



Our weekly roundup aims to keep our readers up to date on recent notable rulings in the food & consumer packaged goods space.

- ***Darlene Hollins, et al. v. Walmart, Inc., et al.***, No. 21-56031 (9th Cir. – May 11, 2023): The Ninth Circuit affirmed the Central District of California's order granting summary judgment in a consumer class action challenging the labeling of *glucosamine sulfate* supplements. The plaintiffs argued the supplements had a different chemical composition than advertised. The panel upheld the district court's ruling that plaintiff's state-law claims were preempted by federal law because plaintiffs' own expert witness' testing methods were not accepted by the FDA to validate label claims or reflect ingredients' common or usual names. Opinion linked [here](#).

- *Keith Carroll, et al. v. The J.M. Smucker Co.*, No. 3:22-cv-08952-WHA (N.D. Cal. – June 15, 2023): The Northern District of California dismissed a putative class action alleging that the company's website violated the Video Privacy Protection Act (VPPA), enacted to prohibit the wrongful disclosure of video tape rental or sale records, by implementing data tracking technology on its website, which collects information about website. The court dismissed the case on personal jurisdiction grounds, finding significant jurisdictional deficiencies and a failure to tie the challenged conduct to California. Opinion linked [here](#).

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