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June 17, 2015

Food & Consumer Packaged Goods Litigation

### **New Filings for June 17, 2015**

*Marentette v. Abbott Laboratories, Inc.*, No. 15-cv-2837 (E.D.N.Y.): Putative class action alleging that Similac and Advance Organic Infant Formulas allege that Abbott misleadingly markets the formulas as "organic" when in fact the formulas contain "a spectacular array and substantial amount of ingredients prohibited in organic foods." [Complaint](#). *O'Brien v. Kind, LLC*, No. 1:15-cv-3699 (S.D.N.Y.): Putative class action alleging violations of various California and New York laws based on claims that KIND bars are mislabeled as "Healthy," "+," "Plus," "No Trans Fats" and/or "Good Source of Fiber" because they do not meet the necessary requirements. [Complaint](#). *Wiley v. Lenny & Larry's Inc.*, No. CGC-15-545875 (Cal. Super.): Putative false advertising action class action alleging breach of express warranty, and violations of California's CLRA and UCL, based on claim that Defendant's high protein muffins and brownies are labeled as "All Natural" and "No GMOs," but in fact contain genetically modified, unnatural, synthetic, and heavily processed ingredients. [Complaint](#). *Hasemann et al v. Gerber Products Co.*, No. 1:15-cv-02995 (E.D.N.Y.): Putative class action alleging violations of Florida's DUTPA and false advertising statutes, as well as analogous Wisconsin statues, based on claim that Defendant promotes its infant formula products as reducing the risk of developing allergies, when they do not. [Complaint](#). *Row v. Conifer Specialties, Inc.*, No. 1522-CC09720 (Mo. Cir. Ct.): Putative class action asserting violation of Missouri Merchandising Practices Act and claim for unjust enrichment, based on allegations that defendant represents its biscuit mix product as "All Natural" when it contains SAPP. [Complaint](#). *Colazzo v. Inko's Tea, LLC et al*, No. 1:15-cv-03070 (E.D.N.Y.): Putative class action asserting violations of various consumer protection statutes, as well as negligent misrepresentation, breach of express warranty, and unjust enrichment based on allegations that defendant represents its tea beverages as "100% Natural and 100% All Natural" when they contain ascorbic acid (vitamin C). [Complaint](#). *Environmental Research Center v. Nutrivo LLC*, No. RG-15771826 (Cal. Super. Ct.): Complaint asserts violations of Proposition 65 based on allegation that defendant fails to warn that its food supplement products contain lead and cadmium. [Complaint](#).

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Blog series

# 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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