



Our weekly roundup aims to keep our readers up to date on recent notable rulings in the food & consumer packaged goods space.

- ***Veronica Eshelby v. L'Oréal USA, Inc.***, No. 22-cv-01396-AT (S.D.N.Y. - March 27, 2023): The U.S. District Court for the Southern District of New York dismissed with prejudice a putative class action alleging that ***beauty care products*** displaying the word "Paris" and French text on their front labels prompted consumers into believing they were made in France. The court held that the plaintiff's claim failed, reasoning that the mere reference to "Paris" or the use of foreign words is insufficient to deceive a reasonable consumer about where a product was made. Additionally, the court noted that "Paris" is part of the company's brand name and is the location where the company originated. [Order linked here.](#)

- ***Jessica Bizco v. Ferrara Candy Company***, No. 22-cv-01967 (N.D. Ill. - March 20, 2023): The U.S. District Court for the Northern District of Illinois dismissed a putative class action alleging the defendant falsely labeled its *caramel candy products* so that consumers would believe the statements such as "Rich and Creamy" or "Made with Real Milk" meant that the products' fat content came exclusively from milk fats. The court held that the plaintiff's claim failed, finding that a reasonable consumer would not be misled by the challenged labeling statements because a consumer need only read the ingredients label on the back of the package to see that the fat content in the product was not exclusively from milk ingredients but also from vegetable oils. The court determined that a reasonable consumer would not be misled when the product actually contained milk ingredients. [Order linked here.](#)

Authors



[David T. Biderman](#)

Partner

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

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](#)