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Food & Consumer Packaged Goods Litigation

# Court Stays Evaporated Cane Juice Lawsuit

*Swearingen v. Santa Cruz Natural, Inc.*, No. 13cv4291 (N.D. Cal.): A court has granted in part and denied in part Plaintiff's motion to alter or amend the judgment in this putative class action alleging claims under California's UCL, FAL, CLRA, and a number of common law tort claims. Plaintiffs allege that Defendant's use of the term "organic evaporated cane juice" on its labels violates the FDCA. Relying on the "apparent lack of prejudice to defendants", and the potential for prejudice to Plaintiffs, the Court reconsidered its previous decision to dismiss the suit without prejudice under the primary jurisdiction doctrine and decided instead to stay the action pending further guidance from the FDA. [Order](#).

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