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Evaporated Cane Juice Case Stayed After FDA Reopens Comment on Use of Term

Figy v. Lifeway Foods, No. 3:13cv04828 (N.D. Cal.): Following the majority of recent decisions in the Northern District of California finding that the ECJ claims should be stayed pursuant to the primary jurisdiction doctrine in light of the FDA's March 5, 2014 notice reopening comment on the use of the term ECJ, the court granted a stay in a putative class action alleging claims under California's consumer protection statutes claiming that defendant misbranded its products by referring to added sugar in its products as "evaporated cane juice." Perkins Coie's [Joren Bass](#) and his team represented defendant. [Order](#).

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