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Food & Consumer Packaged Goods Litigation

# Hain Waffle Suit Dismissed in Part; Key Labeling Claims Live On

*Ham v. Hain Celestial Grp. Inc., No. 3:14-CV-02044* (N.D. Cal.): A federal judge granted in part and denied in part a motion to dismiss this suit based on claims that defendant's waffles are misleadingly labeled "All Natural" when in fact they contain SAPP. Plaintiff's breach of contract claim was dismissed because the court held that the parties lacked privity. The court also dismissed plaintiff's unjust enrichment claim on the grounds that unjust enrichment is not an independent cause of action. Additionally, the court ruled that injunctive relief was not available, as plaintiff lacked standing due to the fact that she was now aware that the products contained SAPP and could therefore not allege that she could be fraudulently induced again. Likewise, the court held that plaintiff lacked standing to bring claims based on statements found on Hain's website and Facebook page, as she never alleged that she had seen them. The court denied the motion to dismiss the remaining claims. [Order](#).

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