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Food & Consumer Packaged Goods Litigation

# Court Relies on Plaintiff's Own Scientific Resources to Dismiss With Prejudice

*Alamilla v. Hain Celestial Grp., Inc.*, 13-cv-5595 (N.D. Cal.): The court granted defendant's motion to dismiss with prejudice in a putative class action alleging claims under California's CLRA, UCL, and FAL, as well as a violation of Magnusson-Moss, breaches of express and implied warranties, and unjust enrichment, claiming that defendant misrepresented their juice products as "100% Raw," "Raw and Organic," and/or "Unpasteurized," among other similar representations, when in fact the juices are treated using pressurization that strips the products of nutritional value. The court reasoned that although plaintiffs' claim that the representations would lead a consumer to believe that the pressure treatment did not deprive the juice of its nutritional value in the same manner as pasteurization might be plausible on its face, the complaint incorporated by reference two articles that contradicted the claim. [Order](#).

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