

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case Type: Civil
(Consumer Protection)

STATE OF MINNESOTA, by its Attorney
General, Keith Ellison,

Court File No. _____

COMPLAINT

Plaintiff,

v.

L'ORÉAL USA, INC., L'ORÉAL USA
PRODUCTS, INC., L'ORÉAL S.A., L'ORÉAL
USA S/D, INC., AND SOFTSHEEN-CARSON
LLC

Defendants.

Plaintiff, the State of Minnesota, by its Attorney General, Keith Ellison (hereinafter the “Attorney General”), brings this action against Defendants L’Oréal USA, Inc., L’Oréal USA Products, Inc., L’Oréal S.A., SoftSheen-Carson LLC, and L’Oréal USA S/D, Inc. (collectively, “Defendants”). Through the conduct alleged herein, Defendants violated the Minnesota Prevention of Consumer Fraud Act (Minn. Stat. § 325F.69), the Uniform Deceptive Trade Practices Act (Minn. Stat. § 325D.44), and the False Statement in Advertising Act (Minn. Stat. § 325F.67). In support of its Complaint, the Attorney General alleges as follows:

INTRODUCTION

1. For decades, Defendants have marketed and sold toxic chemical hair relaxers to women and girls of African descent while concealing the devastating carcinogenic risks associated with those products. In doing so, Defendants shirked duties set forth in the law and exploited centuries of social pressures and discriminatory beauty standards affecting people of African descent, all while prioritizing profit over consumer safety.

2. Defendants have marketed and sold chemical hair relaxer products in Minnesota under numerous brand names, including but not limited to Dark and Lovely, Optimum, and Mizani (collectively referred to herein as “Chemical Hair Relaxer Products”).

3. Defendants have marketed these products to women and young girls of African descent as a safe and desirable means of conforming naturally textured hair to prevailing beauty standards.

4. Defendants have done so, even though the use of their Chemical Hair Relaxer Products significantly increases the risk of developing uterine and ovarian cancer.

5. Defendants have failed, and continue to fail, to disclose the material health risks associated with the use of Chemical Hair Relaxer Products and provide warnings necessary to prevent consumer deception, demonstrating a callous disregard for the health of Minnesota consumers, particularly women of African descent.

6. The Attorney General brings this action to enforce the law, halt Defendants’ unlawful conduct, require truthful and non-misleading disclosures, obtain restitution or require disgorgement, and impose statutory penalties sufficient to deter future violations of Minnesota law.

PARTIES

7. Keith Ellison, Attorney General of the State of Minnesota, is authorized under Minnesota Statutes Chapter 8, including Minn. Stat. §§ 8.01 and 8.31, the Minnesota Prevention of Consumer Fraud Act (Minn. Stat. § 325F.69), the Uniform Deceptive Trade Practices Act (Minn. Stat. § 325D.44), the False Statement in Advertising Act (Minn. Stat. § 325F.67), and common law authority, including *parens patriae* authority, to bring this action to enforce Minnesota’s laws, vindicate the State’s sovereign and quasi-sovereign interests, and remediate all harm arising out of and provide full relief for violations of Minnesota law, including restitution, disgorgement, civil

penalties, and costs and attorneys' fees. The law enforcement and *parens patriae* capacity in which the Attorney General brings this action is separate and distinct from his statutory duty to represent state agencies, officers, boards, or commissions. For avoidance of doubt, the Attorney General does not represent any other state agency, officer, board, or commission in bringing this action, and the Attorney General does not seek relief for any other state agency, officer, board, or commission.

8. Defendant L'Oréal USA, Inc. is a Delaware corporation with its principal place of business and headquarters located at 575 Fifth Avenue, New York, New York 10017.

9. Defendant L'Oréal USA Products, Inc. is a Delaware corporation with its principal place of business and headquarters located at 10 Hudson Yards 347, 10th Avenue New York, New York 10001.

10. Defendant SoftSheen-Carson, LLC is a limited liability company organized in the State of New York with its principal place of business and headquarters located at 80 State Street, Albany, New York 12207.

11. Defendant L'Oréal USA S/D, Inc., is a Delaware corporation with its principal place of business and headquarters located at 10 Hudson Yards New York, New York 10001. L'Oréal USA S/D, Inc. is the operating name by which the Defendants are registered with the Secretary of State of Minnesota to do business in Minnesota.

12. Defendant L'Oréal S.A. is a *Société Anonyme*, with its principal place of business and headquarters located at 41 Rue Martre, 92117 Clichy, Hauts-de-Seine, France.

13. Defendant L'Oréal S.A. is liable to Plaintiff under the facts alleged in this complaint by virtue of its own acts and omissions, as well for the acts and omissions of its agents, joint venturers, and alter ego subsidiaries, Defendants L'Oréal USA, Inc., L'Oréal USA Products, Inc.,

SoftSheen-Carson, LLC, and L’Oreal USA S/D, Inc. (hereinafter, collectively, “the L’Oréal USA entities”).

14. According to public filings and statements contained in documents such as L’Oréal’s 2022 Universal Registration Document, the domestic hair products manufactured, marketed, or sold by the L’Oréal USA entities are controlled or co-managed by Defendant L’Oréal S.A. The L’Oréal USA entities are wholly owned subsidiaries of L’Oréal S.A.

15. Upon information and belief, L’Oréal S.A. commingles leadership and personnel with the L’Oréal USA entities. For instance, L’Oréal USA, Inc.’s current C.E.O., David Greenberg, is currently serving on L’Oréal S.A.’s Executive Committee. Moreover, Jean-Paul Agon, the current Chair of L’Oréal S.A.’s Board of Directors, is the former C.E.O. of L’Oréal USA, Inc.

16. The L’Oréal USA entities and L’Oréal S.A. exchange documents, share marketing, and are jointly responsible for and closely interconnected to the sale of L’Oréal’s Chemical Hair Relaxer Products. This interconnection is demonstrated by, among other things, L’Oréal S.A.’s global communications operations through which it makes affirmative public statements about Chemical Hair Relaxer Products sold in the United States, blurring the distinctions among the Defendants and presenting them as a unified enterprise to consumers.

17. Consumers seeking information regarding the L’Oréal USA entities online are directed to a website owned, operated and controlled by L’Oréal S.A. That website provides a Privacy Policy that identifies “L’Oréal S.A. 14 Rue Royale, Paris, 75008, France” as the relevant consumer contact entity.

18. Likewise, Defendant SoftSheen-Carson, LLC’s website represents that it operates under the common ownership of L’Oréal S.A., stating: “We receive or have access to personal

information from other companies and brands under common ownership with Us, as well as our ultimate parent company L'Oréal S.A.”

19. L'Oréal S.A. owns the formulations for the Chemical Hair Relaxer Products sold in the United States. L'Oréal S.A. has worked with the L'Oréal USA entities to apply for approvals from the U.S. Food and Drug Administration.

20. L'Oréal S.A. secured the patent for Chemical Hair Relaxer Products that have been developed, sold, and distributed by the L'Oréal USA entities.

21. L'Oréal S.A. is the L'Oréal entity responsible for managing the financial tracking of the Chemical Hair Relaxer Products sold in the United States. Furthermore, L'Oréal S.A. separately advertises L'Oréal USA entities' Chemical Hair Relaxer Products, such as Dark & Lovely, on the L'Oréal S.A. website.

22. Upon information and belief, the L'Oréal USA entities' ability to sell the referenced Chemical Hair Relaxer Products herein is through the express authorization of L'Oréal S.A.

23. Accordingly, L'Oréal S.A. has controlled and dominated the other L'Oréal USA entities to such an extent that the separate personalities of these entities no longer exist, and the other L'Oréal USA entities lack an existence independent from L'Oréal S.A. Instead, they have together operated and functioned as one entity. The L'Oréal USA entities have acted as instrumentalities of L'Oréal S.A. As such, the corporate form has been used to improperly defeat justice and/or evade tort responsibility. L'Oréal S.A. is therefore liable for the acts of the L'Oréal USA entities.

24. Relatedly, by virtue of L'Oréal S.A.'s control and domination of the L'Oréal USA entities, as well as by virtue of L'Oréal S.A.'s involvement with the L'Oréal USA entities in the design, development, manufacture, testing, labeling, packaging, distribution, marketing, and/or

sale of Chemical Hair Relaxer Products, the L'Oréal USA entities have acted as the agents and joint venturers of L'Oréal S.A. in the design, development, manufacture, testing, labeling, packaging, distribution, marketing, and/or sale of Chemical Hair Relaxer Products.

25. Defendants transact business in Minnesota by marketing and selling Chemical Hair Relaxer Products under multiple brand names, including but not limited to Dark & Lovely, Optimum, Mizani, Bantu, Care Free Curl, Look of Radiance, and Ultra Precise.

26. At all relevant times, the L'Oréal USA entities acted at the direction of L'Oréal S.A. and in concert with L'Oréal S.A. in deceptively and unfairly advertising, marketing, and selling Chemical Hair Relaxer Products.

27. Through their conspiracy to deceptively and unfairly advertise, market, and sell Chemical Hair Relaxer Products, the L'Oréal USA entities and L'Oréal S.A. have targeted and harmed consumers within the State of Minnesota.

JURISDICTION AND VENUE

28. The Attorney General is empowered to investigate and prosecute violations of the Minnesota Prevention of Consumer Fraud Act (Minn. Stat. § 325F.69, *et seq.*), the Uniform Deceptive Trade Practices Act (Minn. Stat. § 325D.44, *et seq.*), and the False Statement in Advertising Act (Minn. Stat. § 325F.67).

29. This Court has subject matter jurisdiction because the claims at issue arise under the statutes of the State of Minnesota, including Minn. Stat. §§ 8.01, 8.31, 8.32, 325F.69, 325D.44, 325F.67.

30. This Court has personal jurisdiction over Defendants pursuant to Minn. Stat. § 543.19 because they conducted and continue to conduct substantial and systemic business activities in Minnesota and committed harmful acts in Minnesota, causing injury to the public in violation of Minnesota law.

31. This Court’s exercise of personal jurisdiction over Defendants is consistent with due process as Defendants purposefully and willfully directed their Chemical Hair Relaxer Products into the stream of commerce in the State of Minnesota and otherwise availed themselves of the benefits and protections of the laws of Minnesota.

32. Venue is proper in Hennepin County pursuant to Minn. Stat. § 542.09 because some or all of the acts, practices, and conduct of Defendants which give rise to this action occurred in Hennepin County.

FACTUAL ALLEGATIONS

I. THE ORIGIN OF CHEMICAL HAIR RELAXERS

33. In its natural state, afro-textured hair is characterized by coily, springing, zigzag, and s-curve curl patterns, as well as its density, fullness, texture, and feel.

34. Dating back to the long period in which Africans, and those of African descent, were enslaved in the United States, afro-textured hair has been perniciously associated with subordination and degradation.

35. For example, in 1786, the Governor of Louisiana colony, Don Esteban Miro, passed the “Tignon Law” requiring women of African descent to wear a tignon (scarf) over their hair as a way of signifying they were members of the slave class, *even if they were free*.¹ This law signaled to Black and Brown people that their hair held a symbol of inequality and had to be altered or concealed. In many other cultural contexts, afro-textured, or “nappy” hair has been framed as inferior, unkempt, and unprofessional, leading to negative consequences for individuals who choose

¹ Whitney Nell Stewart, *Fashioning Frenchness: Gens de Couleur Libres and the Cultural Struggle for Power in Antebellum New Orleans*, 51 J. Soc. Hist. 526 (2018), <https://academic.oup.com/jsh/article/51/3/526/2890350?guestAccessKey=1d697c7a-f4ed-4fe1-89da-13e765a1095c&utm>

to wear their hair in its natural state. In recognition of these harmful associations, Congress, in 2019, passed the CROWN Act to counteract these practices and to “prohibit discrimination based on an individual’s texture or style of hair” in the workplace.

36. As such, due to racism, Black women have straightened, or otherwise hidden, their natural hair. Afro-textured hair can be straightened with the use of hair tools and non-chemical hair products. Prior to the invention of chemical hair relaxers, individuals would “press” afro-textured hair with metal hair tools such as the “hot comb.” Pressing combs or hot combs are metal hair tools that are first heated in a stove or ceramic heater, then pressed into hair strands to temporarily straighten them.

37. Black inventor Garrett Augustus Morgan discovered and created a system that would chemically straighten afro-textured hair, eliminating the issue of “shrinkage,” where the curl pattern results in hair appearing to be shorter than it actually is.

38. In addition to being an inventor, Morgan was a tailor. In the early 1900s, Morgan was repairing his sewing machines and creating a way to polish the needles to stitch fabrics more smoothly. He applied a chemical solution to the needles and wiped the solution off with a rag and later noticed that the “curly” fibers in the rag were straightened after exposure to the chemical. Morgan turned his formula into a gel-hair product, creating the G.A. Morgan Hair Refining Cream that was marketed in 1913.

"IMPROVE YOUR APPEARANCE"

WAR DECLARED ON BAD HAIR!

WE GUARANTEE THAT YOU CAN TREAT YOUR OWN HAIR
saving time, money and worry and getting better results by using
THE G. A. MORGAN METHOD.

The Only Complete Line in the World, for Men, Women and Children

WOMEN
Our treatment will grow your hair and improve its texture, making it soft, wavy and beautiful. No matter how bad it looks now, it will bring you a complete outfit, complete growth, including G. A. Morgan's Hair Grower, 50c; Hair Refiner Cream, 50c; Italian Hair Oil, 50c; Hair Pressing Night Cap, 50c; Heavy Steel Hair Pressing Comb, \$1.00.

MEN
You can positively say given your hair is shorn, you can grow it with our famous Hair Refiner Cream.

AGENTS WANTED TO CANVASS G. A. MORGAN'S HAIR PRODUCTS

HAIR REFINER CREAM	\$1.00
HAIR REFINER SOAP	.25
ITALIAN HAIR OIL	.35
HAIR GROWER	.50
HAIR PRESSING GLOSS	.50
DANDRUFF AND TETTER TREATMENT	1.00
HAIR PRESSING NIGHT CAP	1.00
BLEECHENE	.50
BLACK HAIR STAIN	.50
HAIR-LAY FINE POMADE	.25

World War has been declared on short, mess, unburnt and bad appearing hair... A successful campaign is being conducted by General G. A. Morgan from the Main Training Camp at Cleveland, Ohio. Other camps are to be found in Drug Stores, Barber Shops and Up-to-Date Beauty Parlors throughout the world. Why not join our ranks and obtain our special treatment guaranteed to give you the long wanted and desired satisfaction? We train you free of charge in the art of treating your own and others' hair. You can make large sums of money with a small investment. Write to us at once and let us advise you how to go ahead with this proposition.

FOR PARTICULARS WRITE
THE G. A. MORGAN HAIR REFINING COMPANY
5204 HARLEM AVENUE, CLEVELAND, OHIO

Ask Your Druggist for It. Prompt Attention Given To Mail Orders.

G. A. MORGAN'S HAIR REFINER CREAM

"SELF TREATMENT GIVES BEST RESULTS"

"THE BEST THERE IS—CHEAPER THAN THE CHEAPEST"

Tell Your Hair Dresser To Get G. A. MORGAN'S RIGHT OR LEFT-HANDED

HAIR COMB

HEAVY RETAINING HIGH GRADE STEEL FOR STRAIGHTENING AND SOFTLY CURVED NICELY POLISHED AND WOOD HANDLED

AND GET ONE FOR YOUR OWN USE, PRICE **\$3.50**

CLIP THIS COUPON IT IS WORTH 25 CENTS

On one complete outfit of our goods for either men or women

Name _____

Address _____

City _____

39. Chemical hair relaxing is highly prevalent among Black and Brown women. In some studies, up to 90% of Black women have used hair relaxers and straighteners, which is more commonplace for these women than women of any other race.

40. By 2020, the global Black hair care market was estimated at \$2.5 billion, with the chemical hair relaxer market alone estimated at \$718 million in 2021, and an expectation of growth to \$854 million annually by 2028.

41. Despite Black hair care's complicated origins, many Black women prefer to straighten or otherwise alter their hair, with relaxers or other methods, not out of subjugation but out of creativity, ownership, and celebration for their hair texture and the options it provides. But while women have a right to choose the products they want to straighten their hair—they also have a right to safe products that do not subject them to higher risks of cancer and other hazards, as described below.

II. THE NATURE OF CHEMICAL HAIR RELAXER PRODUCTS

42. Chemical hair relaxer products are a class of products. These highly alkaline, hydroxide-based chemical hair relaxers break and reform the disulfide bonds in keratin—the structural protein that gives hair its shape.

43. Chemical hair relaxer products are applied to the base of the hair shaft and left in place for a cooking interval, during which time the chemical hair relaxer alters the hair’s texture as the highly alkaline product purposefully breaks and reforms the disulfide bonds that form the hair’s keratin structure.

44. The effect of this protein restructuring is to straighten and smooth the spiral-shaped keratin molecules, allowing the hair shaft to loosen and straighten. After a period of weeks or months, depending on the hair’s natural growth rate, the treated portion of the hair grows away from the scalp as new growth sprouts from the roots. Maintaining the relaxed hairstyle requires ongoing application of chemical hair relaxer products to the new growth—a process referred to as “re-touches”—resulting in users relaxing their new growth every four to eight weeks on average.

45. The highly alkaline chemistry that enables chemical hair relaxer products to break and reform disulfide bonds is corrosive to the skin. Repeated application to the scalp causes chemical burns, scalp irritation, lesions, hair loss, and alopecia, and compromises the skin’s protective barrier.

46. The dermis of the scalp and forehead, as compared to the forearms, palms, and abdomen, is more permeable to percutaneous absorption. Once absorbed, the chemical constituents of chemical hair relaxer products enter the bloodstream through blood vessels located directly below the dermis and circulate systemically.

47. Children and adolescents are particularly vulnerable to the risks of chemical hair

relaxer products due to thinner skin, higher surface-area-to-body-weight ratios, and developing biological systems. Many users of chemical hair relaxer products begin use in childhood or adolescence and continue use over many years.

48. Chemical hair relaxer products have been found to contain categories of chemicals that are toxic, or that lead to the formation and release of toxic compounds when applied to the scalp under labeled, customary and/or foreseeable use. These include Endocrine Disrupting Chemicals (“EDCs”) such as phthalates, parabens, cyclosiloxanes, diethanolamine, and benzophenones, and chemicals classified by federal and international agencies as known or probable human carcinogens, such as ethylene oxide, 1,4-dioxane, formaldehyde, and heavy metals.

49. EDCs interfere with the body’s hormonal systems by mimicking, blocking, or altering natural hormone signaling. Exposure to EDCs has been associated with reproductive harms, abnormal cell proliferation, and increased risk of hormone-related disease.

50. EDCs and carcinogens (like formaldehyde, 1,4-dioxane, heavy metals, and ethylene oxide) act in an additive manner in chemical hair relaxer products, to increase the risk of cancer.

51. California’s Proposition 65, enacted in 1986, is a “right-to-know” law requiring businesses to warn Californians about significant exposures to chemicals that cause cancer, birth defects, or reproductive harm.

52. Several categories of chemicals found in chemical hair relaxer products have long been listed under California's Proposition 65.

53. For example, 1,4-dioxane was added to California's Proposition 65 list as a carcinogen on January 1, 1988. Formaldehyde was added to the California Proposition 65 list as

a carcinogen on January 1, 1988. Ethylene oxide was officially added to California's Proposition 65 list as a carcinogen on July 1, 1987, and listed for reproductive toxicity (specifically female reproductive toxicity) on February 27, 1987.

54. Additionally, the International Agency for Research on Cancer (“IARC”) classified 1,4-dioxane as “possibly carcinogenic to humans” in 1999. IARC officially classified formaldehyde as “probably carcinogenic” in 1987 and 1995 before upgrading the classification to a Group 1 “carcinogenic to humans” in 2004. IARC classified ethylene oxide as Group 1, “carcinogenic to humans,” in 1994.

III. CHEMICAL HAIR RELAXER PRODUCT USE IS ASSOCIATED WITH A SIGNIFICANT INCREASED RISK OF CANCER

55. Significant and robust epidemiological studies establish the increase of uterine and ovarian cancer amongst women who use chemical hair relaxers three or more times per year.

56. Beginning in 1995, Boston University conducted the Black Women’s Health Study (“BWHS”), which enrolled more than 59,000 self-reported Black and African American Women ages 21–69. The BWHS was established to assess risk factors for cancers and other major illnesses in Black women, a population that historically had been substantially underrepresented in epidemiologic studies of women’s health. Participants completed the initial questionnaire in 1995 and continue to provide health updates every two to three years.

57. From 2003–2009, the NIEHS, the National Institutes of Health (“NIH”), and the U.S. Department of Health and Human Services conducted the “Sister Study,” which enrolled 50,884 U.S. women aged 35–74 who had a sister with breast cancer. Researchers developed the Sister Study “to investigate the environmental and genetic risk factors for breast cancer.” Participants provided annual health updates and a detailed follow-up every two to three years to document changes.

58. The Sister Study's and BWHS' high retention rate of 85% and 80%, respectively, has led numerous publications to rely on their data, including several studies on chemical hair relaxer products.

59. In 2021, Alexandra White, the head of the NIEHS Environment and Cancer Epidemiology group, led a study to evaluate the potential link between hair products and ovarian cancer ("White Study"). The study used data from the Sister Study, as participants' follow-up reports included information on their demographics, reproductive history, and personal care product use. After excluding Sister Study participants with a history of ovarian cancer or bilateral oophorectomy, the White Study reviewed data of 40,559 Sister Study participants.

60. The White Study found frequent use of chemical hair relaxers was associated with two times increase in risk of ovarian cancer. Researchers also highlighted some of the harmful categories of chemicals found in chemical hair relaxers, including formaldehyde, parabens, phthalates, metals, and their known endocrine disrupting properties.

61. In October 2022, Che-Jung Chang and a robust group of researchers released a study ("Chang Study") commissioned by the NIH, which included 33,497 U.S. women who participated in the Sister Study. In reviewing the Sister Study participants' hair product usage and updates on uterine cancer diagnosis, the Chang Study found among the women who frequently used chemical hair straighteners or relaxers there was a ***doubling of the risk of developing uterine cancer.***

62. The Chang Study also supports prior research establishing an increased risk of hormone-related cancer in women who have used chemical hair relaxer products. The authors noted Black women's higher use of chemical hair relaxer products, even starting at a younger age,

and the products' large number of EDCs. Importantly, the authors note that heating during the straightening process can enhance absorption of these EDCs into the skin.

63. In 2023, Kimberly A. Bertrand and other researchers at the Boston University's Black Women's Health Study found that long-term use of chemical hair relaxers was associated with an increased risk of uterine cancer among postmenopausal women ("Bertrand Study"). Women who used chemical hair relaxers had a 60% higher risk of uterine cancer than those who never used hair relaxers. Women who heavily used hair relaxers had a 64% higher risk of uterine cancer, and those with twenty or more years of usage had a 71% higher risk.

64. The researchers recognized the EDCs frequently found in chemical hair relaxers, such as phthalates, parabens, formaldehyde, and metals. Researchers, consistent with scientists around the world, noted how these categories of chemicals interfere with hormone function and promote cancer development.

65. In 2025, Jared P. Bailey and researchers from the Sister Study found that the use of chemical hair relaxers was associated with non-reproductive but hormonal cancers, such as thyroid and pancreatic cancer.

66. The study utilized data from the Sister Study focusing on the participants' reported frequency of chemical hair relaxer product use and self-reported development of various cancers, including melanoma, thyroid, lung, non-Hodgkin lymphoma, leukemia, pancreatic, colorectal, and kidney.

67. The researchers found there was an increased risk of thyroid, non-Hodgkin lymphoma, and pancreatic cancer among the women who used chemical hair relaxers. Specifically, there was a 71% increased risk of thyroid cancer, and 166% increased risk of pancreatic cancer for women who had used chemical straighteners in the year before enrolling in

the study versus those who had not used them. With these findings, the authors noted how these cancers are hormone-sensitive and thus influenced by hormone-related mechanisms.

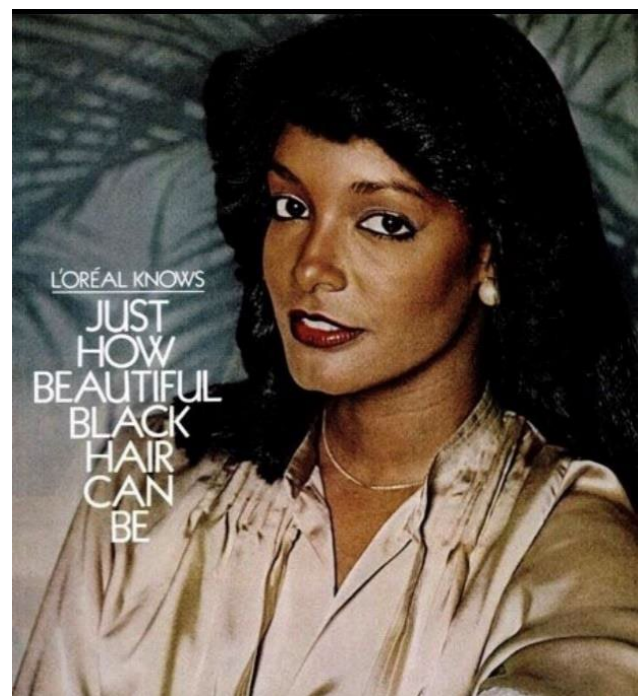
68. Defendants had actual knowledge of the Sister Study, the White Study, the Chang Study, and the Bertrand Study at the time of publication of each respective study.

69. Despite Defendants' knowledge, Defendants did not disclose this information to Minnesota consumers and continue to advertise, market, and sell their Chemical Hair Relaxer Products to consumers in the State of Minnesota.

IV. DEFENDANTS' MISLEADING MARKETING AND OMISSIONS

70. Starting as early as the 1970s, Defendants have advertised and sold Chemical Hair Relaxer Products to Black and Brown women within Minnesota, relying on historical Eurocentric beauty standards described above.

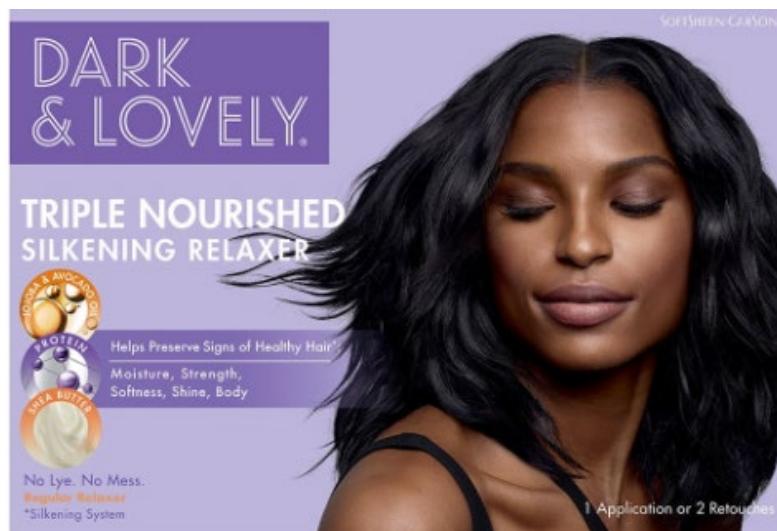
71. Defendants engaged in a marketing scheme premised heavily upon branding and slogans reinforcing straight hair as the quintessential standard of beauty and professionalism, as exemplified in the following advertisements:

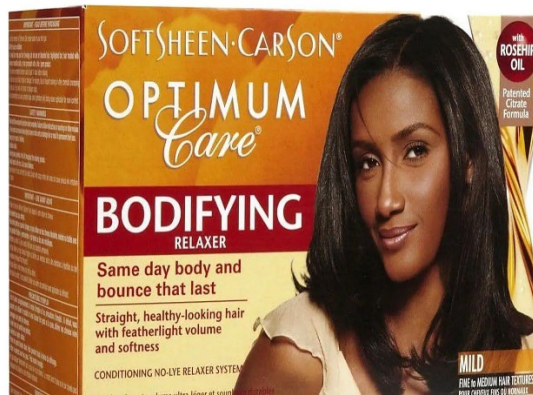


72. Throughout the course of their marketing efforts in Minnesota, including in advertisements and product packaging, Defendants have further created the false and misleading impression that their Chemical Hair Relaxer Products are safe and beneficial to the user.

73. Specifically, Defendants have represented that their products are healthy, natural, nourishing, moisturizing, strengthening, and gentle.

74. For example, as exemplified below, Defendants have claimed that their Chemical Hair Relaxer Products give Black and Brown women's hair a "healthy-gloss" and that the products preserve "healthy hair."





75. Defendants also represent that their Chemical Hair Relaxer Products can “defy breakage” and result in “stronger smoother hair,” as seen below:



76. Defendants also advertise their Chemical Hair Relaxer Products to be conditioning, or rejuvenating without mention of potential health consequences, as depicted below:

RELAX IN COMFORT.
INDULGE IN ULTIMATE CONDITION.

MIZANI BUTTER BLEND
OUR MOST
CONDITIONING
RELAXER TECHNOLOGY.

With Mizani Butter Blend Relaxer System, you can relax in ultimate comfort. The unique combination of Mizani Butter Blend Relaxer and Mizani Butter Blend Conditioner creates a conditioning environment for your hair. The Mizani Butter Blend Relaxer System is designed to soften and relax your hair, while the Mizani Butter Blend Conditioner provides ultimate moisture and shine. The Mizani Butter Blend Relaxer System is the ultimate in hair care.

THE PROFESSIONAL AUTHORITY
IN HAIR CARE

MIZANI
BEAUTY AND INNOVATION IN BALANCE

SOFTSHEEN CARSON®
OPTIMUM
SALON HAIRCARE

AMLA LEGEND™
REJUVENATING RITUAL™

WITH AMLA OIL
FROM INDIA

NO-MIX, NO-LYE
RELAXER

REGULAR — SUPER
MEDIUM TO COARSE HAIR — ONE APPLICATION

IMPORTANT — READ & FOLLOW THE SAFETY WARNINGS

“Refills to reveal visibly fuller, silkier hair”

Optimum Salon Haircare unveils its 1st Rejuvenating Ritual for your hair, infused with a legendary Indian beauty secret: AMLA Oil. Amla is derived from the Amla Superfruit, and is known as a powerful anti-oxidant, rich in vitamins and minerals, and renowned for its natural rejuvenating properties of intense nourishment and conditioning. Experience the LEGENDARY POWER of AMLA OIL!

AMLA LEGEND™
A 5 STEP RITUAL

1 Scalp Protector
Protects Scalp & Skin

2 No-Mix, No-Lye Relaxer Base
Ensures a No-Mistake Application

3 Neutralizing Shampoo
Infuses Hydration & Conditioning

4 Conditioner
Intense Conditioning & Detangling

5 Oil Moisturizer
Anti-Dryness, Anti-Breakage, Anti-Dullness

NO-MIX CREAM RELAXER
Fast relaxing processing time.
Works in 13-15 minutes.

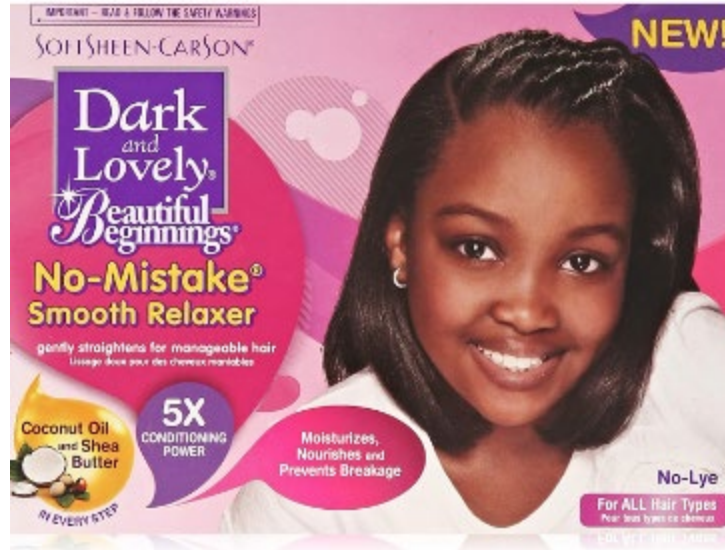
SOFTSHEEN CARSON
LABORATORIES

SoftSheen-Carson LLC, New York, NY 10017 www.softsheen-carson.com Made in Canada 1793002 813685X



77. Further, Defendants have specifically marketed their Chemical Hair Relaxer Products to children, including through their Dark and Lovely Beautiful Beginnings line. Defendants used specific marketing language with these Chemical Hair Relaxer Products in order to reassure parents that these products were safe, such as emphasizing natural ingredients and healthy benefits.

78. For example, as shown below, some products marketed by Defendants for use by children claimed to straighten “gently” and another claimed a child could “achieve soft & straight hair without hurting [their] scalp.” Another advertisement claimed the product had the “best protection” and would keep “your little girl’s hair strong and healthy.”



79. Defendants publicly claim that they adhere to the “highest standards of safety” and they “guarantee the product safety of each and every one of their products,” and that they “source the world’s finest ingredients through a trusted network of global suppliers, each tested before use to confirm their safety and quality.”

80. Defendants’ advertisements, product packaging, marketing materials, and corporate communications, considered as a whole, falsely and deceptively create the net impression that Chemical Hair Relaxer Products are safe and beneficial for use by Minnesota consumers, including children.

81. Defendants knew of the toxicity of their Chemical Hair Relaxer Products and of the significant health risks associated with their use, including that the scalp is particularly vulnerable to chemical absorption both because of the nature of the scalp and because of the nature of chemical hair relaxer products. The hazardous nature of the category of chemicals identified in chemical hair relaxer products, as described in Sections II and III, has been documented for decades in published scientific, toxicological and other literature, IARC monographs, California Proposition 65 listings, standard cosmetic safety references, and safety data sheets routinely available to manufacturers, distributors, and sellers of cosmetic products.

82. As the manufacturers, distributors, and sellers of their Chemical Hair Relaxer Products, Defendants had specialized access to and knowledge of the composition of their products, the chemical and toxicological profile of those categories of chemicals, and the long-term health risks associated with repeated and prolonged use of products containing those categories of chemicals, knowledge that was not equally available to Minnesota consumers.

83. The peer-reviewed epidemiological studies described in Section III, of which Defendants are aware, further confirmed the risks and harms of Defendants’ Chemical Hair

Relaxer Products.

84. At all relevant times, Defendants deceptively and unfairly concealed and omitted from Minnesota consumers, including in their advertising and on their product packaging, that their Chemical Hair Relaxer Products can increase the risk of uterine and ovarian cancer.

85. Even after the publication of the White Study (2021), the Chang Study (2022), the Bertrand Study (2023), and the additional studies described in Section III, Defendants continued to market their Chemical Hair Relaxer Products to Minnesota consumers as healthy, nourishing, gentle, and safe, and continued not to disclose the hazards described herein.

CLAIMS ALLEGED

COUNT I

PREVENTION OF CONSUMER FRAUD ACT

Minn. Stat. §§ 325F.68-.70

86. The Attorney General incorporates by reference paragraphs 1 through 85, as if fully set forth herein and further alleges as follows.

87. The Minnesota Prevention of Consumer Fraud Act (“MCFA”), Minn. Stat. § 325F.69, subd. 1, provides:

The “[t]he act, use, or employment by any person of any fraud, unfair or unconscionable practice, false pretense, false promise, misrepresentation, misleading statement or deceptive practice, with the intent that others rely thereon in connection with the sale of any merchandise, whether or not any person has in fact been misled, deceived, or damaged thereby, is enjoined as provided in section 325F.70.

88. Defendants are “persons” under the MCFA, which is defined to include domestic and foreign corporations, companies, business entities, and any “agent, employee, salesperson, partner, officer, director, member, stockholder, associate, trustee, or cestui que trust thereof.” Minn. Stat. § 325F.68, subd. 3.

89. Defendants' Chemical Hair Relaxer Products are "merchandise" under the MCFA, which is defined to include "objects, wares, [and] goods." Minn. Stat. § 325F.68, subd. 2.

90. Defendants, through their communications to consumers within the State of Minnesota, have repeatedly violated and continue to violate the MCFA by engaging in the fraudulent and deceptive practices described herein. This conduct includes:

- a. omitting from their advertising and packaging that the safety of their Chemical Hair Relaxer Products has not been substantiated;
- b. misrepresenting their Chemical Hair Relaxer Products as safe, gentle, natural, and/or beneficial to consumers; and
- c. omitting from their advertising and packaging the carcinogenic risks of their Chemical Hair Relaxer Products.

91. Defendants, through their actions within the State of Minnesota, also committed repeated and continuous violations of the MCFA by engaging in the unfair and unconscionable practices described herein.

92. "Unfair or unconscionable acts or practices" for purposes of the MCFA are defined to include "any method of competition, act, or practice that: (1) offends public policy as established by the statutes, rules, or common law of Minnesota; (2) is unethical, oppressive, or unscrupulous; or (3) is substantially injurious to consumers." Minn. Stat. § 325F.69, subd. 8.

93. Defendants employed unfair and unconscionable sales and marketing practices, including but not limited to the following:

- a. omitting material facts relating to the risks of Chemical Hair Relaxer Products;
- b. misrepresenting that Chemical Hair Relaxer Products are safe, gentle, and natural;

- c. selling Chemical Hair Relaxer Products without substantiating the safety of these products; and
- d. selling products that have high estrogenic properties to girls and women in Minnesota without warning.

94. These unfair practices (1) offend public policy as established by the statutes, rules, or common law of Minnesota; (2) are unethical, oppressive, or unscrupulous; and (3) are substantially injurious to consumers.

95. The above deceptive and unfair practices were and are undertaken by Defendants with the intent that consumers rely thereon in connection with the sale of Defendants' Chemical Hair Relaxer Products.

96. Each of the practices alleged herein provides individual and independent bases for injunctive and other relief.

97. As described above, the health risks associated with Defendants' Chemical Hair Relaxer Products are an obvious material term for consumers in determining whether to purchase and consume Defendants' Chemical Hair Relaxer Products.

98. Additionally, at all relevant times, Defendants had a legal duty to disclose, but omitted material facts. Specifically, Defendants have specialized and/or exclusive knowledge about the nature of Chemical Hair Relaxer Products to which Minnesota consumers do not have access.

99. Moreover, at all relevant times, Defendants also had a legal duty to disclose because they advertised and marketed their Chemical Hair Relaxer Products to Minnesota consumers using adjectives such as gentle, healthy, conditioning, natural, and nourishing. By claiming their products have these alleged positive attributes, Defendants also had the duty to disclose the

material facts relating to the carcinogenic risk of their products to prevent the words they used from misleading Minnesota consumers. Defendants had and have a duty to disclose such material information related to the safety and health risks of Chemical Hair Relaxer Products because, among other circumstances detailed herein, disclosure is required to correct the misleading representations and impressions from Defendants that their Chemical Hair Relaxer Products are safe and do not pose any health risks to consumers in the State of Minnesota.

100. Defendants' conduct has caused harm to Minnesota consumers such that consumer restitution and/or disgorgement is an appropriate remedy. Defendants have derived substantial revenues and profits from Minnesota consumers who would not have purchased and consumed Defendants' Chemical Hair Relaxer Products had they been informed of the health and safety risks associated with Defendants' Chemical Hair Relaxer Products.

101. Based upon the alleged conduct herein, each Defendant committed numerous, separate and independent violations of the MCFA through each and every unfair, deceptive, false, or misleading representation or omission of material information, to any person, including to the public and Minnesota consumers.

102. Each and every time Defendants sold or offered Chemical Hair Relaxer Products for sale, Defendants committed a separate and independent violation of the MCFA.

COUNT II

UNIFORM DECEPTIVE TRADE PRACTICES ACT Minn. Stat. §§ 325D.43-.48

103. The Attorney General incorporates by reference paragraphs 1 through 85, as if fully set forth herein and further alleges as follows.

104. The Uniform Deceptive Trade Practices Act (“UDTPA”), Minn. Stat. §§ 325D.43-.48, provides that a “person ... engages in a deceptive trade practice” in violation of the UDTPA when “in the course of business, vocation, or occupation,” they do any of the following:

“(5) represent[] that goods or services have ... characteristics, ingredients, uses, [or] benefits ... that they do not have,”

“(7) represent[] that goods or services are of a particular standard, quality, or grade ... if they are of another,”

“(9) advertise[] goods or services with intent not to sell them as advertised,”

“(13) engage[] in (i) unfair methods of competition, or (ii) unfair or unconscionable acts or practices,” or

“(14) engage[] in any other conduct which similarly creates a likelihood of confusion or of misunderstanding.”

Minn. Stat. §§ 325D.44, subds. 1(5), (7), (10), (13), (14).

105. Defendants are “persons” within the meaning of § 325D.44, which includes corporate entities. See Minn. Stat. § 645.44, subd. 7 (defining “person” generally).

106. Defendants are subject to the UDTPA because they engage in a “course of business” by, among other things, advertising and selling their Chemical Hair Relaxer Products in Minnesota pursuant to § 325D.44, subd. 1.

107. Defendants, through their representations, advertisements, and other communications directed at consumers within the State of Minnesota, have repeatedly and continuously violated the UDTPA, and they continue to do so, through the following deceptive practices:

a. omitting from their advertising and packaging the carcinogenic risks of their

Chemical Hair Relaxer Products;

- b. omitting from their advertising and packaging that the safety of their Chemical Hair Relaxer Products has not been substantiated; and
- c. misrepresenting their Chemical Hair Relaxer Products as safe, gentle, natural, and/or beneficial to consumers.

108. In addition the UDTPA adopts the MCFA's definition of unfair or unconscionable acts or practices, which include "any method of competition, act, or practice that: (1) offends public policy as established by the statutes, rules, or common law of Minnesota; (2) is unethical, oppressive, or unscrupulous; or (3) is substantially injurious to consumers." Minn. Stat. § 325D.44, subd. 2(b); Minn. Stat. § 325F.69, subd. 8.

109. Specifically, Defendants engaged in the following unfair and unconscionable practices:

- a. omitting material facts relating to the risks of Chemical Hair Relaxer Products;
- b. mispresenting that Chemical Hair Relaxer Products are safe, gentle, and natural;
- c. selling Chemical Hair Relaxer Products without substantiating the safety of these products; and
- d. selling products that have high estrogenic properties to girls and women in Minnesota without warning.

110. These unfair practices (1) offend public policy as established by the statutes, rules, or common law of Minnesota; (2) are unethical, oppressive, or unscrupulous; and (3) are substantially injurious to consumers.

111. Each of the practices alleged herein provides individual and independent bases for injunctive and other relief.

112. As described above, the health risks associated with Defendants' Chemical Hair Relaxer Products are an obvious material term for consumers in determining whether to purchase and consume Defendants' Chemical Hair Relaxer Products.

113. Defendants misrepresented and hid the true attributes and health risks associated with their Chemical Hair Relaxer Products as described herein with the intent of inducing more consumers to purchase and consume Defendants' Chemical Hair Relaxer Products.

114. Additionally, at all relevant times, Defendants had a legal duty to disclose, but omitted material facts. Specifically, Defendants have specialized and/or exclusive knowledge about the nature of Chemical Hair Relaxer Products to which Minnesota consumers do not have access.

115. Moreover, at all relevant times, Defendants also had a legal duty to disclose because they advertised and marketed their Chemical Hair Relaxer Products to Minnesota consumers using adjectives such as gentle, healthy, conditioning, natural, and nourishing. By claiming their products have these alleged positive attributes, Defendants also had the duty to disclose the material facts relating to the carcinogenic risk of their products to prevent the words they used from misleading Minnesota consumers. Defendants had and have a duty to disclose such material information related to the safety and health risks of Chemical Hair Relaxer Products because, among other circumstances detailed herein, disclosure is required to correct the misleading representations and impressions from Defendants that their Chemical Hair Relaxer Products are safe and do not pose any health risks to consumers in the State of Minnesota.

116. Defendants' conduct has caused and continues to harm Minnesota consumers such that consumer restitution and/or disgorgement is an appropriate remedy. Defendants have derived substantial revenues and profits from Minnesota consumers who would not have purchased and

consumed Defendants' Chemical Hair Relaxer Products had they been informed of the health and safety risks associated with Defendants' Chemical Hair Relaxer Products.

117. Based upon the alleged conduct herein, each Defendant committed numerous, separate and independent violations of the UDTPA through each and every unfair, deceptive, false, or misleading representation, or omission of material information, to any person, including to the public.

118. Each and every time Defendants sold or offered Chemical Hair Relaxer Products for sale, Defendants committed a separate and independent violation of the UDTPA.

COUNT III
FALSE STATEMENT IN ADVERTISING ACT
Minn. Stat. § 325F.67

119. The Attorney General incorporates by reference paragraphs 1 through 85, as if fully set forth herein and further alleges as follows.

120. The Minnesota False Statement in Advertising Act ("FSAA"), Minn. Stat. § 325F.67, provides that "any person [or] corporation" who has "intent to sell ... merchandise ... or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public, for sale or distribution, or with intent to increase the consumption thereof ... makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, label, price tag, circular, pamphlet, program, or letter, or over any radio or television station, or in any other way, an advertisement of any sort regarding merchandise ... so offered to the public, for use, consumption, purchase, or sale, which advertisement contains any material assertion,

representation, or statement of fact which is untrue, deceptive, or misleading” is liable. Further, “any such act is declared to be a public nuisance and may be enjoined as such.”

121. Defendants’ Chemical Hair Relaxer Products are “merchandise” or “anything offered ... directly or indirectly, to the public” within the meaning of the FSAA.

122. Defendants are “persons” or “corporations” within the meaning of the FSAA.

123. Defendants, through their packaging, advertisements and other communications to consumers within the State of Minnesota, repeatedly and continuously violated, and continue to violate, the FSAA by engaging in the deceptive and misleading practices described herein, including the following:

- a. omitting from their advertising and packaging the carcinogenic risks of their Chemical Hair Relaxer Products;
- b. omitting from their advertising and packaging that the safety of their Chemical Hair Relaxer Products has not been substantiated; and
- c. misrepresenting their Chemical Hair Relaxer Products as safe, gentle, natural, and/or beneficial to consumers.

124. Each of the practices alleged herein provides individual and independent bases for injunctive and other relief and together create a false net impression regarding the safety and health risks of Chemical Hair Relaxer Products.

125. As described above, the health risks associated with Defendants’ Chemical Hair Relaxer Products are an obvious material term for consumers in determining whether to purchase and consume Defendants’ Chemical Hair Relaxer Products.

126. Defendants misrepresented and hid the true attributes and health risks associated with their Chemical Hair Relaxer Products as described herein with the intent of inducing more consumers to purchase and consume Defendants' Chemical Hair Relaxer Products.

127. Additionally, at all relevant times, Defendants had a legal duty to disclose, but omitted material facts. Specifically, Defendants have specialized and/or exclusive knowledge about the nature of Chemical Hair Relaxer Products to which Minnesota consumers do not have access.

128. Moreover, at all relevant times, Defendants also had a legal duty to disclose because they advertised and marketed their Chemical Hair Relaxer Products to Minnesota consumers using adjectives such as gentle, healthy, conditioning, natural, and nourishing. By claiming their products have these alleged positive attributes, Defendants also had the duty to disclose the material facts relating to the carcinogenic risk of their products to prevent the words they used from misleading Minnesota consumers. Defendants had and have a duty to disclose such material information related to the safety and health risks of Chemical Hair Relaxer Products because, among other circumstances detailed herein, disclosure is required to correct the misleading representations and impressions from Defendants that their Chemical Hair Relaxer Products are safe and do not pose any health risks to consumers in the State of Minnesota.

129. Defendants' conduct has caused harm to Minnesota consumers such that consumer restitution and/or disgorgement is an appropriate remedy. Defendants have derived substantial revenues and profits from Minnesota consumers who would not have purchased and consumed Defendants' Chemical Hair Relaxer Products had they been informed of the health and safety risks associated with Defendants' Chemical Hair Relaxer Products.

130. Based upon the alleged conduct herein, each Defendant committed numerous, separate and independent violations of the FSAA through each and every unfair, deceptive, false, or misleading representation, or omission of material information, to any person, including to the public.

131. Each and every time Defendants sold or offered Chemical Hair Relaxer Products for sale, Defendants committed a separate and independent violation of the FSAA through their deceptive practices.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment against the Defendants, jointly and severally, for all the relief requested herein and to which the Plaintiff may otherwise be entitled, including, without limitation, as follows:

- a. A determination that Defendants have violated the Minnesota Prevention of Consumer Fraud Act (Minn. Stat. § 325F.69, *et seq.*), Uniform Deceptive Trade Practices Act (Minn. Stat. § 325D.44, *et seq.*), and the False Statement in Advertising Act (Minn. Stat. § 325F.67);
- b. Permanent injunctive relief, including requiring Defendants, their affiliates, successors, transferees, assignees, and the officers, directors, partners, agents, and employees thereof, and all other persons acting or claiming to act on their behalf or in concert with them, be enjoined and restrained from continuing to sell their Chemical Hair Relaxer Products without adequate warning of their significant and potentially terminal health risks;
- c. An award of restitution, disgorgement, and/or any other consumer relief under the applicable statutes, common law *parens patriae* authority, § 8.31, as well as the general

equitable powers of this Court and any other authority, for all persons injured by Defendants' violations as described herein;

- d. An award of the maximum amount of statutory civil penalties available under Minn. Stat. § 8.31 against each Defendant for each violation of Minnesota law and as necessary to effectively enforce applicable statutes and deter future violations;
- e. An award of the Attorney General's reasonable attorney's fees and litigation costs, as provided by Minn. Stat. § 8.31, subd. 3a;
- f. An award of pre-judgment and post-judgment interest as provided by law, and that such interest be awarded at the highest legal rate from and after the date of service of this Complaint; and
- g. Such other further relief as the case may require and the Court may deem just and proper.

DATE: October 22, 2026

KEITH ELLISON
Attorney General
State of Minnesota

By: /s/Jessica Whitney
JESSICA WHITNEY (No. 0399028)
Deputy Attorney General

JASON PLEGGENKUHLE (No. 0391772)
CAITLIN MICKO (No. 0395388)
DANIEL RIFE (No. 0506278)
Assistant Attorneys General
445 Minnesota Street, Suite 600
St. Paul, Minnesota 55101
jessica.whitney@ag.state.mn.us
(651) 296-3353
jason.pleggenkuhle@ag.state.mn.us
(651) 757-1147
caitlin.micko@ag.state.mn.us
(651) 724-9180

daniel.rife@ag.state.mn.us
(651) 757-1104

Adam J. Levitt*
Daniel R. Ferri*
DICELLO LEVITT LLP
Ten North Dearborn Street, Sixth Floor
Chicago, Illinois 60602
Tel.: (312) 214-7900
Email: alevitt@dicellolevitt.com
dferri@dicellolevitt.com

**Admission for pro hac vice forthcoming*

Attorneys for Plaintiff State of Minnesota