



- b. “We’re proud of what is not in our paint – NO VOCs. VOCs are the ‘stinky stuff’ in paint that is emitted as vapor when paint is drying. VOCs can be harmful to human health and the environment.”

(website material, Exhibit A)

- c. A video entitled “Paint for the People and the Planet,” showing a community of people, including a toddler, painting together and on each other. (Exhibit B)

Count I
Unsubstantiated Claims

6. In connection with the advertising, promotion, offering for sale, or sale of Colorhouse Paints, Respondent has represented, directly or indirectly, expressly or by implication, that:
 - a. Colorhouse Paints are VOC-free;
 - b. Colorhouse Paints are VOC-free during or immediately after painting;
 - c. Colorhouse Paints will not emit any chemical or substance, including VOCs, that causes material harm to consumers, including sensitive populations such as children; and
 - d. Colorhouse Paints will not emit any chemical or substance, including VOCs,

Count II
Means and Instrumentalities

8. Respondent has distributed promotional materials including the statements and depictions contained in Exhibits A-B to independent retailers. In so doing, Respondent has provided them with the means and instrumentalities for the commission of deceptive acts or practices.

Violations of Section 5

- 9.