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September 23, 2016

Food & Consumer Packaged Goods Litigation

### **New Filings for September 12, 2016**

*Environmental Research Center Inc. v. BPI Sports LLC*, No. RG-16-830792 (Cal. Super. Ct. – Alameda Cnty.): Proposition 65 action alleging Defendant failed to warn consumers its food products contain lead. *Benson v. Wheat Montana Farms, Inc.*, No. RIC-1611718 (Cal. Super. Ct. – Riverside Cnty.): False advertising class action. Plaintiff alleges that Defendant advertises its pancake mix as healthy, but lists "evaporated cane juice" on its ingredient list. *O'Neal v. Natural & Tasty, LLC*, No. RIC-1611717 (Cal. Super. Ct. – Riverside Cnty.): False advertising class action. Plaintiff alleges that Defendant advertises its dessert as healthy, but lists "evaporated cane juice" on its ingredient list. *As You Sow v. Mishima Foods USA, Inc.*, No. RG-16-830857 (Cal. Super. Ct. – Alameda Cnty.): Proposition 65 action alleging Defendant failed to warn consumers its snack products contain cadmium and lead. *Kazemi v. Dave's Gourmet, Inc.*, No. 3:16-cv-5269 (N.D. Cal.): Evaporated cane juice class action for violations of California's FAL and UCL, Florida's Deceptive and Unfair Trade Practices Act, and negligent misrepresentation. Plaintiff alleges that Defendant advertises its pasta sauces as containing "evaporated cane juice" on their ingredient lists, instead of sugar. [Complaint](#). *Consumer Advocacy Group, Inc. v. Tawa Supermarket, Inc., et al.*, No. BC634011 (Cal. Super. Ct. – Los Angeles Cnty.): Proposition 65 action alleging Defendants failed to warn consumers its seaweed snack products contain cadmium.

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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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