our bodies over time... During pregnancy, lead
11 is released from the mother’s bones... and can pass from the mother exposing the fetus or the
12 breastfeeding infant to lead.”⁸⁰ This can result in “miscarriage, stillbirth, premature birth, and
13 low birth weight infants.”⁸¹

14 186. Lead is also harmful to adult health, and exposure to lead in adults is associated
15 with increased blood pressure, increased risk of hypertension, reduced fetal growth in pregnant
16 women, damage to reproductive organs, cognitive decline, heart disease, and worsened kidney
17 function.⁸²

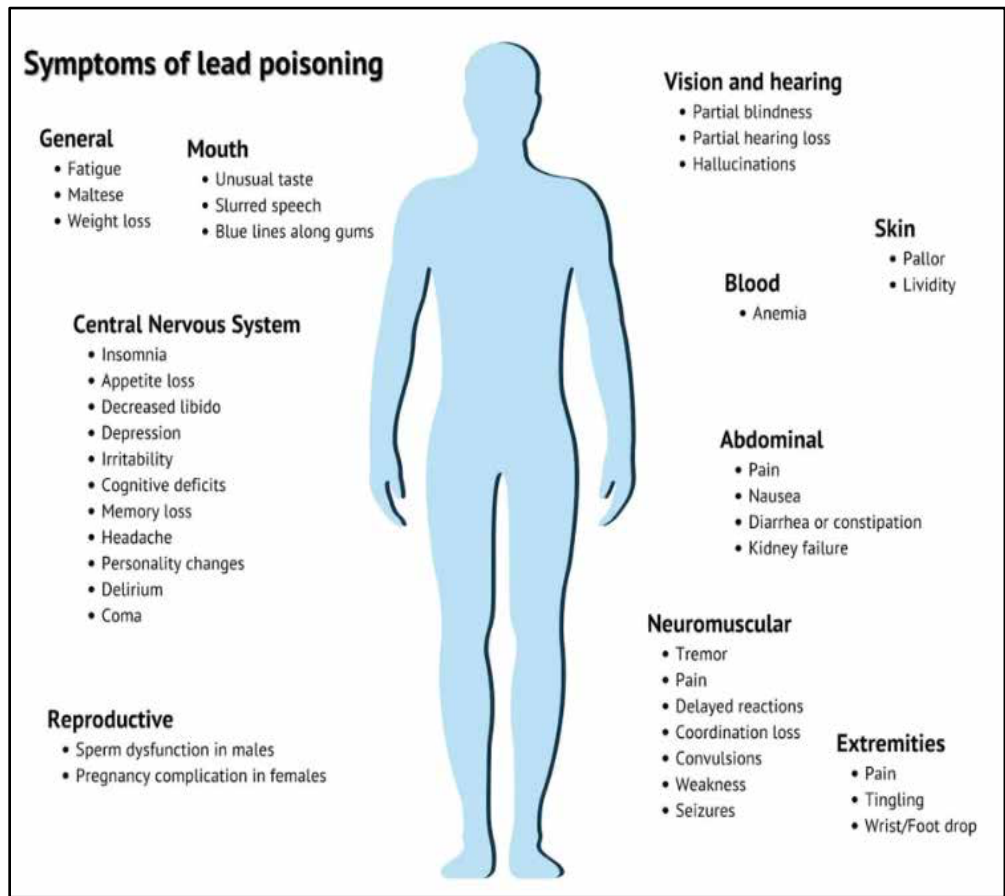
18 ⁷⁸ Learn About Lead, *supra*.

19 ⁷⁹ *Id.*

20 ⁸⁰ *Id.*

21 ⁸¹ T. Bhasin, et al., *Unveiling the Health Ramifications of Lead Poisoning: A Narrative Review*,
22 CUREUS, Oct. 9, 2023, <https://pmc.ncbi.nlm.nih.gov/articles/PMC10631288/> (last accessed
June 9, 2026) (hereinafter “Unveiling the Health Ramifications of Lead Poisoning”).

23 ⁸² U.S. Department of Health and Human Services, National Toxicology Program, *National*
Toxicology Program Monograph: Health Effects of Low-Level Lead, June 2012,
24 https://ntp.niehs.nih.gov/sites/default/files/ntp/ohat/lead/final/monographhealtheffects/lowlevelllead_newissn_508.pdf (last accessed June 9, 2026); A. Spivey, *The Weight of Lead: Effects*



187. Because exposure to lead builds up in the human body over time, it can disrupt neurological, skeletal, reproductive, hematopoietic, renal, and cardiovascular systems.⁸³

Add Up in Adults, ENVIRONMENTAL HEALTH PERSPECTIVES, Jan. 2007, <https://pmc.ncbi.nlm.nih.gov/articles/PMC1797860/> (last accessed June 9, 2026); *Lead vs. Lead-Free Solder: Which is Better for PCB Manufacturing?* WEVolver, Jan. 31, 2023, <https://www.wevolver.com/article/lead-free-solder-vs-lead-solder> (last accessed June 9, 2026).

⁸³ Collin, M. Samuel, et al., *Bioaccumulation of Lead (Pb) and Its Effects on Human: A Review*, JOURNAL OF HAZARDOUS MATERIAL ADVANCES, Aug. 2022, <https://www.sciencedirect.com/science/article/pii/S277241662200050X> (last accessed June 9, 2026).

1 188. Even “[r]epeated low-level exposure [to lead] over a prolonged period” can
2 result in clinical symptoms including “[p]ersistent vomiting, encephalopathy, lethargy,
3 delirium and coma[.]”⁸⁴

4 189. Despite Defendant’s Misrepresentations, partial misrepresentations,
5 Omissions, and point-of-sale webpages that communicate the Sunscreen Products are properly
6 and safely manufactured and do not contain or risk containing high levels of heavy metals,
7 laboratory tests show Defendant sold Sunscreen Products containing undisclosed lead levels
8 as high as 2,728.58 ppb in a product meant for infants and 1,350.9 ppb in a product intended
9 for children.

10 **iv. Negative Health Effects of Cadmium**

11 190. Cadmium is linked to neurotoxicity, cancer, and kidney, bone, and heart
12 damage. Scientists have reported a “tripling of risk for learning disabilities and special
13 education among children with higher cadmium exposures, at levels common among U.S.
14 children[.]”⁸⁵

15 191. Cadmium, like lead, “displays a troubling ability to cause harm at low levels of
16 exposure.”⁸⁶ The U.S. Department of Health and Human Services has determined that
17 cadmium and cadmium compounds are known human carcinogens, and the EPA has likewise
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⁸⁴ Unveiling the Health Ramifications of Lead Poisoning, *supra*.

23 ⁸⁵ HBBF Report, *supra*, at 14.

24 ⁸⁶ *Id.*

determined that cadmium is a probable human carcinogen.⁸⁷ Compounding such concerns is the fact that cadmium has a prolonged half-life as it “sequester[s] in [human] tissue.”⁸⁸

192. The EPA has set a maximum contaminant level for cadmium in drinking water of 5 ppb (see 40 C.F.R. §141.62); the FDA has set a maximum level in bottled water to 5 ppb; and the WHO set a maximum cadmium level in drinking water to 3 ppb.⁸⁹

193. Despite Amazon’s misrepresentations, partial misrepresentations, omissions, and point-of-sale webpages that communicates the Sunscreen Products are properly and safely manufactured and do not contain or risk containing detectable levels of heavy metals, laboratory tests show Amazon sold Sunscreen Products containing undisclosed cadmium levels as high as 1,235.4 ppb in a product meant for infants, and 429.7 ppb in a product intended for children.

B. SPF Levels

194. Testing conducted by Consumer Reports shows the SPF Products contain lower levels of SPF than promised on the point-of-sale webpages.⁹⁰

SPF Product	Average SPF
Sun Bum Glow Lotion SPF 30	10
Sun Bum Kids SPF 50 Face Stick	17
Sun Bum Mineral Roll-On SPF 50	10
Sun Bum Premium Lotion SPF 30	9
Sun Bum Premium Spray SPF 50	33
Banana Boat Sport Ultra Roll-On SPF 60+	18
Banana Boat Sport Ultra Lotion SPF 50+	20

⁸⁷ See CDC, Agency for Toxic Substances and Disease Registry, *Public Health Statement for Cadmium*, Page last reviewed: March 12, 2015, <https://wwwn.cdc.gov/TSP/PHS/PHS.aspx?phsid=46&toxoid=15> (last accessed June 9, 2026).

⁸⁸ Genuis S.J., et al., *Toxic Element Contamination of Natural Health Products and Pharmaceutical Preparations*, PLOS ONE, Nov. 2012, <https://doi.org/10.1371/journal.pone.0049676> (last accessed June 9, 2026).

⁸⁹ See Congressional Committee Report, *supra*, at 29.

⁹⁰ See Compilation of results from Consumer Reports, *supra*; see also Ex. 3.

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Banana Boat Sport Cool Zone Spray SPF 30	18
Banana Boat Baby Mineral Lotion SPF 50+	12
Banana Boat Baby Mineral Enriched Spray SPF 50	19
Banana Boat Protection + Vitamins Face Lotion SPF 50+	16
Banana Boat Light as Air Lotion SPF 50+	13
Banana Boat Kid Sport Lotion SPF 50+	8
Blue Lizard Sport Mineral Spray SPF 50+ Unscented	15
Blue Lizard Sheer Mineral Face Lotion SPF 50+	23
Blue Lizard Sensitive Mineral Lotion SPF 50+	14
Coppertone Complete Spray SPF 50	23
Coppertone Sport 4-in-1 Performance Spray SPF 50	19
Coppertone Glow Shimmer Spray SPF 30	13
Coppertone Sport Mineral Spray SPF 50	13
Coppertone Every Tone Sunscreen Lotion SPF 50	31
Coppertone Sport 4-in-1 Performance Lotion SPF 50	32
Coppertone Kids SPF 50 Tear Free Lotion	13
Thinkbaby SPF 30 Sunscreen Stick	8
Thinkbaby Lotion SPF 50 Lightly Scented	12

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2 195. “Most skin cancers are caused by too much exposure to ultraviolet (UV) light”
3 and “UV rays can damage skin cells.”⁹¹

4 196. In the U.S. each year, more new cases of skin cancer are diagnosed than breast,
5 prostate, lung, and colon cancer combined.⁹²

6 197. “Unprotected exposure to UV radiation is the most preventable risk factor for
7 skin cancer.”⁹³

8 198. Other skin damage resulting from UV radiation exposure includes premature
9 aging of the skin and actinic keratoses.⁹⁴

10 199. Overexposure to UV radiation may also prevent the body’s immune system
11 from properly functioning.⁹⁵

12 200. The U.S. Center for Disease Control and Prevention (“CDC”) recommends
13 using a “broad spectrum sunscreen with SPF of 15 or higher.”⁹⁶

14 201. Eleven of the 25 SPF Products listed above have SPF less than 15 even though
15 the SPF Products’ advertising, including Amazon’s point-of-sale webpages, promised more.

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19 ⁹¹ CDC, Skin Cancer, “Sun Safety Facts,” Feb. 10, 2026, <https://www.cdc.gov/skin-cancer/sun-safety/index.html> (last accessed June 10, 2026) (hereinafter “Sun Safety Facts”).

20 ⁹² EPA, “Health Effects of UV Radiation,” Last updated on Jan. 27, 2026,
21 <https://www.epa.gov/sunsafety/health-effects-uv-radiation> (last accessed June 10, 2026)
(hereinafter “Health Effects of UV Radiation”).

22 ⁹³ Health Effects of UV Radiation, *supra*.

23 ⁹⁴ *Id.*

24 ⁹⁵ *Id.*

⁹⁶ Sun Safety Facts, *supra*.

1
2 **VII. Sunscreen Products Sold by Amazon Can Be Manufactured Without Heavy Metals**

3 202. It is possible to manufacture sunscreen products with non-detectable levels of
4 heavy metals, including cadmium and lead.

5 203. In fact, testing by LSM found that Unseen Sunscreen, a sunscreen product
6 manufactured by Supergoop! had non-detectable levels of cadmium or lead.⁹⁷

7 204. Testing by Plaintiffs has identified additional sunscreen products, including
8 products manufactured by LaRoche-Posay, Coppertone, Equate, and Up & Up, with non-
9 detectable levels of any heavy metals, including cadmium or lead.

10 **VIII. The Heavy Metal Omissions Mislead and Deceive Reasonable Consumers**

11 205. Amazon does not disclose anywhere on the Product Detail Pages for the
12 Contaminated Products (or anywhere else) that the Contaminated Products contain heavy
13 metals. Those point-of-sale webpages list the ingredients of the Contaminated Products but
14 omit any mention of heavy metals, including cadmium or lead.

15 206. The presence of heavy metals in the Contaminated Products is material to
16 consumers.

17 207. Amazon's Omissions wrongfully cause reasonable consumers to believe that
18 Amazon's Contaminated Products do not contain heavy metals, when in fact the Contaminated
19 Products do contain heavy metals, including cadmium and/or lead.

20 208. Information regarding the presence of heavy metals in the Contaminated
21 Products is in the exclusive possession of Amazon and not readily available to consumers.

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24 ⁹⁷ See Ex. 1.

1 Amazon chose to not disclose such information to consumers and thus actively concealed the
2 presence of heavy metals in the Contaminated Products.

3 209. Reasonable consumers must and do rely on Amazon to honestly report what
4 Contaminated Products it sells contain.

5 210. Because of Amazon's failure to disclose the presence of heavy metals on the
6 Contaminated Products' point-of-sale webpages, no reasonable consumer would expect,
7 suspect, or understand that the Contaminated Products contain heavy metals.

8 211. Amazon had a duty to ensure the Contaminated Products were not deceptively,
9 misleadingly, unfairly, and falsely marketed and that all material information was properly and
10 fully disclosed.

11 212. The Omissions are material and reasonably likely to deceive reasonable
12 consumers, such as the Contaminated Product Plaintiffs, in their purchasing decisions.

13 213. The Omissions were intended to and did, in fact, cause consumers like the
14 Contaminated Product Plaintiffs and the other Contaminated Product Class Members, to
15 purchase products they would not have purchased if Amazon had disclosed that the products
16 contained heavy metals, or for which they would not have paid a premium price, or any price
17 at all.

18 214. As a result of the Omissions, Amazon generated substantial sales and profited
19 from the Contaminated Product Plaintiffs' lack of information about the presence of heavy
20 metals in the Contaminated Products.

21 215. Plaintiffs and other reasonable consumers would not have purchased the
22 Contaminated Products or would have paid less for them but for the Misrepresentations, partial
23 misrepresentations, Omissions, concealment, and other deceptive conduct.

1 216. The Contaminated Products’ point-of-sale webpages misled and deceived
2 reasonable consumers because Amazon omitted that the Contaminated Products contained or
3 had a material risk of containing heavy metals, while representing the Contaminated Products’
4 sun protection benefits.

5 217. Based on Amazon’s misrepresentations, partial misrepresentations, and
6 omissions, and the overall impression given by the point-of-sale webpages, no reasonable
7 consumer could expect or understand the Contaminated Products contained or had a material
8 risk of containing heavy metals such as cadmium and lead.

9 218. Amazon’s point-of-sale webpages for the Contaminated Products contradict the
10 presence of heavy metals such as cadmium and lead; such communications include, for
11 example:⁹⁸

12 a. 365 by Whole Foods Market Sport Mineral Sunscreen (SPF 30);

- 13 • “Formulated without Octinoxate, Homosalate, Oxybenzone, or PABA”
14 • “Non-Nano Minerals”
15 • “Made without: Parabens or Phthalates”
16 • “free from common harmful chemicals”
17 • “Made with vegetarian ingredients”
18 • “No octinoxate, homosalate, oxynbenzone, or PABA”
19 • “Made without parabens or phthalates”
20 • “our standards go beyond typical ‘clean beauty’ claims”
21 • “We ban 240+ ingredients commonly used in beauty and body products,
22 including parabens, phthalates, formaldehyde donors, oxybenzone,
23 PFAS and EDTA.”
24 • “Our experts review the latest research on beauty and body care
ingredients for many factors including possible impacts on the
environment and human health.”

21 b. Sun Bum Baby Bum Mineral Sunscreen (SPF 50);

- 22 • “gentle, plant-based skin care”
23 • “For sensitive skin”

24 ⁹⁸ See also Appendix B (excerpts from the Contaminated Products’ Detail Pages).

- 1 • “Vegan, Cruelty, Gluten and Dye Free to meet the needs of delicate baby skin”
- 2 • “specifically formulated for kids, toddlers, and babies with naturally moisturizing ingredients”
- 3 • “Pediatrician and Dermatologist tested”
- 4 • “made of safe minerals to protect babies’ skin”
- 5 • “Gentle mineral-active protection”
- 6 • “Our Baby Bum collection is super gentle and uses the best ingredients for delicate and sensitive skin.”
- 7 • “Thumbs up for overall safety & sensitivity.”
- 8 • “Our Baby Sunscreen formula was designed with sensitive skin in mind and made without using synthetic fragrances, dyes, or parabens.”
- 9 • “Trust the Bum... It means trust us... The simple truth is, when you make products to protect the ones you love, you make ‘em better.”

10 c. Banana Boat Simply Protect Baby Sunscreen (SPF 50);

- 11 • “Simply Protect”
- 12 • “Made without oxybenzone & parabens”
- 13 • “Tear free”
- 14 • “No added Oils & Fragrances”
- 15 • For “sensitive” skin
- 16 • “is mild enough for even the most delicate skin”
- 17 • “Strong, broad spectrum sun protection without Oxybenzone, parabens or added oils and fragrances.”
- 18 • “It is [sic] mild, tear free formula allows you to protect your baby without the tears!”
- 19 • “Banana Boat baby goes on quickly and easily so your time in the sun with baby can be worry-free.”

20 d. Banana Boat Simply Protect Kids Sunscreen (SPF 50);

- 21 • “Simply Protect”
- 22 • “Made without oxybenzone & parabens”
- 23 • “Tear free”
- 24 • “No added Oils & Fragrances”
- For “sensitive” skin
- “Worry-free sun protection”
- “Our broad spectrum, water-resistant sunscreen protects your children from harmful UVA and UVB rays, so you can have a worry-free day of fun in the sun.”
- “Strong, broad spectrum sun protection made without oxybenzone, parabens or added oils and fragrances.”
- “Our mild, tear free formula allows you to protect your kids without the tears!”

- “Recommended by the skin cancer foundation”
- “worry-free sun protection”

e. Blue Lizard Baby Mineral Sunscreen (SPF 50);

- “Trusted by pediatricians”
- “Protect sensitive skin”
- “contains no harsh chemical active ingredients that might irritate sensitive skin”
- “Formulated for baby’s delicate skin”
- “vegan, paraben-free, fragrance-free formula”
- “formulated without Oxybenzone or Octinoxate”
- “Free from harsh chemical active sunscreen ingredients, fragrances, parabens, phthalates”
- “free from potentially harsh chemical sunscreen active ingredients that might irritate sensitive skin”
- “Pediatricians trust Blue Lizard Australian Sunscreen, so you can have peace of mind that your baby’s skin is protected from the sun.”
- “Designed especially for baby”
- “Our mission: to help safeguard lifelong healthy skin”
- “Our singular purpose is to help everyone safely enjoy time in the sun.”
- “We care deeply about our customers, the quality of our products, and our impact on the planet.”
- “All Blue Lizard products are free from fragrances, parabens, phthalates, and chemical active ingredients”
- “Blue Lizard mineral sunscreens are trusted by dermatologists and pediatricians to help keep your skin healthy and safe”

f. Blue Lizard Kids Mineral Sunscreen (SPF 50);

- “Trusted by pediatricians”
- “for Kids’ Sensitive Skin”
- “Protect sensitive skin”
- “contains no harsh chemical active ingredients that might irritate sensitive skin”
- “Developed for kids’ sensitive skin”
- “This specially-designed formula is also paraben-free and fragrance-free”
- “formulated without Oxybenzone or Octinoxate”
- “Free from harsh chemical active sunscreen ingredients, fragrances, parabens, phthalates”
- “Non-Comedogenic formula, Suitable for face and body!”
- “Protect little faces”
- “Made with skin-nourishing botanicals, this formula helps nourish your little one’s skin.”

- 1 • “free from potentially harsh chemical sunscreen active ingredients that
- 2 might irritate sensitive skin”
- 3 • “Pediatricians trust Blue Lizard Australian Sunscreen, so you can have
- 4 peace of mind that your child’s skin is protected from the sun.”
- 5 • “Powerful but gentle”
- 6 • “Trusted by pediatricians”
- 7 • “Blue Lizard mineral sunscreens are trusted by dermatologists and
- 8 pediatricians to help keep your skin healthy and safe”
- 9 • “Our mission: to help safeguard lifelong healthy skin”
- 10 • “Our singular purpose is to help everyone safely enjoy time in the sun.”
- 11 • “All Blue Lizard products are free from fragrances, parabens,
- 12 phthalates, and chemical active ingredients”

13 g. Coppertone Pure & Simple Baby Sunscreen (SPF 50);

- 14 • “Pure & Simple”
- 15 • “Hypoallergenic & Tear free”
- 16 • “Suitable for sensitive skin”
- 17 • “Free of Oxybenzone, Octinoxate, PABA, Parabens, Dyes, Fragrance”
- 18 • “#1 Pediatrician Recommended Sunscreen Brand”
- 19 • “Pure & Simple means 100% mineral sun protection”
- 20 • “free of oxybenzone, octinoxate, PABA, parabens, dyes, fragrance”
- 21 • “Pediatrician Recommended”
- 22 • “Dermatologically Tested”
- 23 • “This Coppertone sunscreen is dermatologically tested and contains no
- 24 dyes or PABA”
- “Kid-Specific”
- “Free of oxybenzone, PABA & dyes”
- “Each sunscreen Coppertone created follows a tradition of trusted,
- quality sun protection products”
- “Mild and durable formula specifically designed for kids”
- “dermatologist tested for your kids gentle skin”
- “Gentle on skin”
- “trusted SPF”

h. Coppertone Pure & Simple Kids Sunscreen (SPF 50);

- “Pure & Simple”
- “Hypoallergenic & Tear Free”
- “Suitable for sensitive skin”
- “Free of Oxybenzone, Octinoxate, PABA, Parabens, Dyes, Fragrance”
- “#1 Pediatrician Recommended Sunscreen Brand”
- “Pure & Simple means 100% mineral sun protection”
- “free of oxybenzone, octinoxate, PABA, parabens, dyes, fragrance”
- “hypoallergenic and gentle”

- “Gentle protection”
- “mild and gentle”
- “contains 100% naturally sourced zinc oxide”
- “Free of: Tear free sunscreen baby lotion is formulated without fragrance, oxybenzone, octinoxate, PABA, parabens, dyes and phthalates”
- “Baby-safe”
- “gentle on the skin”
- “Each sunscreen Coppertone created follows a tradition of trusted, quality sun protection products”
- “voted the most trusted sunscreen brand”
- “Hypoallergenic & tear free formula with nourishing botanicals”
- “Free of oxybenzone, octinoxate, PABA, parabens, dyes & fragrance”
- “Keep it simple with 100% mineral sun protection”
- “For baby’s delicate skin”
- “#1 most trusted suncare brand”
- “Scientific research results, high quality standards and strict product tests are the basis for the wide range of sun protection products.”

i. Coppertone Kids Tear Free Sunscreen (SPF 50);

- “Tear Free”
- “Free of Oxybenzone, Dyes & PABA”
- “#1 pediatrician recommended sunscreen brand”
- “a gentle tear-free formula”
- “hypoallergenic and gentle on skin”
- “Gentle protection”
- “mild and gentle”
- “made with 100% naturally sourced zinc oxide”
- “Formulated without: Tear free sunscreen lotion for kids is formulated without fragrance, oxybenzone, octinoxate, PABA, parabens, dyes and phthalates”
- “Free of oxybenzone, octinoxate, PABA, parabens, dyes & fragrance”
- “Voted the most trusted sunscreen brand”
- “each sunscreen Coppertone creates follows a tradition of trusted, quality sun protection products”
- “#1 most trusted suncare brand”
- “gentle for kid’s sensitive skin”
- “For kid’s sensitive skin”
- “Keep it simple with 100% mineral sun protection”

j. Thinkbaby Baby Mineral Sunscreen (SPF 50); and

- “Free of harmful chemicals”

- “Dermatologist recommended”
- “Non-nano zinc oxide particles”
- “EWG verified”
- “Safe, Natural”
- “suitable for daily use on infants’ sensitive skin”
- “offering gentle defense against the sun’s rays”
- “Clean mineral formula”
- “The first baby mineral sunscreen to pass Whole Foods Premium Care requirements, Leaping Bunny certified sun creams contain no PABA, parabens, phthalates, BPA, oxybenzone, avobenzone, petroleum, gluten, dairy, or toxic chemicals”
- “gentle and reef-safe ingredient based clean sunscreen”
- “made to be effective for delicate and sensitive skin”
- “safe, natural”
- “100% agree our formula is gentle on baby’s skin”
- “dermatologist recommended”
- “free of harmful chemicals”
- “EWG rated”
- “perfect for extra sensitive little ones!”
- “trusted for little ones and beyond”

k. Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50).

- “dermatologist tested”
- “sensitive skin”
- “free of harmful chemicals”
- “non-nano zinc oxide particles”
- “natural”
- “for sensitive skin”
- “calming protection”
- “formulated without fragrance or harmful ingredients”
- “infused with soothing chamomile & moisturizing shea butter to help calm and nourish extra sensitive skin”
- “Dermatologist recommended as a safe and effective choice for sensitive skin”
- “CLEAN MINERAL FORMULA: Suitable for sensitive skin”
- “This children and toddler sunscreen has no BPA, vegan, never tested on animals, [and is] reef-friendly”
- “gentle”
- “clean sunscreen”
- “made to be effective for delicate and sensitive skin”
- “perfect for extra sensitive little ones!”
- “gentle on skin”
- “free of harmful chemicals”

- “dermatologist recommended”
- “Fragrance free for sensitive skin”
- “trusted for little ones and beyond”

219. The misrepresentations and omissions misleadingly convey to consumers that the Sunscreen Products are of a high quality and have certain characteristics they do not actually possess.

220. Amazon misleadingly causes consumers to believe the Sunscreen Products it sells do not contain (or have a material risk of containing) heavy metals, including cadmium and lead, due to the material omissions, misrepresentations and partial misrepresentations, when in fact the Contaminated Products do contain (or have a material risk of containing) both cadmium and lead.

221. Whether the Contaminated Products contain heavy metals is material information to reasonable consumers, including the Contaminated Product Plaintiffs.

222. Amazon wrongfully failed to disclose to reasonable consumers material information regarding the presence of (or material risk of) heavy metals in the Contaminated Products.

223. Due to the point-of-sale webpages, misrepresentations, partial misrepresentations, and omissions, reasonable consumers, like the Contaminated Product Plaintiffs, would not suspect the presence of heavy metals in the Contaminated Products.

224. Unlike Amazon, reasonable consumers are not able to independently detect the presence of heavy metals in the Contaminated Products and are generally without the means to conduct their own scientific tests on the Contaminated Products.

225. Moreover, information regarding the presence of heavy metals in the Contaminated Products is in the exclusive possession of Amazon and not available to

1 consumers. Amazon chose to not disclose such information to consumers and thus actively
2 concealed the presence and risk of heavy metals in the Contaminated Products.

3 226. Reasonable consumers must and do rely on Amazon to honestly report what
4 Contaminated Products sold through its platform contain.

5 227. Based on the failure to disclose the presence (or material risk) of heavy metals
6 on the Contaminated Products' point-of-sale webpages, no reasonable consumer would expect,
7 suspect, or understand that the Contaminated Products contained or had a material risk of
8 containing heavy metals.

9 228. In light of Amazon's statements regarding the quality of the Contaminated
10 Products, Amazon knew or should have known the Contaminated Products contained or had a
11 material risk of containing heavy metals.

12 229. Amazon had a duty to ensure the Contaminated Products it sold were not
13 deceptively, misleadingly, unfairly, and falsely marketed and that all material information was
14 properly and fully disclosed.

15 230. Amazon acted negligently, recklessly, unfairly, and/or intentionally with its
16 deceptive point-of-sale webpages based on the material misrepresentations, partial
17 misrepresentations, and omissions.

18 231. The misrepresentations, partial misrepresentations, and omissions on
19 Amazon's point-of-sale webpages are material and reasonably likely to deceive reasonable
20 consumers, such as the Contaminated Product Plaintiffs, in their purchasing decisions.

21 232. The misrepresentations, partial misrepresentations, and omissions, make the
22 Contaminated Products' point-of-sale webpages deceptive based on the presence or risk of
23 significant levels heavy metals in the Contaminated Products. Reasonable consumers, like the
24

1 Contaminated Product Plaintiffs, would consider the presence or risk of heavy metals in the
2 Contaminated Products a material fact when considering which sunscreen products to
3 purchase.

4 233. Amazon knew, yet failed to disclose, that the Contaminated Products or the
5 ingredients used in the Contaminated Products were not sufficiently or adequately monitored
6 or tested for heavy metals.

7 234. The misrepresentations, partial misrepresentations, and omissions, were
8 misleading due to Amazon's failure to ensure the Contaminated Products were sufficiently or
9 adequately monitored or tested for heavy metals and to disclose the presence (or material risk)
10 of heavy metals in the Contaminated Products.

11 235. Amazon knew or should have known that the Contaminated Products contained
12 or may contain levels of heavy metals that were not disclosed on the point-of-sale webpages.

13 236. Amazon knew or should have known that reasonable consumers, including the
14 Contaminated Product Plaintiffs, expected Amazon to ensure the Contaminated Products it
15 sold were sufficiently monitored and tested for heavy metals and to disclose the presence or
16 risk of heavy metals in the Contaminated Products.

17 237. Further, Amazon knew or should have known that reasonable consumers paid
18 higher prices, or paid any price at all, for the Contaminated Products and expected the
19 Contaminated Products sold by Amazon were sufficiently tested and monitored for the
20 presence of heavy metals.

21 238. The misrepresentations, partial misrepresentations, and omissions are material
22 and render the Contaminated Products' point-of-sale webpages deceptive because without full
23
24

1 disclosure, reasonable consumers, such as the Contaminated Product Plaintiffs, believe the
2 Contaminated Products do not contain or have a material risk of containing heavy metals.

3 239. The misrepresentations, partial misrepresentations, and omissions on
4 Amazon's point-of-sale webpages were intended to and did, in fact, cause consumers like the
5 Contaminated Product Plaintiffs and the other Contaminated Product Class Members to
6 purchase products they would not have if the true quality and ingredients were disclosed or
7 for which they would not have paid a premium price, or any price at all.

8 240. Defendant charged, and Contaminated Product Plaintiffs and the Contaminated
9 Product Class Members paid, a premium price for the Contaminated Products, despite the
10 availability of comparable, lesser-priced sunscreen products sold by other retailers with no
11 detectable levels of heavy metals:

Contaminated Products	Price/ Ounce	Competitor Sunscreen Product	Price/ Ounce
Thinkbaby Baby Mineral Sunscreen Lotion (SPF 50)	\$3.50	Up & Up Kids' Sunscreen Spray Lotion (SPF 50)	\$0.82
Sun Bum Baby Bum Sunscreen Lotion (SPF 50)	\$3.66	Up & Up Kids' Sunscreen Lotion (SPF 50)	\$0.62
Sun Bum Baby Bum Sunscreen Spray (SPF 50)	\$3.84	Up & Up Kids' Sunscreen Spray (SPF 50)	\$0.91
Thinkbaby Baby Sunscreen for Sensitive Skin (SPF 50)	\$5.16	Coppertone Water Babies Sunscreen Lotion (SPF 50)	\$1.11
Sun Bum Baby Bum Mineral Roll-On Sunscreen (SPF 50)	\$5.50	Coppertone Kids Sunscreen Spray (SPF 50)	\$1.36
Blue Lizard Baby Mineral Sunscreen Stick (SPF 50)	\$17.48		
Blue Lizard Kids Mineral Sunscreen Stick (SPF 50)	\$17.54		
Sun Bum Baby Bum Mineral Sunscreen Stick (SPF 50)	\$28.87		

1 241. As a result of Amazon’s deceptive, unfair, and misleading Misrepresentations,
2 partial misrepresentations, and Omissions, Amazon was able to generate substantial sales,
3 which allowed it to reap enormous profits from the Contaminated Product Plaintiffs and
4 similarly situated consumers who paid the purchase price or premium for the Contaminated
5 Products that were not as advertised.

6 242. The Contaminated Product Plaintiffs and other reasonable consumers would
7 not have purchased the Contaminated Products or would have paid less for them but for the
8 misrepresentations, partial misrepresentations, and the Omissions.

9 **IX. The SPF Misrepresentations Mislead and Deceive Reasonable Consumers**

10 243. Amazon does not disclose anywhere on the Product Detail Pages for the SPF
11 Products (or anywhere else) that the SPF Products contain less SPF than promised. Those
12 point-of-sale webpages state SPF levels for the SPF Products but misrepresent the actual
13 amount of SPF in the SPF Products.

14 244. The actual level of SPF in the SPF Products is material to consumers.

15 245. Amazon’s misrepresentations wrongfully cause reasonable consumers to
16 believe that Amazon’s SPF Products contain a higher level of SPF than the SPF Products
17 actually contain.

18 246. Reasonable consumers must and do rely on Amazon to honestly report the
19 amount of SPF in the SPF Products.

20 247. Because of Amazon’s failure to accurately depict the level of SPF in the SPF
21 Products on the SPF Products’ point-of-sale webpages, no reasonable consumer would expect,
22 suspect, or understand that the SPF Products contain less SPF than promised.

1 248. Amazon had a duty to ensure the SPF Products were not deceptively,
2 misleadingly, unfairly, and falsely marketed and that all material information was properly and
3 fully disclosed.

4 249. The misrepresentations are material and reasonably likely to deceive
5 reasonable consumers, such as the SPF Product Plaintiffs, in their purchasing decisions.

6 250. The misrepresentations were intended to and did, in fact, cause consumers like
7 the SPF Product Plaintiffs and the other SPF Product Class Members, to purchase products
8 they would not have purchased if Amazon had accurately disclosed that amount of SPF in the
9 SPF Products, or for which they would not have paid a premium price, or any price at all.

10 251. As a result of the misrepresentations, Amazon generated substantial sales and
11 profited from the SPF Product Plaintiffs' lack of information about the level of SPF in the SPF
12 Products.

13 252. The SPF Product Plaintiffs and other reasonable consumers would not have
14 purchased the SPF Products or would have paid less for them but for the misrepresentations
15 and other deceptive conduct.

16 253. The SPF Products' point-of-sale webpages misled and deceived reasonable
17 consumers because Amazon misrepresented the level of SPF in the SPF Products.

18 254. Based on Amazon's misrepresentations and the overall impression given by the
19 point-of-sale webpages, no reasonable consumer could expect or understand the SPF Products
20 contained a lower level of SPF than promised.

1 255. Amazon’s point-of-sale webpages for the SPF Products promise a higher level
2 of SPF than the SPF Products actually contain.⁹⁹

3 a. Sun Bum Glow Lotion SPF 30;

- 4 • “Sun Bum SPF 30 Glow Sunscreen Face Lotion”
- 5 • “Style: **SPF 30**”
- 6 • “**Sun Protection Factor 30** Sun Protection Factor (SPF)”
- 7 • “ORIGINAL SPF 30 GLOW SUNSCREEN LOTION.”
- 8 • “Our oil-free, water-resistant and Hawaii 104 Reef Act Compliant SPF 30 Glow is great for all skin types.”

9 b. Sun Bum Kids SPF 50 Face Stick;

- 10 • “Sun Bum Kids SPF 50 Clear Sunscreen Face Stick”
- 11 • “KIDS SPF 50 FACE STICK: Our Kids SPF 50 Clear Face Stick glides on clear and features a water-resistant formula that can be applied to wet or dry skin to keep up with our most active kids.”

12 c. Sun Bum Mineral Roll-On SPF 50;

- 13 • “Sun Bum Mineral SPF 50 Roll-On Sunscreen Body Lotion”
- 14 • “Style: SPF 50 Roll On”
- 15 • “50 Sun Protection Factor (SPF)”
- 16 • “MINERAL SPF 50 SUNSCREEN ROLL ON LOTION.”

17 d. Sun Bum Premium Lotion SPF 30;

- 18 • “Sun Bum Spf 30 Original Moisturizing Sunscreen Lotion”
- 19 • “**Sun Protection Factor 30** Sun Protection Factor (SPF)”

20 e. Sun Bum Premium Spray SPF 50;

- 21 • “Sun Bum Original SPF 50 Sunscreen Body Spray”
- 22 • “Style: **SPF 50 Roll On**”
- 23 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 24 • “ORIGINAL SPF 50 SUNSCREEN SPRAY.”
- “Our water-resistant and Hawaii 104 Act Compliant SPF 50 Spray is great for all skin types.”

⁹⁹ See also Appendix D (excerpts from the SPF Products’ Detail Pages) (emphasis in original).

- 1 f. Banana Boat Sport Ultra Roll-On SPF 60+
- 2 • “Banana Boat Sport Ultra Roll-On Sunscreen Lotion, Broad Spectrum
- 3 SPF 60+”
- 4 • “**Sun Protection Factor** 60 Sun Protection Factor (SPF)”
- 5 g. Banana Boat Sport Ultra Lotion SPF 50+;
- 6 • “Banana Boat Sport Ultra SPF 50 Sunscreen”
- 7 • “Style: **SPF 50**”
- 8 • “**Sun Protection Factor** 50 Sun Protection Factor”
- 9 • “This SPF 50+ broad spectrum sunscreen spray protects skin from the
- 10 sun’s harmful UV rays”
- 11 • “Color SPF 50”
- 12 h. Banana Boat Sport Cool Zone Spray SPF 30;
- 13 • “Banana Boat Sport Cool Zone SPF 30 Sunscreen Spray”
- 14 • “Spray Sunscreen SPF 30, Sunblock”
- 15 • “**Sun Protection Factor** 30 Sun Protection Factor (SPF)”
- 16 • “It’s SPF 30 UVA/UVB broad spectrum cooling sunscreen perfect for
- 17 sun-soaked days”
- 18 • Color Coolzone – SPF 30”
- 19 i. Banana Boat Baby Mineral Lotion SPF 50+;
- 20 • “Banana Boat 100% Mineral Baby Sunscreen Lotion SPF 50”
- 21 • “SPF 50 Sunscreen for Babies, Baby Sunblock Lotion”
- 22 • “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- 23 j. Banana Boat Baby Mineral Enriched Sray SPF 50;
- 24 • “Banana Boat Baby Mineral Enriched Spray Sunscreen SPF 50”
- “Banana Boat Baby Sunscreen Spray SPF 50, Sunblock for Babies”
- “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- “Baby mineral sunscreen SPF 50+ that families can trust for their little ones”
- k. Banana Boat Protection + Vitamins Face Lotion SPF 50+;
- “Banana Boat Protection + Vitamins Face Sunscreen Lotion SPF 50”
- “SPF 50 Sunblock Lotion”
- “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- “DERMATOLOGISST TESTED SPF 50 SUNSCREEN LOTION”

- 1 l. Banana Boat Light as Air Lotion SPF 50+;
- 2 • “Banana Boat Light As Air Sunscreen Lotion SPF 50”
- 3 • “Lightweight & Non-Greasy Lotion Sunscreen SPF 50”
- 4 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 5 • “SPF 50 sunscreen lotion absorbs excess oil and moisture, allowing skin to breathe”
- 6 • “FREE FROM-Sunscreen lotion SPF 50 formulated without oxybenzone or octinoxate”
- 7 m. Banana Boat Kids Sport Lotion SPF 50+;
- 8 • “Banana Boat Sport Kids Sunscreen Spray SPF 50”
- 9 • “Spray Sunscreen for Kids, Childrens Sunblock SPF 50”
- 10 • “Sun protection factor: **50 Sun Protection Factor (SPF)**”
- 11 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 12 • “LIGHTWEIGHT, QUICK-ABSORBING SPF 50+ SUNSCREEN FORMULA”
- 13 • “Sunscreen spray SPF 50+ that’s water resistant up to 80 minutes (reapply as directed)”
- 14 n. Blue Lizard Sport Mineral Spray SPF 50+ Unscented;
- 15 • “BLUE LIZARD Sport Mineral Sunscreen Spray SPF 50+”
- 16 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 17 o. Blue Lizard Sheer Mineral Face Lotion SPF 50+;
- 18 • “Blue Lizard Sheer Face Mineral SPF 50 Sunscreen Lotion”
- 19 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 20 • “Sheer mineral formula with SPF 50 protects skin from 98% of UVB rays.”
- 21 p. Blue Lizard Sensitive Mineral Lotion SPF 50+;
- 22 • “Blue Lizard Sensitive Mineral SPF 50 Sunscreen Lotion”
- 23 • “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- 24 • “Protect sensitive skin from the sun’s harmful rays with Blue Lizard Sensitive Mineral SPF 50 Sunscreen Lotion”
- SPF 50 BROAD SPECTRUM PROTECTION – The water-resistant formula provides broad spectrum protection and helps protect skin from up to 98% of UVB rays.”
- q. Coppertone Complete Spray SPF 50;
- “Coppertone Complete Sunscreen Spray SPF 50”

- 1 • “Product Benefits SPF 50, broad spectrum UVA/UVB protection, water
- 2 resistant for 80 minutes, and moisturizing”
- 3 • “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- 4 • “Multi-benefit Formula: Coppertone spray sunscreen SPF 50 offers
- 5 everyday sun protection for the whole family in a multi-benefit formula
- 6 to help in more ways than one”
- 7 • “Coppertone Complete SPF 50 Sunscreen Spray is water resistant (80
- 8 minutes), and moisturizes all day”
- 9 • “This Coppertone sunscreen SPF 50 spray is free from oxybenzone,
- 10 octinoxate, PABA, phthalates and dyes”

11 r. Coppertone Sport 4-in-1 Performance Spray SPF 50;

- 12 • “Coppertone Sport Sunscreen Spray SPF 50”
- 13 • “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- 14 • “Coppertone Sport SPF 50 sunscreen spray is water resistant (80
- 15 minutes), and stays on strong when you sweat”
- 16 • “Color spf 50”

17 s. Coppertone Glow Shimmer Spray SPF 30;

- 18 • “Coppertone Glow with Shimmer Sunscreen Spray SPF 30”
- 19 • “Broad Spectrum SPF 30 Sunscreen Spray”
- 20 • “Style: **SPF 30**”
- 21 • “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- 22 • “Broad Spectrum sunscreen SPF 30 UVA/UVB protection that sprays
- 23 on effortlessly and dries quickly”
- 24 • “Coppertone sunscreen SPF 30 formula is free from parabens, PABA,
- phthalates, octinoxate and oxybenzone”

t. Coppertone Sport Mineral Spray SPF 50;

- “Coppertone SPORT Mineral SPF 50 Sunscreen Spray”
- “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- “NEW Coppertone Sport Mineral SPF 50 Spray Sunscreen offers 100%
- mineral sun protection based on a zinc oxide active ingredient to keep
- up with your active lifestyle while keeping you protected from the sun”

u. Coppertone Every Tone Sunscreen Lotion SPF 50;

- “Coppertone Every Tone Sunscreen Lotion SPF 50”
- “**Sun Protection Factor** 50 Sun Protection Factor (SPF)”
- “Coppertone SPF 50 sunscreen also works as a face sunscreen and is
- great for everyday use”

v. Coppertone Sport 4-in-1 Performance Lotion SPF 50;

- “Coppertone SPORT Sunscreen Lotion Broad Spectrum SPF 50”
- “Style: **SPF 50**”
- “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- “Coppertone Sport SPF 50 sunscreen lotion is water resistant (80 minutes), and stays on strong when you sweat”
- “Color spf 50”

w. Coppertone Kids SPF 50 Tear Free Lotion;

- “Coppertone Kids SPF 50 Tear Free Lotion”
- “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- “Coppertone Kids SPF 50 sunscreen for body stays on strong when kids play”

x. Thinkbaby SPF 30 Sunscreen Stick; and

- “Thinkbaby SPF 30 Sunscreen Stick – Safe, Natural, Water Resistant Sun Cream for Babies, Kids & Adults – Mineral UVA/UVB Sun Protection”
- “**Product Benefits** Sunscreen provides effective SPF 30 sun protection for athletes, sports and active use.”
- “**Sun Protection Factor 30** Sun Protection Factor (SPF)”
- “This mineral sunscreen stick is a body and face sunscreen providing effective SPF 30 sun protection for the whole family. The broad spectrum UVA & UVB baby sunscreen is suitable for daily use on sensitive skin, offering gentle defense against the sun’s rays”

y. Thinkbaby Lotion SPF 50 Lightly Scented.

- “Thinkbaby SPF 50+ Baby Sunscreen [] – Safe, Natural Mineral Sun Cream for Babies – Water Resistant, Broad Spectrum UVA/UVB Sun Protection”
- “**Sun Protection Factor 50** Sun Protection Factor (SPF)”
- “Thinkbaby sunscreen provides effective SPF 50+ sun protection for babies. The broad spectrum UVA & UVB kid sunscreen is suitable for daily use on infants’ sensitive skin, offering gentle defense against the sun’s rays”

256. The misrepresentations misleadingly convey to consumers that the SPF Products are of a high quality and have certain characteristics they do not actually possess.

1 257. Amazon misleadingly causes consumers to believe the SPF Products it sells
2 contain an amount of SPF that they do not actually possess, due to the material
3 misrepresentations.

4 258. Whether the SPF Products contain amount of SPF that is promised is material
5 information to reasonable consumers, including the SPF Product Plaintiffs.

6 259. Amazon wrongfully misrepresented to reasonable consumers material
7 information regarding the amount of SPF in the SPF Products.

8 260. Due to the point-of-sale webpages and misrepresentations, reasonable
9 consumers, like the SPF Product Plaintiffs, would not suspect the amount of SPF in the SPF
10 Products is actually lower than promised.

11 261. Unlike Amazon, reasonable consumers are not able to independently detect the
12 amount of SPF in the SPF Products and are generally without the means to conduct their own
13 scientific tests on the SPF Products.

14 262. Reasonable consumers must and do rely on Amazon to honestly report the
15 amount of SPF in the SPF Products sold on its platform.

16 263. Based on the misrepresentation of the amount of SPF in the SPF Products on
17 the point-of-sale webpages, no reasonable consumer would expect, suspect, or understand that
18 the SPF Products contained less SPF than promised.

19 264. In light of Amazon's statements regarding the quality of the SPF Products,
20 Amazon knew or should have known the SPF Products contained less SPF than promised.

21 265. Amazon had a duty to ensure the SPF Products it sold were not deceptively,
22 misleadingly, unfairly, and falsely marketed and that all material information was properly and
23 fully disclosed.

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1 266. Amazon acted negligently, recklessly, unfairly, and/or intentionally with its
2 deceptive point-of-sale webpages based on the material misrepresentations.

3 267. The misrepresentations on Amazon's point-of-sale webpages are material and
4 reasonably likely to deceive reasonable consumers, such as the SPF Product Plaintiff, in their
5 purchasing decisions.

6 268. The misrepresentations make the SPF Products' point-of-sale webpages
7 deceptive based on the actual amount of SPF in the SPF Products. Reasonable consumers, like
8 the SPF Product Plaintiffs, would consider the amount of SPF in the SPF Products a material
9 fact when considering which sunscreen products to purchase.

10 269. Amazon knew, yet failed to accurately convey, that the SPF Products were not
11 sufficiently or adequately monitored or tested for SPF levels.

12 270. The misrepresentations were misleading due to Amazon's failure to ensure the
13 SPF Products were sufficiently or adequately monitored or tested for SPF levels and to
14 accurately convey the amount of SPF in the SPF Products.

15 271. Amazon knew or should have known that the SPF Products contained SPF
16 levels that were lower than promised on the point-of-sale webpages.

17 272. Amazon knew or should have known that reasonable consumers, including the
18 SPF Product Plaintiff, expected Amazon to ensure the SPF Products it sold were sufficiently
19 monitored and tested for SPF levels and to accurately convey the amount of SPF levels in the
20 SPF Products.

21 273. Further, Amazon knew or should have known that reasonable consumers paid
22 higher prices, or paid any price at all, for the SPF Products and expected the SPF levels in the
23 SPF Products sold by Amazon were sufficiently tested and monitored for by Amazon.

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1 274. The misrepresentations are material and render the SPF Products' point-of-sale
2 webpages deceptive because without accurate disclosure, reasonable consumers, such as the
3 SPF Product Plaintiffs, believe the SPF Products contain the amount of SPF promised.

4 275. The misrepresentations on Amazon's point-of-sale webpages were intended to
5 and did, in fact, cause consumers like the SPF Product Plaintiffs and the other SPF Product
6 Class Members to purchase products they would not have if the true quality were accurately
7 conveyed or for which they would not have paid a premium price, or any price at all.

8 276. Defendant charged, and SPF Product Plaintiffs and the SPF Product Class
9 Members paid, a premium price for the SPF Products based on the misrepresented level of
10 SPF in the SPF Products.

11 277. As a result of Amazon's deceptive, unfair, and misleading misrepresentations,
12 Amazon was able to generate substantial sales, which allowed it to reap enormous profits from
13 the SPF Product Plaintiffs and similarly situated consumers who paid the purchase price or
14 premium for the SPF Products that were not as advertised.

15 278. The SPF Product Plaintiffs and other reasonable consumers would not have
16 purchased the SPF Products or would have paid less for them but for the misrepresentations.

1 **CLASS ALLEGATIONS**

2 279. Plaintiffs bring this action individually and on behalf of the following Classes
3 pursuant to Fed. R. Civ. P. 23(a), (b)(2) and (3), and (c)(4):

4 **Contaminated Product Class:** All persons who, from the
5 beginning of the applicable statute of limitations period to the
6 present, purchased the Sunscreen Products from Amazon in the
7 United States for household use, and not for resale (the
8 “Contaminated Product Class”).

9 **SPF Product Class:** All persons who, from the beginning of the
10 applicable statute of limitations period to the present, purchased
11 the SPF Products from Amazon in the United States for household
12 use, and not for resale (the “SPF Product Class”).

13 280. Excluded from the Contaminated Product Class and the SPF Product Class
14 (collectively, the “Class” or “Classes”), are Defendant, any of Defendant’s parent companies,
15 subsidiaries, and/or affiliates, officers, directors, legal representatives, employees, or co-
16 conspirators, all governmental entities, and any judge, justice, or judicial officer presiding over
17 this matter.

18 281. This action is brought and may be properly maintained as a class action. There
19 is a well-defined community of interests in this litigation, and the Class Members are easily
20 ascertainable.

21 282. **Numerosity:** The Class Members are so numerous that individual joinder of all
22 members is impracticable, and the disposition of the claims of the Class Members in a single
23 action will provide substantial benefits to the parties and Court.

24 283. **Commonality and Predominance:** There are many questions of law and fact
common to the claims of Plaintiffs and the other Class Members, and those questions
predominate over any questions that may affect individual Class Members. Questions of law
and fact common to Plaintiffs and the Class include, but are not limited to, the following:

- 1 a. whether the misrepresentations and partial misrepresentations and omissions
- 2 were misleading;
- 3 b. whether the misrepresentations and partial misrepresentations and omissions
- 4 were unfair,
- 5 c. whether the misrepresentations and partial misrepresentations and omissions
- 6 were material to a reasonable consumer;
- 7 d. whether Amazon had knowledge that the misrepresentations and partial
- 8 misrepresentations and omissions were material, false, deceptive, and
- 9 misleading;
- 10 e. whether Amazon owed a duty to disclose;
- 11 f. whether Amazon knew or should have known that the Contaminated Products
- 12 contained or may contain significant levels of heavy metals, including
- 13 cadmium and/or lead;
- 14 g. whether Amazon failed to disclose that the Contaminated Products contained
- 15 or may contain detectable levels of heavy metals, including cadmium and/or
- 16 lead;
- 17 h. whether Amazon knew or should have known that the SPF Products contained
- 18 lower levels of SPF than promised on the point-of-sale webpages;
- 19 i. whether Amazon misrepresented the levels of SPF in the SPF Products;
- 20 j. whether Amazon had exclusive knowledge of the omissions;
- 21 k. whether reasonable consumers could have reasonably discovered the
- 22 omissions;
- 23 l. whether Amazon violated Washington state law;
- 24

- 1 m. whether Amazon engaged in unfair trade practices;
- 2 n. whether Amazon engaged in false advertising;
- 3 o. whether Amazon made fraudulent omissions;
- 4 p. whether Amazon made fraudulent misrepresentations by omissions;
- 5 q. whether Plaintiffs and the Class Members are entitled to actual, statutory, and
- 6 punitive damages; and
- 7 r. whether Plaintiffs and the Class Members are entitled to declaratory and
- 8 injunctive relief.

9 284. Defendant engaged in a common course of conduct giving rise to the legal
10 rights sought to be enforced by Plaintiffs individually and on behalf of all the Class Members.
11 Identical statutory violations and business practices and harms are involved. Individual
12 questions, if any, are not prevalent in comparison to the numerous common questions that
13 dominate this action.

14 285. **Typicality:** Plaintiffs' claims are typical of the claims of the Class Members.
15 Plaintiffs and the Class Members sustained damages as a result of Defendant's uniform
16 wrongful conduct during transactions with them.

17 286. **Adequacy:** Plaintiffs will fairly and adequately represent and protect the
18 interests of the Class and has retained counsel competent and experienced in complex litigation
19 and class actions. Plaintiffs have no interests antagonistic to those of the Class, and there are
20 no defenses unique to Plaintiffs. Plaintiffs and their counsel are committed to prosecuting this
21 action vigorously on behalf of the Class Members and have the financial resources to do so.
22 Neither Plaintiffs nor their counsel have any interest adverse to those of the Class Members.

1 287. **Risks of Prosecuting Separate Actions:** This case is appropriate for
2 certification because prosecution of separate actions would risk either inconsistent
3 adjudications which would establish incompatible standards of conduct for Defendant or
4 would be dispositive of the interests of members of the Class.

5 288. **Policies Generally Applicable to the Class:** This case is appropriate for
6 certification because Defendant has acted or refused to act on grounds generally applicable to
7 the Plaintiffs and Class as a whole, thereby requiring the Court’s imposition of uniform relief
8 to ensure compatible standards of conduct towards Class Members and making final injunctive
9 relief appropriate with respect to the Class as a whole. Defendant’s practices challenged herein
10 apply to and affect the Class Members uniformly, and Plaintiffs’ challenge to those practices
11 hinges on Defendant’s conduct with respect to the Class as a whole, not on individual facts or
12 law applicable only to Plaintiffs.

13 289. **Superiority:** This case is also appropriate for certification because class
14 proceedings are superior to all other available means of fair and efficient adjudication of the
15 claims of Plaintiffs and the Class Members. The injuries suffered by each Class Member are
16 relatively small in comparison to the burden and expense of individual prosecution of the
17 litigation necessitated by Defendant’s conduct. Absent a class action, it would be virtually
18 impossible for the Class Members to obtain effective relief from Defendant. Even if Class
19 Members could sustain individual litigation, it would not be preferable to a class action
20 because individual litigation would increase the delay and expense to all parties, including the
21 Court, and would require duplicative consideration of the common legal and factual issues
22 presented here. By contrast, a class action presents far fewer management difficulties and
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1 provides the benefits of single adjudication, economies of scale, and comprehensive
2 supervision by a single Court.

3 **WASHINGTON LAW APPLIES**

4 290. Washington law applies to Plaintiffs’ and the Class Members’ claims,
5 regardless of where in the United States the Class Member resides.

6 291. Washington’s substantive laws may be constitutionally applied to the claims of
7 Plaintiffs and the Class under the Due Process Clause, 14th Amendment, section 1, and the Full
8 Faith and Credit Clause, Article IV, section 1, of the U.S. Constitution. Washington has
9 significant contacts and a significant aggregation of contacts with the claims asserted by
10 Plaintiffs and all Class Members, creating state interests such that the choice of Washington
11 state law is not arbitrary or unfair.

12 292. Amazon’s choice-of-law provision, which is set forth in “Conditions of Use”
13 that appear on Amazon’s website, provides:

14 By using any Amazon Service, you agree that applicable federal
15 law, and the laws of the state of Washington, without regard to
16 principles of conflict of laws, will govern these Conditions of Use
and any dispute of any sort that might arise between you and
Amazon.¹⁰⁰

17 293. Amazon is headquartered in Washington, does substantial business in this State,
18 and the challenged conduct affects the people of Washington. Amazon’s decision to reside in
19 Washington, avail itself of Washington’s laws, and to engage in the challenged conduct, which
20 originates from and emanates out of Washington, renders the application of Washington law
21 constitutionally permissible.

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23 ¹⁰⁰ *Conditions of Use*, AMAZON, May 30, 2025,
24 <https://www.amazon.com/gp/help/customer/display.html?nodeId=GLSBYFE9MGKKQXXM> (last accessed June 9, 2026).

1 294. The application of Washington laws is also appropriate under Washington’s
2 choice of law rules. Washington has significant contacts with the claims of Plaintiffs and the
3 Class Members, and Washington has a greater interest in applying its laws here than any other
4 interested state.

5 **CLAIMS FOR RELIEF**

6 **COUNT ONE**

7 **Violations of the Washington Consumer Protection Act
(Wash. Rev. Code Ann. §19.86.010, *et seq.*) Against Defendant on Behalf of the Classes**

8 295. Plaintiffs incorporate by reference all preceding allegations as though fully set
9 forth herein.

10 296. Plaintiffs bring this Count on behalf of all Class Members.

11 297. The Washington Consumer Protection Act (“Washington CPA”) broadly
12 prohibits “[u]nfair methods of competition and unfair or deceptive acts or practices in the
13 conduct of any trade or commerce.” WASH. REV. CODE ANN. § 19.96.010.

14 298. Amazon’s acts complained of herein are deceptive and unfair within the
15 meaning of the Washington CPA. WASH. REV. CODE ANN. § 19.96.010.

16 299. Amazon committed the acts complained of herein in the course of “trade” or
17 “commerce” within the meaning of the Washington CPA. WASH. REV. CODE ANN. §
18 19.96.010.

19 300. Amazon’s deceptive and unfair practices, as alleged herein, are injurious to the
20 public interest as they have the capacity to injure other persons, including the millions of
21 consumers who shop on Amazon.com.

22 301. Amazon’s misrepresentations and partial misrepresentations, Omissions, active
23 concealment, and other deceptive conduct described herein were directed at the consumer
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1 public at-large as they repeatedly occurred in the course of Amazon’s business and were
2 capable of deceiving a substantial portion of the consuming public.

3 302. The facts concealed or not disclosed by Amazon were material facts in that
4 Contaminated Product Plaintiffs and the Contaminated Product Class, and other reasonable
5 consumers, would have considered them in deciding whether to purchase the Contaminated
6 Products. Had the Contaminated Product Plaintiffs and the Contaminated Product Class
7 Members known the Contaminated Products did not have the quality, ingredients, standards,
8 and suitability for use as advertised by Amazon and contained (or had a material risk of
9 containing) heavy metals, including cadmium and lead, they would not have purchased the
10 Contaminated Products or paid a premium price.

11 303. Amazon alone possessed the information that was material to the Contaminated
12 Product Plaintiffs and the Contaminated Product Class and failed to disclose such material
13 information to consumers.

14 304. Amazon intended for the Contaminated Product Plaintiffs and the
15 Contaminated Product Class Members to rely on its misrepresentations and partial
16 misrepresentations, omissions, active concealment, and other deceptive conduct regarding the
17 Contaminated Products’ quality, ingredients, standards, and suitability for use when
18 purchasing the Contaminated Products, unaware of the undisclosed material facts.

19 305. The facts misrepresented by Amazon were material facts in that SPF Product
20 Plaintiffs and the SPF Product Class, and other reasonable consumers, would have considered
21 them in deciding whether to purchase the SPF Products. Had the SPF Product Plaintiffs and
22 the SPF Product Class Members known the SPF Products did not have the quality, ingredients,
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1 standards, and suitability for use as advertised by Amazon and contained less SPF than
2 advertised, they would not have purchased the SPF Products or paid a premium price.

3 306. Amazon intended for the SPF Product Plaintiffs and the SPF Product Class
4 Members to rely on its misrepresentations and other deceptive conduct regarding the SPF
5 Products' quality, ingredients, standards, and suitability for use when purchasing the SPF
6 Products, unaware of the misrepresented material facts.

7 307. Plaintiffs and the Class Members did in fact rely on the material
8 Misrepresentations, partial misrepresentations, and omissions and purchased the Products to
9 their detriment. Given the materiality of the omissions and misrepresentations, Plaintiffs and
10 the Class's reliance on the misrepresentations, partial misrepresentations, and omissions were
11 justifiable.

12 308. The Contaminated Product Plaintiffs and the Contaminated Product Class
13 Members purchased the Contaminated Products that contain undisclosed levels of heavy
14 metals, including cadmium and lead, despite the availability of other sunscreen products with
15 non-detectable levels of heavy metals.

16 309. Amazon charged, and the Contaminated Product Plaintiffs and the
17 Contaminated Product Class Members paid, a premium price for the Contaminated Products
18 despite the availability of other sunscreen products with non-detectable levels of heavy metals.

19 310. The misrepresentations, partial misrepresentations, omissions, active
20 concealment, and other deceptive conduct caused the Contaminated Product Plaintiffs and the
21 Contaminated Product Class Members to suffer injury in the form of actual damages when
22 they purchased the Contaminated Products that were worth less than the price paid and that
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1 they would not have purchased at all had they known the Contaminated Products contained
2 (or had a material risk of containing) heavy metals, including cadmium and lead.

3 311. The SPF Product Plaintiffs and the SPF Product Class Members purchased the
4 SPF Products that contained less SPF than the SPF Products advertised, despite the availability
5 of other sunscreen products with lower levels of SPF than the SPF Products advertised.

6 312. Amazon charged, and the SPF Product Plaintiffs and the SPF Product Class
7 Members paid, a premium price for the SPF Products despite the availability of other
8 sunscreen products with lower levels of SPF.

9 313. The misrepresentations and other deceptive conduct caused the SPF Product
10 Plaintiffs and the SPF Product Class Members to suffer injury in the form of actual damages
11 when they purchased the SPF Products that were worth less than the price paid and that they
12 would not have purchased at all had they known the SPF Products contained less SPF than
13 advertised.

14 314. Plaintiffs and the Class Members have been harmed, and that harm will
15 continue unless Amazon is enjoined from further omitting and misrepresenting the true quality,
16 ingredients, standards, and suitability for use of the Products.

17 315. As a direct and proximate result of Amazon's conduct, Plaintiffs and the Class
18 suffered actual damages by: (1) paying a premium price for the Contaminated Products they
19 reasonably believed did not contain (or have a material risk of containing) heavy metals,
20 including cadmium and lead or for SPF Products they reasonably believed contained the
21 amount of SPF that the SPF Products advertised when in fact the SPF Products contained less;
22 (2) purchasing the Products they would not have purchased without Defendant's
23 misrepresentations and partial misrepresentations, omissions, active concealment, and other
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1 deceptive conduct at the prices they paid; and/or (3) receiving the Contaminated Products that
2 were worthless because they contained (or risked containing heavy metals), including
3 cadmium and lead, or receiving the SPF Products that were worthless because they contained
4 less SPF than advertised.

5 316. Amazon is liable to Plaintiffs and the Class for damages in amounts to be
6 proven at trial, including attorneys' fees, costs, and treble damages, as well as any other
7 remedies the Court may deem appropriate under WASH. REV. CODE ANN. § 19.86.090.

8 **COUNT TWO**
9 **Fraudulent Concealment**
10 **(Based on Washington Law) Against Defendant on Behalf of the Classes**

11 317. Plaintiffs incorporate by reference all preceding allegations as though fully set
12 forth herein.

13 318. Plaintiffs bring this Count on behalf of all Class Members.

14 319. Amazon, as a seller of products to Plaintiffs and the Class, had a duty to disclose
15 to consumers that the Contaminated Products contained heavy metals and the accurate level
16 of SPF in the SPF Products.

17 320. The facts concealed or not disclosed or misrepresented by Amazon were
18 material facts in that Plaintiffs and the Class, and other reasonable consumers, would have
19 considered them in deciding whether to purchase the Products.

20 321. Had the Contaminated Product Plaintiffs and the Contaminated Product Class
21 Members known the Contaminated Products did not have the quality, ingredients, standards,
22 and suitability for use as advertised by Amazon and contained (or had a material risk of
23 containing) heavy metals, including cadmium and lead, they would not have purchased the
24 Sunscreen Products or paid a premium price.

1 322. Had the SPF Product Plaintiffs and the SPF Product Class Members known the
2 SPF Products did not have the quality, ingredients, standards, and suitability for use as
3 advertised by Amazon and contained a lesser amount of SPF than advertised, they would not
4 have purchased the SPF Products or paid a premium price.

5 323. Amazon alone possessed the information that was material to Plaintiffs and the
6 Class and failed to disclose such material information to consumers.

7 324. Because identifying the presence of heavy metals requires expensive and
8 sophisticated laboratory testing, reasonable consumers, such as the Contaminated Product
9 Plaintiffs, could not learn of the inclusion of heavy metals in the Contaminated Products unless
10 Amazon included a proper disclosure.

11 325. Because identifying the amount of SPF in a sunscreen product requires
12 expensive and sophisticated laboratory testing, reasonable consumers, such as the SPF Product
13 Plaintiffs, could not learn of the actual amount of SPF in the SPF Products unless Amazon
14 accurately represented the amount of SPF in the SPF Products.

15 326. Amazon misrepresented, partially misrepresented, omitted, suppressed, and
16 concealed material facts regarding the Contaminated Products, namely the fact that the
17 Contaminated Products contained heavy metals, including cadmium and lead.

18 327. Amazon misrepresented material facts regarding the SPF Products, namely the
19 fact that the SPF Products contained a lesser amount of SPF than advertised.

20 328. As a result of Amazon's omissions, misrepresentations and partial
21 misrepresentations, active concealment, and other deceptive conduct, with no disclosures as
22 to the presence or risk of significant levels of heavy metals in the Contaminated Products on
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1 its point-of-sale webpages, the Contaminated Product Plaintiffs did not expect the
2 Contaminated Products to contain heavy metals.

3 329. As a result of Amazon’s misrepresentations and other deceptive conduct, with
4 no accurate statement as to the amount of SPF in the SPF Products on its point-of-sale
5 webpages, the SPF Product Plaintiffs did not expect the SPF Products to contain a lesser
6 amount of SPF than advertised.

7 330. Amazon intended for Plaintiffs and the Class to rely on its misrepresentations
8 and partial misrepresentations, omissions, active concealment, and other deceptive conduct
9 regarding the Products’ quality, ingredients, standards, and suitability for use when purchasing
10 the Products, unaware of the undisclosed material facts.

11 331. Plaintiffs and the Class Members did in fact rely on the material
12 misrepresentations, partial misrepresentations, and omissions and purchased the Products to
13 their detriment. Given the materiality of the omissions and misrepresentations, Plaintiffs’ and
14 the Class’s reliance on the misrepresentations, partial misrepresentations, and omissions were
15 justifiable.

16 332. The Contaminated Product Plaintiffs and the Contaminated Product Class
17 Members purchased the Contaminated Products that contain undisclosed levels of heavy
18 metals despite the availability of other sunscreen products with non-detectable levels of heavy
19 metals.

20 333. Amazon charged, and Contaminated Product Plaintiffs and the Contaminated
21 Product Class Members paid, a premium price for the Contaminated Products despite the
22 availability of other sunscreen products with non-detectable levels of heavy metals.
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1 334. Amazon charged, and the SPF Product Plaintiffd and the SPF Product Class
2 Members paid, a premium price for the SPF Products that contained lesser SPF levels than
3 advertised.

4 335. Amazon’s omissions and/or misrepresentations alleged herein caused Plaintiffs
5 and the Class Members to make their Product purchases. Plaintiffs were unaware of these
6 material facts, and had Amazon communicated these material facts to consumers, Plaintiffs
7 and the Class Members would not have purchased the Products, or would not have purchased
8 the Sunscreen Products at the prices they paid. Accordingly, Plaintiffs and the Class Members
9 have suffered injury in fact, including lost money or property, as a result of Amazon’s
10 misrepresentations, partial misrepresentations, omissions, and other deceptive conduct.

11 336. Accordingly, Amazon is liable to Plaintiffs and the Class Members for damages
12 in an amount to be proven at trial, including but not limited to, benefit-of-the-bargain damages,
13 restitution and/or diminution of value

14 337. Amazon’s acts were done wantonly, maliciously, oppressively, deliberately,
15 with intent to defraud, and in reckless disregard of Plaintiffs’ and other Class Members’ rights,
16 in order to enrich Amazon. Amazon’s conduct warrants an assessment of punitive damages in
17 an amount sufficient to deter such conduct in the future, which amount is to be determined
18 according to proof.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Plaintiffs, individually and on behalf of all others similarly situated,
21 respectfully request that the Court:

- 22 a) Certify the Classes, and appoint Plaintiffs and their counsel to represent the
23 Classes;

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