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Food & Consumer Packaged Goods Litigation

## **Court Grants Summary Judgment Based on Reasonable Consumer Standard**

*Rahman v. Mott's LLP*, No. 13cv3482 (N.D. Cal.): In a putative class action alleging that Mott's apple juice--labeled "no sugar added"--violates FDA regulations because it contains concentrated fruit juice, plaintiff alleged causes of action under California's UCL, FAL, CLRA, as well as common law negligent misrepresentation and breach of quasi-contract. The court granted the defendant's motion for summary judgment on plaintiff's FAL, CLRA, and negligent misrepresentation claims, as well as plaintiff's claims under the fraud and unfair prongs of the UCL. The court ruled that the plaintiff had failed to show that the "no sugar added" label is misleading to a reasonable consumer. The defendant's expert testified that a survey showed that consumers did not rely on the "no sugar added" claim when purchasing its apple juice, whereas plaintiff's expert criticized the defendant's study but did not assert any independent facts or data or conduct his own survey. [Order.](#)

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