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Food & Consumer Packaged Goods Litigation

# Court Grants Partial Summary Judgment to Plaintiffs Based on Violations of COPA

*Brown v. Hain Celestial Group, Inc.*, No. 11-cv-03082 (N.D. Cal.): The Court granted partial summary judgment to Plaintiffs in this putative consumer class action asserting violations of California CLRA, UCL, and COPA based on allegations that Defendants sold two lines of cosmetics using the word "organic" on their labels, although they contained less than 70% organic ingredients as required under COPA. The court agreed with Plaintiffs that a COPA violation alone was sufficient to establish deception and reliance under the UCL. The Court ruled that the legislature's decision to prohibit the sale, labeling, or representation of products as organic when they contain less than 70% organic ingredients "establishes as a matter of law that violations of COPA are material misrepresentations." [Order](#).

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