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Food & Consumer Packaged Goods Litigation

Settlement Terms Approved in Stevia Sweetener Suit

Aguiar v. Merisant, 2:14-CV-00670 (C.D. Cal.): Judge Klausner granted a motion for preliminary settlement approval in this putative class action alleging that defendants misleadingly market their Pure Via zero calorie sweetener as "natural" when it in fact contains synthetic dextrose and chemically processed ingredients derived from stevia. Under the terms of the approved settlement, defendants are to pay \$1.65 million into a fund to compensate consumers who purchased the products, with individual consumers eligible to claim between \$5.00 and \$30.00 each, and residual funds to be distributed on a pro rata basis to class members. Defendants have also agreed to change their product labeling to include an asterisk directing consumers to a website for more information about ingredients and the basis for the "natural" classification of the products. Finally, the settlement allocates attorneys' fees not in excess of 30% of the settlement sum, and an incentive award for the plaintiff not to exceed \$4,000. [Order.](#)

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