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Food & Consumer Packaged Goods Litigation

Court Dismisses Warranty Claims

Randolph v. J.M. Smucker's Co., No. 9:13-cv-80581 (S.D. Fla.): The court partially granted a motion to dismiss plaintiff's suit based on claims that the defendant's products were misleadingly labeled as "All Natural" despite containing GMO ingredients. Finding that plaintiff failed to provide sufficient notice, the court dismissed warranty claims. While the court found that plaintiff had standing to assert claims over products she hadn't purchased, it stated that the class certification stage would be a better time to address typicality questions. The court allowed other claims to proceed, holding that federal law did not preempt the plaintiff's "all natural" claims. [Order](#).

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