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September 08, 2014

Food & Consumer Packaged Goods Litigation

### **New Filings for September 8, 2014**

*Clemente v. Whole Foods Market Inc.*, No. 140801271 (Phila. Ct. C.P.): Putative class action alleging claims under Pennsylvania's Unfair Trade Practices and Consumer Protection Law, and breach of express and/or implied warranty, claiming that Whole Foods misrepresents its 365 Everyday Value Plain Greek Yogurt as having 2 grams of sugar per serving when, in fact, it contains at least 11.4 grams of sugar per serving.

[Complaint.](#) *Mirto v. Organic Milling LLC*, No. BC553780 (L.A. Super.): Putative class action alleging claims under California's UCL, FAL, and CLRA, as well as breach of express warranty, claiming that defendant misrepresents its cereal products as being "100% Natural" when in fact it contains GMO ingredients such as corn, soy, and rapeseed, and also contain other synthetic and "heavily processed" ingredients, such as canola oil, soy protein isolate, and evaporated cane juice. [Complaint.](#) *Knox v. Whole Foods Market Inc.*, No. 1:14cv13185 (D. Mass.): Putative class action alleging claims for breach of warranty under Magnusson-Moss and Massachusetts law, unjust enrichment, negligence, and seeking declaratory and injunctive relief, claiming that defendant's 365 Everyday Value Plain Greek Yogurt products are misrepresented as containing 2 grams of sugar per serving when in fact they contain 11.4 grams. [Complaint.](#) *Vandenberg v. Medora Snacks LLC*, No. 9:14cv81010 (S.D. Fla.): Putative class action alleging claims under Florida's DUTPA, as well as Negligent Misrepresentation, Breach of Express Warranty, violation of Magnusson-Moss, and Unjust Enrichment, claiming that defendant's Popcorners Corn Chips products are misrepresented as "All Natural" when in fact they contain unnatural, synthetic, and/or artificial ingredients such as maltodextrin and dextrose. [Complaint.](#)

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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.

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