

Court Grants in Part and Denies in Part Motion to Dismiss In Goji Berry Origin Case

Torrent v. Ollivier, et al., No. 2:15-cv-02511 (C.D. Cal.): The Court entered an order granting in part Defendant's motion to dismiss this putative class action for violations of California's CLRA and UCL, which alleged that Defendants falsely advertised that its goji berries were harvested from the Himalayas, when they, in fact, came from the Ningxia province of China. The Court dismissed the claims insofar as they relate to consumers' knowledge of the Ningxia province of China, but let stand the allegations that Defendants intended to create the impression in the minds of consumers that the berries were harvested from the Himalayas, based on allegations that Defendants' packaging includes the statements, "The most famous berry in the Himalayas," and "Goji berries originate in the high plateaus of the Himalayan mountains." [Order](#).

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