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Poshmark Sued for Selling Mercury-added Skin Lighteners

Lawsuit alleges consumers were exposed to mercury without legally required warnings

San Francisco, CA—On August 10, 2026, the Mercury Policy Project (MPP), a project of the Tides Center, filed a lawsuit against Poshmark Inc. under California’s Safe Drinking Water and Toxic Enforcement Act (Proposition 65.) The lawsuit alleges that Poshmark.com has failed to provide a legally required warning to consumers for mercury-added skin lightening creams sold on Poshmark.com.

Lab tests of skin lightening creams MPP purchased on Poshmark.com contain dangerous levels of mercury — in one case over 22,000 times the legal limit of 1 part per million (ppm) set by the U.S. Food and Drug Administration.

“That is why we’re taking legal action—to protect consumers from illegal and dangerous mercury-added skin lightening products,” said Michael Bender, MPP’s Executive Director.

The California Department of Public Health (CDPH) has detected mercury in many creams, including those produced in Mexico and sold in California.

Poshmark’s sales offerings of *Nunn Care Beauty Cream* is particular concerning given that Minnesota and Texas Departments of Health have documented cases of poisoning from this cream. Other creams found to contain high levels of mercury include: *“5K Plus X2 Whitening Night Cream,” “Pax Complexion Care Beauty Cream,” “Omni Gold Beauty Cream,” “deluxe Silken Bleaching Cream,” “Parley Goldie Advanced Beauty Cream,”* and *“Parley Beauty Cream.”*

Mercury, when added into creams, lightens the skin by suppressing the production of melanin, which is illegally added to skin lighteners and left off the ingredient list.

Long-term use of mercury-added skin lighteners may damage the eyes, lungs, kidneys, digestive and immune systems. Mercury in skin lightening creams can also vaporize and contaminate indoor air and expose multiple household members to this dangerous neurotoxin. Regular use of these toxic creams may lead to rashes, skin discoloration, and blotching.

“Online platforms like Poshmark.com have enabled the leaking of dangerous products into commerce, which have often slipped past enforcement agencies,” said Rachel Doughty, Mercury Policy Project’s attorney. “By turning a blind eye toward sellers that supply toxic skin lighteners to online marketplaces, this business model promotes sale of unsafe products under the guise of legitimate commerce.”

Most at risk are pregnant women, along with their babies and young children. According to a CDPH researcher, *“If people are using the product quite regularly, their hands will exude it, it will get in their food, on their countertops, on the sheets their kids sleep on.”*

“The purpose of right-to-know laws, such as California’s Proposition 65, is to warn consumers of the risks to hazardous chemicals and provide them with the information they need to make informed decisions to protect their health and the health of their families” said Dr. Micaela Martinez, an MPP consultant. “This lawsuit is an important first step in ensuring Poshmark follows the law and fulfills its responsibility to protect consumers.”

The case follows on the heels of a successful lawsuit against Amazon.com in which a California Appellate court held that the e-commerce giant was not shielded from compliance with Proposition 65's warning requirement. After a decade long legal battle, the California Attorney General and advocates settled the case. MPP also settled similar legal case with Walmart.com in May of this year.

More information about mercury-added skin lightening products, including a database of over 1,000 tested skin lightening products, can be found on the ZMWG campaign website.

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For more information:

[1] Greenfire Law, PC (2026). *Mercury Policy Project v. Poshmark, Inc.: Complaint for Injunctive Relief and Civil Penalties and Other Equitable Relief for Violations of Proposition 65 (Health & Safety Code 25249.6, Et Seq.)* The case number is 26CV203979 (<https://memartinez.org/wp-content/uploads/2026/08/2026-08-10-complaint-court-returned.pdf>) and the 60 day notice is here (<https://oag.ca.gov/prop65/60-Day-Notice-2026-02516>). Greenfire Law, LLC is located at: 2478 Adeline Street, Suite A, Berkeley, CA 94703

[2] U.S. Food and Drug Administration (Accessed 9 Aug 2026). *Mercury Poisoning Linked to Skin Products*. (<https://www.fda.gov/consumers/consumer-updates/mercury-poisoning-linked-skin-products>)

[3] U.S. Food and Drug Administration (Accessed 9 Aug 2026). *FDA's Testing of Cosmetics for Arsenic, Cadmium, Chromium, Cobalt, Lead, Mercury, and Nickel Content*. (<https://www.fda.gov/cosmetics/potential-contaminants-cosmetics/fdas-testing-cosmetics-arsenic-cadmium-chromium-cobalt-lead-mercury-and-nickel-content>)

[4] California Department of Public Health (Accessed 9 Aug 2026). *Some Face Creams Can Poison People*. (https://www.cdph.ca.gov/Programs/CCDCPHP/DEODC/EHIB/CPE/CDPHDocumentLibrary/Mercury_in_Skin_Cream_Latino_English_May2022.pdf)

[5] Minnesota Dept of Health (Accessed 9 Aug 2026). *Health Advisory: Mercury-containing Skin Lightening Product Associated with Acute Health Effects*.

(<https://www.health.state.mn.us/communities/ep/han/2020/jan14mercury.pdf>)

[6] Texas Health and Human Services (Accessed 9 Aug 2026). *Skin Creams Containing Dangerous Levels of Mercury*. (<https://www.dshs.texas.gov/news-alerts/skin-creams-containing-dangerous-levels-mercury>)

[7] American Chemical Society (2014). *Rooting Out Skin Creams That Contain Toxic Mercury*. (<https://www.eurekalert.org/news-releases/801458>)

[8] Office of the Attorney General, California Department of Justice (2025). *Attorney General Bonta Announces Nearly \$600K Settlement with Amazon Resolving Proposition 65 and UCL Claims Relating to Sales on its Website of Skin-Lightening Face Creams Containing Mercury*. (<https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-nearly-600k-settlement-amazon-resolving>)

[9] Office of the Attorney General, California Department of Justice. (2026). *Settlement Agreement Between the Mercury Policy Project, a project of the Tides Center, and Walmart Inc.* Rob Bonta Attorney General. (<https://oag.ca.gov/system/files/prop65/settlements/2025-03889S7812.pdf>)

[10] Zero Mercury Working Group (Accessed 9 Aug 2026). *Mercury-added Skin Lightening Creams Campaign*. (<https://www.zeromercury.org/mercury-added-skin-lightening-creams-campaign/>)