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Food & Consumer Packaged Goods Litigation

# Preliminary Settlement Approved in Misleading Coconut Water Suit

[\*Ma, et al. v. Harmless Harvest, Inc.\*, No. 2:16-cv-07102](#) (E.D.N.Y.): The Court preliminary approved a settlement in this putative class action alleging that Defendant labeled its coconut water as "100% organic" and "USDA Organic" and "100% raw" even though it knew its products were not solely made from organic coconuts and were not "raw." As part of the settlement, Defendant represented that it had removed all "raw" and "100% Organic" labels from products imported into the United States, although Defendant will continue to label its coconut water as "USDA Organic." In addition, Defendant agreed to pay an independent consultant to review for a period of two years the labeling on Defendant's coconut water products to ensure the labels are accurate. Defendant will also pay a settlement administrator up to \$350,000 to notify class members of the settlement. And Defendant agreed to pay up to \$575,000 to Plaintiffs' counsel for their attorneys' fees and costs and up to \$20,000 total to the named plaintiffs as an incentive award.

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