Blogs
November 17, 2015
Food & Consumer Packaged Goods Litigation

New Filings for November 17, 2015

Kline v. Post Holdings, Inc., No. 15cv2348 (S.D. Cal.): Putative class actions alleging claims under California and New York consumer protection statutes, as well as negligent misrepresentation, claiming that Defendants' whey protein products are sold in large, opaque containers that contain 45 percent slack fill. *Complaint.* *Kline v. Iovate Health Sciences U.S.A., Inc.*, No. 15cv2387 (S.D. Cal.): Putative class actions alleging claims under California and New York consumer protection statutes, as well as negligent misrepresentation, claiming that Defendants' whey protein products are sold in large, opaque containers that contain 45 percent slack fill. *Complaint.* *Arthur v. Wonder Natural Foods Corp.*, No. 1516-cv22273 (Mo. Cir. Ct.): Putative class action alleging a claim under Missouri's consumer protection statutes, as well as unjust enrichment, claiming Defendant misbrands and misrepresents its "Better 'n Peanut Butter" products as being peanut butter when it is not made with peanuts. *Complaint.* *Rito v. Castella Imports, Inc.*, No. 15cv8395 (S.D.N.Y.): Putative class action alleging claims under the Illinois consumer protection statutes and Magnuson-Moss, as well as unjust enrichment, breaches of implied and express warranty, fraud, and negligent misrepresentation, claiming that Defendant's olive oil products are misrepresented as being "Extra Virgin Olive Oil" when in fact they are really a lower grade olive or pomace oil. *Gerstnecker v. McCormick & Co., Inc.*, No. 15cv1380 (W.D. Pa.): Putative class action alleging claims under the Pennsylvania consumer protection statutes, as well as unjust enrichment, claiming that Defendant's ground black pepper products contain 25 percent slack fill. *Garrett v. Peets Coffee & Tea, Inc.*, No. 2015ch15990 (Ill. Circuit Ct.): Putative class action alleging claims under multiple states' consumer protection statutes, as well as breach of contract and unjust enrichment, claiming that Defendant's press pot coffee products are misrepresented as containing either 12 or 32 ounces when in fact they contain 25 percent less than the advertised volume. *Complaint.* *Center for Environmental Health v. Mondelez Int'l, Inc.*, No 30-2015-817717 (Orange Cty. Super.): Prop 85 complaint alleging that Defendant's cookies with ginger and molasses contain lead. *Complaint.* *Environmental Research Ctr. v. Diet Direct, Inc.*, No. RG15790424 (Alameda Cty.): Prop 65 complaint alleging that Defendant's various "Wonderslim" diet drink products contain lead. *Complaint.* *Environmental Research Ctr. v. Fitlife Brands, Inc.*, No. RG15790616 (Alameda Super.): Prop 65 complaint alleging that Defendant's nutritional health products contain lead. *Complaint.* *Environmental Research Ctr. v. Enzymes, Inc.*, No. RG15790620 (Alameda Super.): Prop 65 complaint alleging that Defendant's nutritional health products contain lead. *Complaint.* *Environmental Research Ctr. v. Cyanotech Corp.*, No RG15791194 (Alameda Super.): Prop 65 complaint alleging that Defendant's nutritional health products contain lead. *Complaint.* *Environmental Research Ctr. v. Athletic Greens (USA) Inc.*, No RG15791200 (Alameda Super.): Prop 65 complaint alleging Defendant's nutritional health products that contain lead. *Complaint.* *Environmental Research Ctr. v. Vitamin Shoppe Inc.*, No RG15791206 (Alameda Super.): Prop 65 complaint alleging that Defendant's nutritional health products contain lead. *Complaint.*

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