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Food & Consumer Packaged Goods Litigation

## **Appellate Court Reverses District Court Dismissal in Alba Botanics “Natural” Case**

*Balser et al v. The Hain Celestial Grp., Inc.*, No. 14-55074 (9th Cir.): The Ninth Circuit reversed the district Court's dismissal of this putative class action alleging that the use of the word "Natural" on some of the labels of Defendant's "Alba Botanics" line of personal care products is misleading because the products contain synthetic ingredients. The Court found Plaintiffs pleaded their claim with sufficient particularity and also sufficiently alleged reliance. The Court further determined that Plaintiffs' allegation that the misrepresentation caused them to pay a premium for the product was sufficient to allege an economic injury. The Court relied on and expanded its decision in *Williams v. Gerber Prods. Co.*, 552 F.3d 934 (9th Cir. 2008), by holding that the presence of an ingredients list on the product, or product information on a website does not correct, as a matter of law, a misrepresentation on the product's label. The case was remanded to the district Court. [Order.](#)

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