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May 18, 2015

Food & Consumer Packaged Goods Litigation

# New Filings for May 18, 2015

*Torrent v. Ollivier et al*, No. 2:15-cv-02511 (C.D. Cal.): On behalf of a statewide class of California consumers, Plaintiff alleges that Defendants falsely advertise their Himalania brand goji berries, creating the impression that the goji berries are harvested in and transported from the Himalayas mountain range, when in fact they are harvested in the Ningxia province of China. Plaintiff asserts violations of the California UCL and CLRA.

[Complaint](#). *Center for Environmental Health v. James Keiller & Sons Limited et al*, No. RG15-765388 (Cal. Super. Ct.): Plaintiff, the Center for Environmental Health, alleges violations of California's Proposition 65 based on claims that Defendants do not warn consumers that their jam, marmalade or preserves made with ginger contain lead.

[Complaint](#). *Slavinski v. Natural & Tasty LLC*, No. 9:15-cv-80451 (S.D. Fla.): Plaintiff alleges that Defendant's Goldbaum's Quinoa Crips are deceptively marketed and sold as "All Natural" and "GMO Free" when in fact they contain artificial and synthetic ingredients. The putative class action alleges violations of Florida's DUTPA, the Magnuson-Moss Warranty Act, as well as for negligent misrepresentation, breach of express warranty, and unjust enrichment. [Complaint](#). *Dedrick v. Snack Factory LLC*, No. 4:15-cv-01605 (N.D. Cal.): Putative class action alleging violations of California's CLRA, FAL and UCL, as well as for breach of express warranty and negligent misrepresentation. Plaintiff claims that Defendant markets and advertises its Pretzel Crisps as "All Natural" when they contain artificial and genetically modified ingredients.

[Complaint](#). *Rosado-Acha v. Red Bull GmbH et al*, No. 3:15-cv-1367 (D.P.R.): Plaintiff brings a putative class action alleging breach of express warranty and unjust enrichment based on allegations that Defendants falsely marketed their energy drinks. Plaintiff alleges that Defendants suggested that their energy drinks were a superior source of energy beyond caffeine and contained functional benefits that they did not have. [Complaint](#). *Lopez v. The Wine Group, Inc. et al*, No 2:15-cv-01131 (E.D. La.): Plaintiff brings a putative nationwide class action alleging that Defendants' wines contain inorganic arsenic in that levels that are not reasonably safe to consumers and are above those allowed in drinking water. Plaintiff raises claims under Louisiana's Deceptive and Unfair Trade Practices Act and the Magnuson-Moss Warranty Act, as well as for redhibition, negligence, and unjust enrichment.

[Complaint](#). *McCartney v. Essential Living Foods et al*, No. CGC-15-545331 (Cal. Super. Ct.): In a California Proposition 65 case, Plaintiff alleges that Defendants do not warn consumers that their Essential Living Raw Organic Cacao Powder contains cadmium, a chemical that Plaintiff alleges causes birth defects and other reproductive harm. [Complaint](#).

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# Food & Consumer Packaged Goods Litigation

Food & Consumer Packaged Goods Litigation shares timely insights into litigation developments, emerging arguments and challenges facing food and consumer packaged goods manufacturers and related industries.

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