

California Lawsuit; Whole Foods, Avalon and Others With Products Containing Carcinogenic 1,4-Dioxane

By New Millennium Fine Art

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Shocking report on California's suit against Whole Foods Markets, because of ghastly carcinogen hidden in body care products; calls into question the integrity of Whole Foods and whether it is committing related antitrust abuses in Whole Foods Merger

California Files Lawsuit Against Whole Foods, Avalon, and Others Whose Products Tested Positive for Carcinogenic 1,4-Dioxane in OCA Study
Organic Consumers Association, 6/10/2008

For immediate release: Interviews with David Steinman or Ronnie Cummins can be arranged by contacting Adam Eiding at 202-744-2671.

OAKLAND, CA - Reacting in part to a study released by the Organic Consumers Association (OCA) in March of this year, but also based on their own testing, the Attorney General of California has filed a major lawsuit against body care household-cleaning product companies whose products recently tested highest for the carcinogenic contaminant 1,4-Dioxane.

Under California's "Proposition 65" consumer products that contain toxic levels of 1,4 Dioxane must have warning labels stating they may cause cancer. 1,4-Dioxane is typically produced as a byproduct when ingredients are ethoxylated with the petrochemical ethylene oxide, a process which has become standard practice for many cleansing and moisturizing products.

The suit, California v. Avalon Natural Products (manufacturer of the Alba brand), also names Whole Foods Market California (manufacturer of the Whole Foods 365 brand), Beaumont Products (manufacturer of the Citrus Magic brand), and Nutribiotic (read full Attorney General suit here). It is unclear exactly which products manufactured by the aforementioned companies triggered the lawsuit, but all named companies have sold products that tested close to or in excess of 20 parts per million for 1,4-Dioxane in the OCA study released at the Natural Products Expo in Anaheim, CA in March (read study results here).

Last week OCA sent a letter to the four companies named in the California lawsuit to see if they are planning changes to their labeling or product formulations. Only one company responded. In a letter to the OCA, Beaumont Products wrote, "Upon being notified that there was a problem with our product, we verified that the problem existed, then took immediate action." Beaumont has reformulated their products to remove the problematic ingredient, highlighting their dedication to providing safe products, in contrast to the lack of action taken by the other three companies. <http://www.organicconsumers.org/bodycare/beaumont.doc>

The California Attorney General (AG) alleges these companies should have put warning labels on products containing high levels of 1,4-Dioxane, stating that they may cause cancer. The lawsuit states, "Plaintiff alleges that each defendant has known since at least May 29, 2004 that the body washes and gels and liquid dish soaps contain, 1,4-dioxane and that persons using these products are exposed to 1,4-dioxane." Per Proposition 65, fines for mislabeled products are as high as \$2,500 per day for each violation. FAQs about 1,4-Dioxane can be found here.

"These companies need to stop treating the inclusion of cancer causing chemicals in their products as 'business as usual' and reformulate before consumer confidence in the natural products and organics industry is permanently damaged," says consumer activist David Steinman who conducted the OCA study and originally exposed the presence of 1,4-Dioxane in baby bubble bath products in his book Safe Trip to Eden and in a February, 2007 press conference with the Campaign for Safe Cosmetics. (The press release can be found here .)

The AG's complaint states that California wants, "...preliminary injunctions, permanent injunctions, or other orders prohibiting the defendant(s) from exposing persons within the State of California to 1,4-dioxane without providing clear and reasonable warnings..."

"The OCA's 1,4-dioxane study elevated the issue of fake 'natural' and 'organic' brands that utilize petrochemicals in their formulas in March, and now we are seeing labeling enforcement on a scale never seen before," says OCA National Director Ronnie Cummins. "We used an independent laboratory and found that numerous 'natural' and 'organic' brands tested positive for 1,4-Dioxane, a cancer causing contaminant resulting from the petrochemical ethylene oxide being attached to one or more ingredients."

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Category	Legal, Health, Medical
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