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Food & Consumer Packaged Goods Litigation

## **Court Dismisses Food Labeling Complaint Because Plaintiff Can't Be Misled By Something He Didn't Read**

*Figy v. Amy's Kitchen, Inc.*, No. 3:13-cv-03816-SI (N.D. Cal.): The court dismissed a proposed class action accusing Amy's Kitchen of mislabeling its products as containing "evaporated cane juice" instead of sugar, finding the plaintiff failed to allege he read and relied on the ingredients list before purchasing the products. The court rejected plaintiff's argument that he did not need to show actual reliance in order to state a claim under the unlawful prong of California's Unfair Competition Law. Instead, the court concluded that actual reliance is necessary to satisfy the UCL's standing requirement. [Order](#).

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