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Food & Consumer Packaged Goods Litigation

Court Approves Class Settlement in Organic Cosmetics Case

Brown et al v. Hain Celestial Group, Inc., No. 3:11-cv-03082 (N.D. Cal.): The Court issued an order granting Plaintiff's motion for final approval of class action settlement and dismissal of all claims with prejudice in this putative consumer class action asserting violations of California's CLRA, UCL, and COPA (California Organic Products Act). Plaintiffs in *Brown* base their case 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. As previously reported [here](#), the Court granted partial summary judgment in favor of Plaintiffs, finding that a COPA violation alone was sufficient to establish deception and reliance under the UCL and 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." The terms of the settlement include establishment of a \$7.5M cash fund as well as \$4M in attorney fees and costs. [Order](#).

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