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January 14, 2015

Food & Consumer Packaged Goods Litigation

### **New Filings for January 14, 2015**

*Zakaria v. Gerber Products Co.*, No. 2:15-cv-00200 (C.D. Cal.): Putative class action alleging defendant falsely labels and markets its Good Start Gentle baby formula, containing hydrolyzed whey protein, as reducing the risk of developing allergies and atopic dermatitis despite a lack of evidence supporting that proposition and an FDA letter rejecting the allergies claim altogether and asserting that the atopic dermatitis claim must be heavily qualified in order to receive FDA endorsement. [Complaint](#). *Cabrera v. Fifth Dimension, Inc. dba Tito's Handmade Vodka*, No. 14cv2990 (S.D. Cal): Putative class action alleging defendant falsely labels and advertises its vodka as "Handmade" and "Crafted in an Old Pot Still" when the vodka is actually made using mechanized and automated processes with little human supervision or involvement. [Complaint](#). *Mladenov v. Whole Foods, Inc.*, *Mladenov v. Acme Markets, Inc.*, *Mladenov v. Wegman's Food Market, Inc.* (N.J. Sup. Ct.): Nearly identical putative class actions alleging defendants falsely advertise that their breads are "made in store," when in fact the bread was delivered to the stores frozen and then re-baked or partially baked at the stores. [Whole Foods](#); [Acme](#); [Wegmans](#). *Crane v. Lesserevil LLC*, No. 0:14-cv-62854 (S.D. Fla.): Putative fraud class action alleging defendant's "Chia Crisps" are falsely advertised as composed mostly of chia seeds when in reality they are made of black beans. [Complaint](#).

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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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