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February 20, 2014

Food & Consumer Packaged Goods Litigation

### **New Filings - February 20, 2014**

*Sciortino v. Pepsico, Inc.*, No. 14-cv-00478 (N.D. Cal.): Plaintiffs allege PepsiCo products lack warnings about the presence a coloring agent, 4-Methylimidazole ("4-MEI"), in its Pepsi, Diet Pepsi, and Pepsi One soft drinks. Plaintiffs claim that under California's Proposition 65, products containing more than a certain level of 4-MEI must carry a health warning label. On behalf of a putative California class, the complaint alleges California warranty, statutory consumer protection, and product liability claims. [Complaint](#). *Cortina v. Pepsico, Inc.*, No. 3:14-cv-00168-H-JMA (S.D. Cal.): Plaintiff alleges PepsiCo failed to disclose proper information regarding 4-MEI contained in its Pepsi, Diet Pepsi, and Pepsi One soft drinks. The complaint alleges violations of California consumer protection statutes on behalf of a putative class of California consumers. [Complaint](#). *Cortina v. Goya Foods, Inc.*, No. 3:14-cv-00169-L-NLS (S.D. Cal.): Plaintiff alleges Goya Foods failed to disclose proper information regarding 4-MEI contained in its Malta Goya soft drinks. The complaint alleges violations of California consumer protection statutes on behalf of a putative class of California consumers. [Complaint](#). *Miller v. Living Harvest Foods Inc.*, No. 2014-2735-CA-01 (11th Jud. Cir. Court of State of Florida): Plaintiff alleges that various Living Harvest's Tempt Hempmilk products are misleadingly labeled because they list "evaporated cane juice" as an ingredient instead of sugar. On behalf of a putative class of Florida consumers, the complaint alleges unjust enrichment and violation of the Florida Deceptive and Unfair Trade Practices Act. [Complaint](#). *Heikkila v. Suja Life LLC*, No. 3:14-cv-00556 (N.D. Cal.): On behalf of a putative nationwide class, Plaintiff alleges that Suja Life falsely labels its juice products as "raw." The complaint asserts various California and federal warranty claims, along with claims for unjust enrichment and violation of California consumer protection laws. [Complaint](#). *Aguiar v. Merisant Co.*, No. 14-cv-00670-RGK (AGRx) (C.D. Cal.): Plaintiff alleges defendant falsely advertises and labels its PureVia stevia product as "pure" and "made from ingredients found in nature." On behalf of a putative nationwide class, the complaint alleges warranty, consumer protection, unjust enrichment, and California statutory claims. [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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