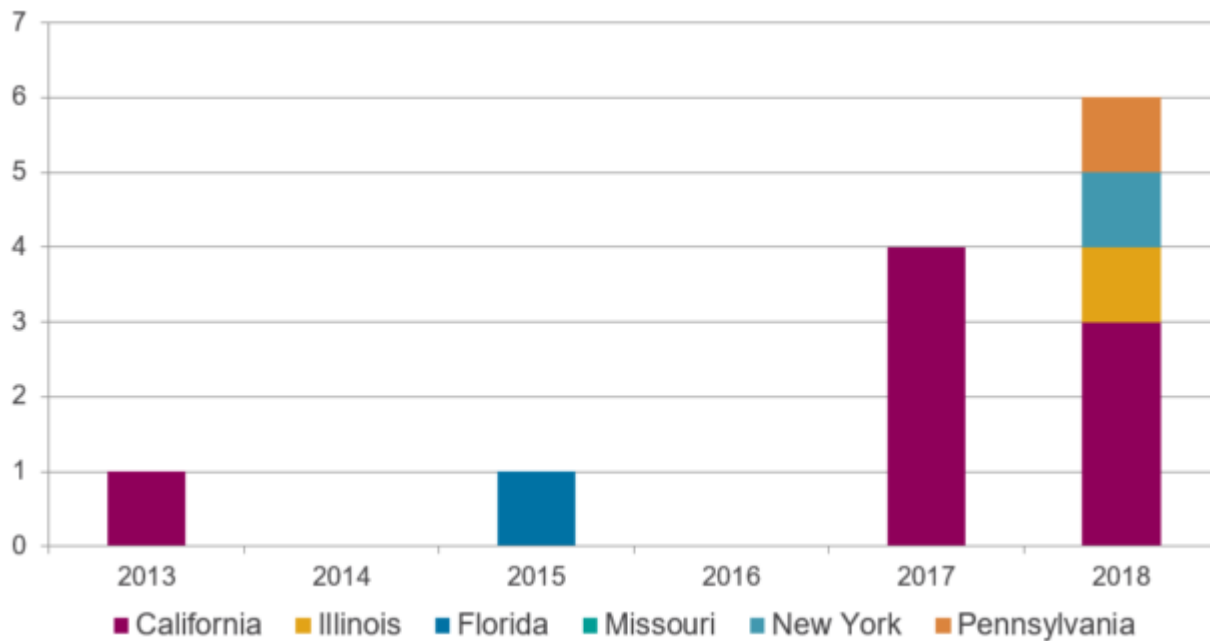


## Industry Insights: The Rise of Natural Pet Food Claims

On August 1, plaintiff and putative class representative Markeith Parks sued celebrity chef Rachael Ray's dog food brand Nutrish® alleging that the products are falsely labeled and marketed as "natural." The complaint states that Nutrish® contains the chemical glyphosate, which Parks alleges is "unnatural." [1] Given Rachael

Ray's national fame, this case has caught the attention of multiple media outlets and legal newshouses with a focus on the rise of "natural" pet food claims.



Not only has

there been explosive overall growth in the number of filings challenging "natural" pet food labeling claims, but also a significant increase of such filings in California specifically. California is currently undergoing a review process to define the term "natural" as it relates to pet food. Consequently, one ongoing California "natural" pet food case has been stayed pending the California Department of Public Health's (CDPH's) rulemaking determination. [2] The CDPH may adopt the Association of American Feed Control Officials' (AAFCO's) definition of "natural," as California and other states have similarly adopted AAFCO's definition of other terms used in animal food labeling. Once California and other states determine how "natural" should be defined specifically relating to pet food, courts in those jurisdictions will then have further guidance in order to adjudicate the increasing number of pet food cases involving "natural" claims.

[1] *Parks v. Ainsworth Pet Nutrition LLC Rachael Ray Nutrish*, No. 1:18-cv-6936 (S.D.N.Y.) [2] *Grimm v. APN, et al.*, No. 8:18-cv-00356 (C.D. Cal.)

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