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New Filings - December 9, 2013

Ibarrola v. Kind, LLC, No. 13-cv-50377 (N.D. Ill.): Plaintiff alleges that various of Kind's snack products are misbranded because they list "evaporated cane juice" as an ingredient instead of sugar. The complaint alleges various claims under Illinois law on behalf of a putative nationwide class. [Complaint](#).

Alamilla v. The Hain Celestial Co., No. 13-cv-05595 (N.D. Cal.): On behalf of a putative nationwide class, plaintiff alleges that defendants falsely label their juice products as "Unpasteurized," "100% Raw," and "Raw and Organic" when they are not. The complaint asserts violations of various California and federal warranty and consumer protection laws. [Complaint](#).

Haftvani v. Chaya Restaurant Group, No. BC529641 (Cal. Super., Los Angeles County): Plaintiff claims defendant's restaurants sell menu items that purport to contain "Kobe" beef but do not because the importation of "Kobe" beef to the United States is prohibited. The complaint alleges California statutory and common law claims on behalf of a putative class of California consumers. [Complaint](#).

Swearingen v. Conagra Foods, No. 13cv5322 (N.D. Cal.): Plaintiffs allege that vegetable oils marketed under the Fleischmann's and Orville Redenbacher's brands are "misbranded" under California law. On behalf of purchasers of these products and others that the complaint alleges are "substantially similar," plaintiffs seek redress for alleged violations of the UCL, CLRA and other California consumer protection statutes. The label statements at issue are "Excellent source of omega 3 ALA" and "0g Trans Fat." [Complaint](#).

Barron v. Snyder's Lance, Inc., No. 13-cv-62496 (S.D. Fl.): Plaintiffs allege that various Snyder's of Hannover pretzels, Cape Cod chips, Eat Smart snacks and Padrinos tortilla chips are sold in violation of Florida, California and New York consumer protection statutes because they contain artificial colors, GMO ingredients (e.g., canola oil, soy, corn), and "synthetic" ingredients (e.g., niacin, folic acid, dextrose). [Complaint](#).

Perera v. Pacific Foods of Oregon, No. 13cv1788 (C.D. Cal.): Plaintiff alleges that defendant falsely labels its Hemp Non-Dairy beverage and other products as "all natural" when it contains "artificial" ingredients and "evaporated cane juice" ("ECJ") rather than "sugar." [Complaint](#).

Salazar v. Honest Tea, Inc., 13cv2318 (E.D. Cal.): Plaintiff alleges that Honest Tea Honey Green Tea, which is marketed as a source of antioxidant green tea flavonoids, allegedly does not contain the amount of antioxidants touted on the label. Plaintiff bases the allegations on independent laboratory testing, which she alleges demonstrates that the bottled tea's total antioxidant flavonoids is 24% less than what was listed on the bottle. Plaintiff seeks certification of a nationwide class. [Complaint](#).

Von Slomski v. The Hain Celestial Group, Inc., No. 13cv1757 (C.D. Cal.): Plaintiff alleges that bagged teas and other beverages sold by defendant are falsely labeled "all natural" because they contain "pesticides, herbicides, insecticides, carcinogens, and/or developmental toxins" including some that violate federal standards or California's Proposition 65. The complaint lists more than 20 brands of pesticides, herbicides and other commercial chemicals, and includes a chart showing which products allegedly tested positive. [Complaint](#).

Garrison v. Whole Foods Market, Inc., No. 13cv5222 (N.D. Cal.): Plaintiff alleges that more than 10 of Whole Foods' house-brand baked goods are labeled "all natural" in violation of California consumer protection statutes because they include "synthetic" ingredients including sodium acid pyrophosphate and maltodextrin. [Complaint](#).

Bontrager v. Intelligent Beverages, LLC, No. BC526990 (Cal. Super., Los Angeles County): Plaintiff alleges that the defendant's ResQWater falsely suggests that it does not contain sugar because its ingredients include "evaporated cane juice" but not sugar. [Complaint](#).

Melvin v. Blue Diamond Growers, No. 13cv1746 (C.D. Cal.): Plaintiff alleges that Blue Diamond almond milks and other products are falsely labeled "all natural" when they contain synthetic ingredients as well as list "evaporated cane juice" as an ingredient. [Complaint](#).

Anderson v. The Hain Celestial Group, Inc., No. 13cv1747 (C.D. Cal.): Plaintiff alleges that defendant's "Sunflower Dream" drink is labeled "all natural" but contains artificial ingredients and are labeled "ECJ" not "sugar." [Complaint](#).

Madenlian v. Flax USA, Inc., No. 13cv1748 (C.D. Cal.): Plaintiff alleges that defendant's Flax USA Flaxmilk product is labeled "all natural" but contains artificial ingredients. [Complaint](#).

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