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Food & Consumer Packaged Goods Litigation

Pierogies Class Suit Survives Dismissal

Steinberg v. Ateeco, Inc., No. 0:15-cv-60973 (S. D. Fla.): A federal judge denied a motion to dismiss this putative class action alleging that Defendant's Mrs. T's Pierogies are mislabeled because they have improper serving sizes, understate the amount of calories and fat, and fail to provide the required disclosure regarding sodium content. Finding that plaintiff sufficiently pleaded state law claims, identifying the applicable FDA regulations and indicating how the practices alleged were likely to mislead consumers. The court likewise decline to grant the motion as to plaintiff's unjust enrichment claim, reasoning that plaintiff was entitled to plead an equitable cause of action in the alternative to her statutory claims. [Order](#).

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