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Food & Consumer Packaged Goods Litigation

Court Enters Stipulated Consent Judgment in Proposition 65 Action Over Lead in Dietary Supplements

Envtl. Research Ctr., Inc. v. Chosen Foods Inc., et al, No. RG16-798895 (Cal. Sup. Ct. – Alameda Cnty.): The Court entered the parties' stipulated consent judgment in this Proposition 65 action alleging the Defendants do not warn that their nutritional health products contain lead. The terms of the settlement are as follows: (1) Defendant is permanently enjoined from selling any dietary supplement that exceeds the MADL for lead, unless the product bears a warning; (2) Defendant will pay a civil penalty of \$16,472, 25% of which will be retained by Plaintiff; (3) in lieu of civil penalty, Defendant will pay Plaintiff \$ 12,202.43; and (4) Defendant will pay Plaintiff \$11,325.57 for attorneys' fees and costs. [Consent judgment.](#)

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