

[Blogs](#)

October 06, 2020

Food & Consumer Packaged Goods Litigation

Putative CBD Chocolate Class Action Dismissed: Allegations Must Be Plead with Particularity

A recent putative class action regarding edible cannabidiol (CBD) products reminds potential plaintiffs of the importance of pleading with particularity. On behalf of a putative class of consumers, a purchaser alleged that Bhang Medicinal Chocolates contained a smaller quantity of CBD than the product advertised. Plaintiff asserted that he had independent lab testing to support this claim. On this basis, the purchaser alleged violations of California's Unfair Competition Law ("UCL"), False Advertising Law ("FAL"), and Consumer Legal Remedies Act ("CLRA"), and he also lodged claims of breach of express warranty, fraud, and negligent misrepresentation. [Read the full article on our sister blog Cannabis Legal Highlights the 411 on 420.](#)

Authors



[David T. Biderman](#)

Partner

DBiderman@perkinscoie.com [310.788.3220](tel:310.788.3220)



[Barak Cohen](#)

Partner

BCohen@perkinscoie.com [202.654.6337](tel:202.654.6337)

Explore more in

[Food & Consumer Packaged Goods Litigation](#) [Food & Beverage](#)

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.

[View the blog](#)