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Food & Consumer Packaged Goods Litigation

## **Court Stays Case Pending FDA Pronouncement on Evaporated Cane Juice**

*Reese v. Odwalla Inc. et al.*, No. 4:13cv947 (N.D. Cal.): The court has granted in part a motion to dismiss this putative class action that defendants' use of the term "evaporated cane juice" on its labels violates California and federal labeling requirements and is misleading. In granting the motion and staying the remainder of the case, the court rested its decision on the primary jurisdiction doctrine, referencing the FDA's March 5, 2014 statement that it would review whether "evaporated cane juice" is the common or usual name for the ingredient at issue in the litigation. [Order](#).

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