

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Yesenia Valiente, individually and on behalf of
all others similarly situated,

Plaintiff,

- against -

Unilever United States, Inc.,

Defendant

Class Action Complaint

Jury Trial Demanded

Plaintiff alleges upon information and belief, except for allegations pertaining to Plaintiff, which are based on personal knowledge:

1. Unilever United States, Inc. (“Defendant”) sells antiperspirant deodorant with added moisturizers containing natural oil under the Dove Advanced Care brand (“Product”).



(1/4 moisturizers with natural oil

2. The label statements include “¼ moisturizers with natural oil,” “go fresh,” a picture of a fruit or vegetable with seeds, and identification of the active ingredient, “Aluminum Zirconium Tetrachlorohydrex GLY.”

I. NATURAL CLAIMS ARE IMPORTANT TO CONSUMERS

3. Sales of cosmetics based on natural ingredients are growing twice the rate of traditional cosmetics and exceed \$50 billion per year.

4. Consumers understand front label cosmetic claims of natural ingredients to mean the entire product does not contain synthetic ingredients and/or all the ingredients of the type identified in the product are natural.

5. According to Nielsen, whether a cosmetic product contains natural instead of synthetic ingredients is very important to almost fifty percent of the public.

6. A recent academic publication concluded that consumers would pay at least ten percent more for cosmetics with claims highlighting the presence of natural ingredients.

7. There are several reasons why consumers prefer cosmetics with natural, instead of synthetic ingredients.

8. First, over three-quarters of U.S. adults believe cosmetics with synthetic ingredients are associated with detrimental impacts on health and the environment.

9. This is because such ingredients are highly processed with chemical additives and solvents, which can cause irritation, allergic reactions, and other harmful effects.

10. Second, one scholar posited “the preference for natural products appeals to a moral ideology and offers a moral satisfaction.”

II. NATURAL OIL CLAIM IS MISLEADING

11. Consumers interpret cosmetic claims and descriptions using the word “natural”

broadly.

12. The Product's statement of "¼ moisturizers with natural oil" is understood by consumers to mean the absence of any synthetic and/or synthetically derived ingredients.

13. The Product's statement of "¼ moisturizers with natural oil" is understood by consumers to mean all the oil ingredients are not synthetic, not produced through chemical synthesis or by using chemical compounds, even if these any synthetic ingredients are purportedly absent from the final ingredient.

A. Small Amount of Oil Ingredients

14. Despite the front label emphasis on "natural" oil, the two oils, "Hydrogenated Castor Oil" and "Helianthus Annuus (Sunflower) Seed Oil," are the sixth and twelfth ingredients in order of predominance by weight.

Active ingredient	Purpose	Active ingredient	Purpose
Aluminum Zirconium Tetrachlorohydrex GLY (15.2%)	antiperspirant	Aluminum Zirconium Tetrachlorohydrex GLY (15.2%)	antiperspirant
Inactive ingredients		Inactive ingredients	
Stearyl Alcohol, C12-15 Alkyl Benzoate, Cyclopentasiloxane, Isopropyl Palmitate, PPG-14 Butyl Ether, Hydrogenated Castor Oil, PEG-8, Fragrance (Parfum), Dimethicone, Silica, Polyethylene, Helianthus Annuus (Sunflower) Seed Oil, Steareth-100, BHT.		Stearyl Alcohol, C12-15 Alkyl Benzoate, Cyclopentasiloxane, Isopropyl Palmitate, PPG-14 Butyl Ether, Hydrogenated Castor Oil , PEG-8, Fragrance (Parfum), Dimethicone, Silica, Polyethylene, Helianthus Annuus (Sunflower) Seed Oil , Steareth-100, BHT.	

15. The amount of "natural" and synthetic oils in the Product is *de minimis*, relative to the most predominant ingredients of "Stearyl Alcohol [and] C12-15 Alkyl Benzoate."

B. Oils are Not Natural

16. Despite the promise of “natural oil,” the most predominant oil in the Product is “Hydrogenated Castor Oil,” a synthetic ingredient.

17. Hydrogenated castor oil consists of synthetic polyethylene glycol and castor oil.

18. This is produced through ethoxylation, a chemical reaction in which ethylene oxide is added to the substrate of castor oil.

19. Hydrogenated castor oil is added not for moisturizing but because it is a surfactant, which lowers the surface tension between two substances.

20. It is misleading to promote the Product with the claim of “natural oil” when its most predominant oil, hydrogenated castor oil, is a synthetic ingredient.

21. While “Helianthus Annuus (Sunflower) Seed Oil,” produced from sunflower seeds, may appear to be more “natural” than hydrogenated castor oil, it is made using chemical reactions and industrial petrochemicals.

22. To obtain oil from sunflower seeds involves seed preparation, mechanical extraction, and solvent extraction from the ground oilcakes or expanded material known as “collets.”

23. The solvent used to extract the oil is n-hexane.

24. N-hexane is an industrial chemical obtained from petroleum through fractional distillation.

25. N-hexane contains structural isomers and chemicals, such as methyl pentane and methyl cyclopentane, which are synthetic compounds.

26. N-hexane is recognized by public health authorities as a common skin irritant, which can cause redness, blistering and superficial burns.

27. Medical authorities advise that anyone who may have come into contact with n-hexane should immediately seek medical advice.

28. Disposal of n-hexane causes environmental damage to the air and water sources.

29. It is misleading to promote the Product as made with “natural oil” because even though sunflower seeds are a natural source, obtaining sunflower seed oil requires the ingredient to undergo a manufacturing process replete with chemical reactions and the use of n-hexane, an industrial petrochemical solvent.

30. Reasonable consumers do not expect sunflower seed oil, promoted as a “natural oil,” to be made using synthetic compounds and undergo industrial manufacturing.

31. Since consumers prefer natural ingredients in products due to their beneficial health and environmental effects over synthetic ingredients, it is misleading to highlight a “natural oil” made using a synthetic chemical solvent, which in fact has detrimental health and environmental effects.

32. Defendant makes other representations and omissions with respect to the Product which are false and misleading.

33. Reasonable consumers must and do rely on a company to honestly and lawfully market and describe the components, attributes, and features of a product, relative to itself and other comparable products or alternatives.

34. The value of the Product that Plaintiff purchased was materially less than its value as represented by Defendant.

35. Defendant sold more of the Product and at higher prices than it would have in the absence of this misconduct, resulting in additional profits at the expense of consumers.

36. Had Plaintiff known the truth, she would not have bought the Product or would have paid less for it.

37. As a result of the false and misleading representations, the Product is sold at a

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