

NEW JERSEY BUSINESS

# Ulta lawsuit claims stores re-sold returned makeup as new products

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Ulta Beauty, a national chain of stores with dozens of locations in New Jersey, has been accused in a lawsuit of re-selling returned cosmetics that might have contained "dirt, disease-causing pathogens and other filthy substances."

Ulta allegedly repackaged makeup returned by customers and then restocked them on store shelves so someone else could buy them thinking they were new, according to a class-action suit filed in Cook County, Illinois.

Employees were provided with a quota on the number of returned items that could be tossed, the suit says. Once they hit the limit, goods were simply repacked and resold, according to the suit.

Among the returned items "almost always" put back on shelves were shampoo, foundation and mascara because it was difficult to tell if they had been used, the lawsuit alleges.

The company's alleged practices are a violation of the Illinois consumer fraud and deceptive business practices act, according to court papers. In addition, the suit charges Ulta violated the Illinois uniform deceptive trade practices act and the state's food, drug and cosmetic act.

Ulta, the largest beauty retailer in the country, denied the accusations in an emailed statement.

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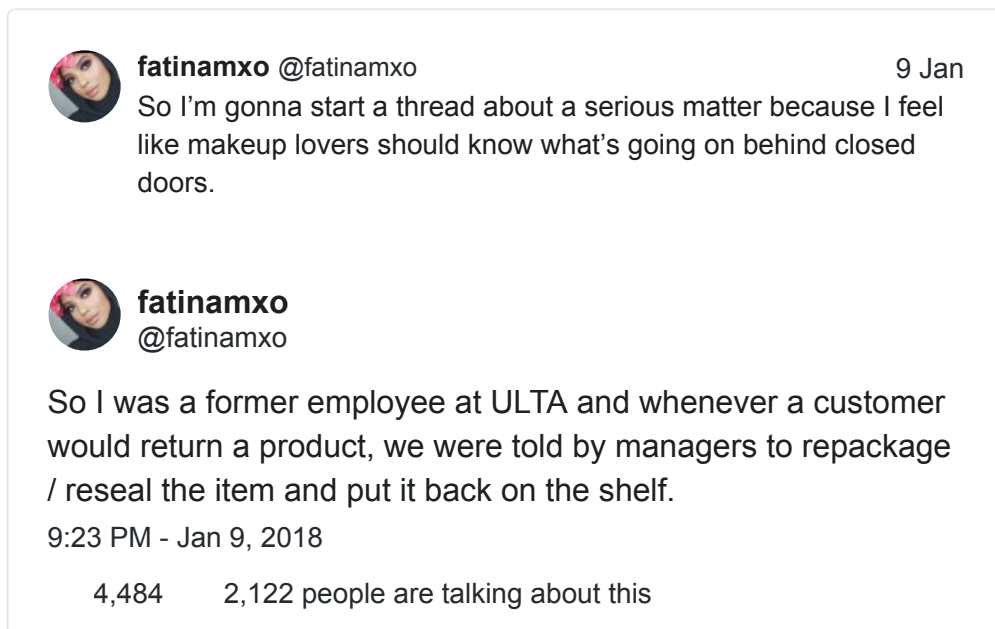


"Our policy does not allow the resale of used products. We are aware of the lawsuit and intend to vigorously defend against the allegations. The health and safety of Ulta Beauty guests is a top priority and we strive to consistently deliver an optimal experience every time they shop with us."

Ulta has 1,058 stores in 48 states and Washington, D.C.

The suit, which does not provide any examples of New Jersey stores engaging in deceptive practices, was filed by Meghan DeVries, a Chicago-area resident and customer.

Reports began to surface last month on social media that Ulta re-sold used cosmetics.



Ulta responded on Twitter last month as multiple customers and people saying they were former employees continued to discuss the issue:



**Ulta Beauty**

@ultabeauty

@ohokaysteph Thanks so much for reaching out. We want to assure you these allegations are being taken very seriously. Our policy clearly prohibits the sale of any open or used products. Currently, this is being reviewed further.

10:54 PM - Jan 18, 2018

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