

Avon, Mary Kay, Estee Lauder Facing \$100 Million Fraud Lawsuit

Eagan Avenatti, LLP announced today the filing of a class action lawsuit against cosmetic companies Estee Lauder, Avon Products, and Mary Kay on behalf of American consumers deceived by the companies' false and misleading representations relating to animal testing of their products.

Beltran et al. v. Estee Lauder, et al., United States District Court – Central District of California, Case No. SA12-CV312 CJC (ANX): The Class Action complaint alleges that Estee Lauder, Avon and Mary Kay purposely defrauded consumers by falsely claiming that their products were not tested on animals when, in reality, the companies knew full well that they had begun testing various cosmetic products on animals. The complaint further alleges that the companies deliberately misled the American public by claiming their products were “cruelty free” at the same time the companies undertook animal testing in order to sell their products in China and reap hundreds of millions of dollars in Chinese sales.

The complaint seeks to certify a class of over 1,000,000 consumers and requests over \$100,000,000 in punitive and compensatory damages. On February 16, 2012, People for the Ethical Treatment of Animals (PETA) announced that Estee Lauder, Avon and Mary Kay had been removed from the organization's “cruelty free” list of companies that do not test on animals after it was discovered that the companies were performing animal testing. PETA subsequently downgraded the companies and listed them on PETA's list of companies that do conduct animal testing.

“While it may make economic sense for a company to pursue sales in China, those sales should not occur at the expense of fundamental principles,” stated co-counsel for the Plaintiffs Michael Avenatti of Eagan Avenatti, LLP. “Estee Lauder, Avon and Mary Kay should have been open and honest with the American public and told the truth – that sales and profits were more important to them than refusing to conduct animal testing.”

“This case is about being open and honest with consumers,” added co-counsel Filippo Marchino of The X-Law Group, P.C. “If you advertise that you are not conducting animal testing, then you shouldn't be conducting animal testing – it's that simple.”

