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October 28, 2013

Food & Consumer Packaged Goods Litigation

### **New Filings - October 28, 2013**

*Stark v. Hain Celestial Group*, No. 13cv7246 (S.D.N.Y.): Plaintiffs allege that juice blends labeled "unpasteurized," "raw and organic," and "100% raw" are not, because they are treated by a process known as "High Pressure Processing" (HPP). According to plaintiffs, the effects of HPP "inactivated enzymes, inactivated probiotics, altered physical properties of the products, and denatured proteins . . . ." Plaintiffs allege that they paid more for these products than they would have had they known that the products were treated by HPP.

[Complaint.](#) *Franco v. Probar, LLC*, No. 13cv2488 (S.D. Cal.): Plaintiff alleges that protein bars she purchased were marketed as "healthy" and "natural" but were not because the labels listed "evaporated cane juice" rather than "sugar." The complaint alleges violations of federal and California law and seeks certification of a California-only class. Plaintiff filed in state court but the case was removed to federal court. [Complaint.](#) *Figy v. Lifeway Foods, Inc.*, No. 13cv4828 (N.D. Cal.): Plaintiff alleges that various of defendant's kefir products are "legally misbranded" because product labels list evaporated cane juice as an ingredient. Plaintiff seeks certification of a national class. [Complaint.](#) *Russo v. Farmhouse Foods, Inc.*, No. CGC-13-534947 (Cal. Super., San Francisco Co.): Plaintiff alleges that fifteen of defendant's products are marketed as "all natural" but are actually "synthetic" because they contain GMO ingredients. Alleged synthetic ingredients include dextrose, corn starch, maltodextrin, citric acid, sugar, soy sauce and corn starch. [Complaint.](#)

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## **Food & Consumer Packaged Goods Litigation**

Food & Consumer Packaged Goods Litigation shares timely insights into litigation developments, emerging arguments and challenges facing food and consumer packaged goods manufacturers and related industries.

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