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Food & Consumer Packaged Goods Litigation

Court Dismisses as “Ridiculous” Plaintiffs’ Claims that Strawberry and Raspberry Newtons Contain Whole Fruit

Manchouck v. Mondelez International, dba Nabisco, No. 13cv2148 (N.D. Cal.): Plaintiffs claimed that Nabisco's representations that Strawberry and Raspberry Newton cookies were "made with real fruit" violated California's consumer protection statutes because the cookies were made with pureed strawberries and raspberries, rather than solid fruit. The court granted Nabisco's motion to dismiss, with prejudice. The court concluded that the claims "strained credulity" and that "[i]t is ridiculous to say that consumers would expect snack food 'made with real fruit' to contain only 'actual strawberries or raspberries,' rather than these fruits in a form amenable to being squeezed inside a Newton." [Order](#).

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