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October 15, 2017

Food & Consumer Packaged Goods Litigation

### **New Filings - October 15, 2017**

[Daniel v. Tootsie Roll Industries, LLC](#), No. 1:17-cv-07541 (S.D.N.Y.): Putative class action for violation of New York's Deceptive and Unfair Practices Act and False Advertising provisions of the GBL, and raising a claim for common law fraud. Plaintiff alleges Defendant's boxes of Junior Mints candy are deceptively 43% slack fill, in excess of what is permitted.

[Fromme, et al. v. Just Born, Inc.](#), No. 2:17-cv-07373 (C.D. Cal.): Putative copycat class action asserting violations of California's CLRA, UCL and FAL. Plaintiffs allege they were surprised and disappointed when they opened the Mike & Ike Original Fruits product to discovery that the container had more than 30% empty space, or slack-fill. Plaintiffs allege that had they known about the slack-fill, they would not have purchased Defendant's product.

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## **Food & Consumer Packaged Goods Litigation**

Food & Consumer Packaged Goods Litigation shares timely insights into litigation developments, emerging arguments and challenges facing food and consumer packaged goods manufacturers and related industries.

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