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March 19, 2015

Food & Consumer Packaged Goods Litigation

Summary Judgment For Defendants In Juice False Advertising Suit

Major v. Ocean Spray Cranberries, Inc., No. 5:12-cv-03067 (N.D. Cal.): A federal judge has granted defendant's motion for summary judgment and denied as moot the plaintiff's motion for class certification in this putative class action alleging violations of California consumer protection laws and federal false advertising laws based upon claims that defendant's "100% Juice" labels were deceptive since they contained the "No Sugar Added" messaging without the required disclaimer language. In granting defendant's motion, the Court found plaintiff's claims failed because plaintiff correctly understood that "100% Juice" products are not low calorie foods and therefore, could not produce evidence that she relied on the challenged statements. The Court also found that plaintiff's testimony indicated that she knew what the term "No Sugar Added" meant, and since her understanding was factually consistent with defendant's juice-making process, the term was neither false nor deceptive. [Order](#).

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