

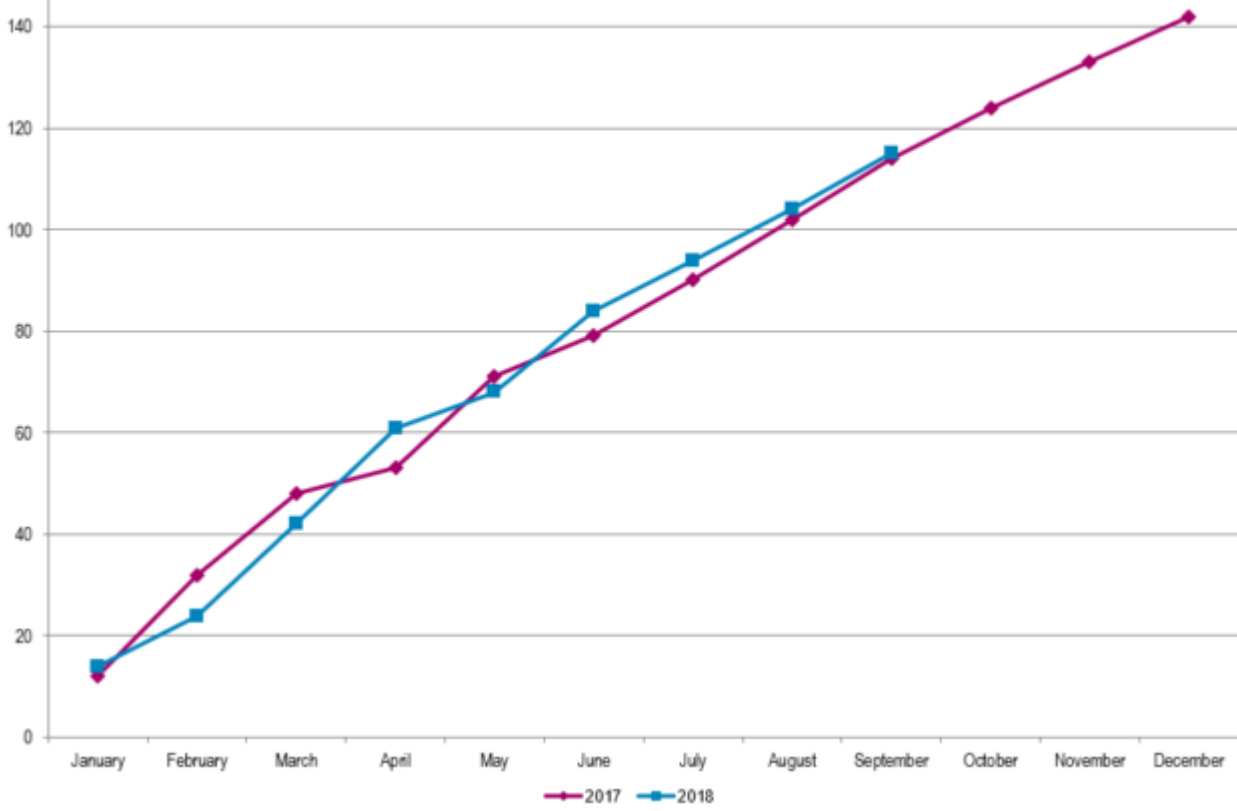
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October 09, 2018

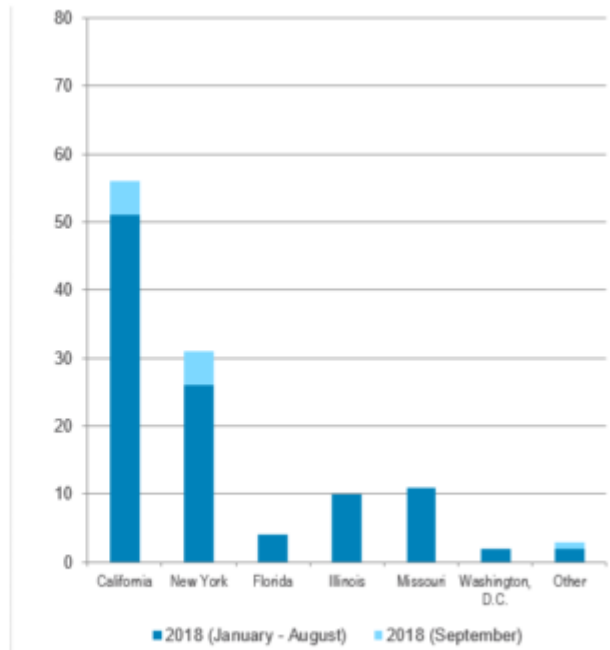
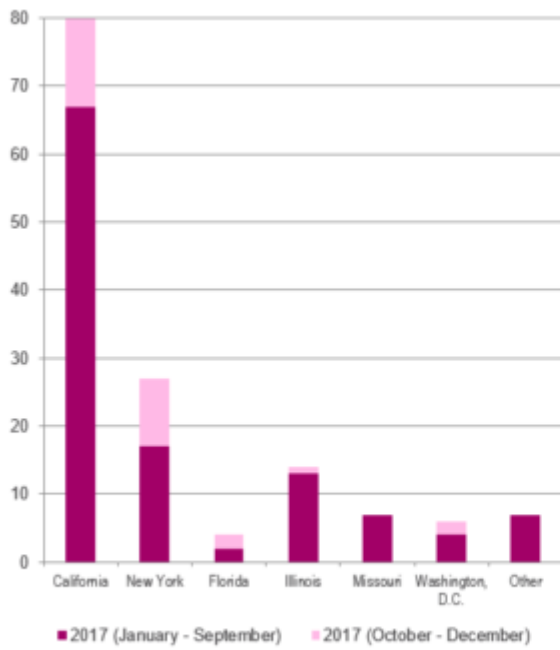
Food & Consumer Packaged Goods Litigation

PC Food Litigation Index: September 2018

Each month we will be sharing the PC Food Litigation Index, a summary of latest class action filings in the food and beverage industry. This data is compiled by Perkins Coie based on a review of dockets from courts nationwide. September filing activity included several cases challenging the marketing and labeling claims attached to beverage products, with well-known brands like Coca-Cola and Arizona Beverages in plaintiffs lawyers' sights. [Nelson v. Coca-Cola](#) is among the latest in a long string of consumer suits that take issue with "natural" or "all natural" food and beverage labels. The plaintiff in the case contends that a reasonable consumer would take the "natural" label on Hansen's Natural Sodas to mean that the beverages are "free of any artificial or synthetic ingredients." She alleges that she would not have purchased the products if she had known that they contain such ingredients. A similar lawsuit, [Froio v. Ocean Spray Cranberries](#), contests the labeling claims on several of the defendant's juice beverage products, which represent that the products contain no artificial colors or flavors. The plaintiffs alleges that these claims, bolstered by "pictures of water, fields, and fruits pertaining to the specific fruit juice blend in question," are misleading, because the products do in fact contain artificial ingredients. Challenges to health-related labeling claims were also particularly high this month, the [Neville v. Arizona Beverages](#) case representing this trend. In this case, the plaintiff argues that nutrition facts panel misleads consumers, setting out the sugar and calorie counts for a single serving, even though the standard can actually contains two servings. In another beverage case, [Levin v. Stremicks Heritage Foods](#), the plaintiff argues that while the defendant's labels "convey to the consumer that these are healthy, natural beverages, brimming with healthful fruit juices," they are in fact primarily water and high fructose corn syrup. Further, the plaintiff argues that the "excellent source of vitamin C" claim is false, as the "excess sugar" contained in the products "interferes with the body's metabolism of vitamins." **Annual Filing Trends**

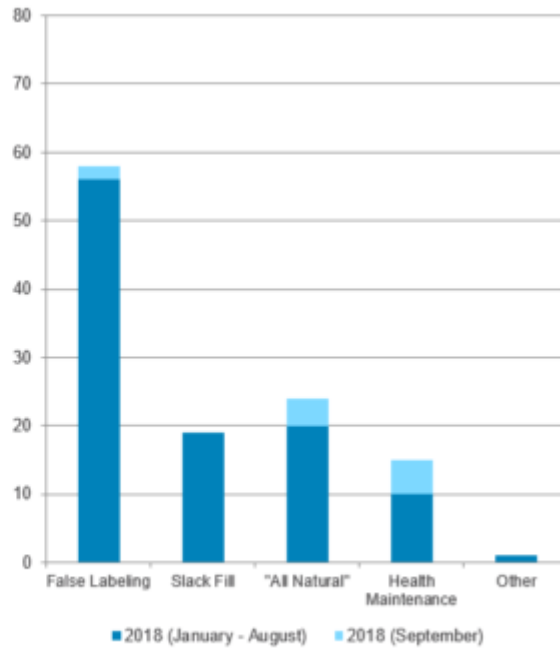
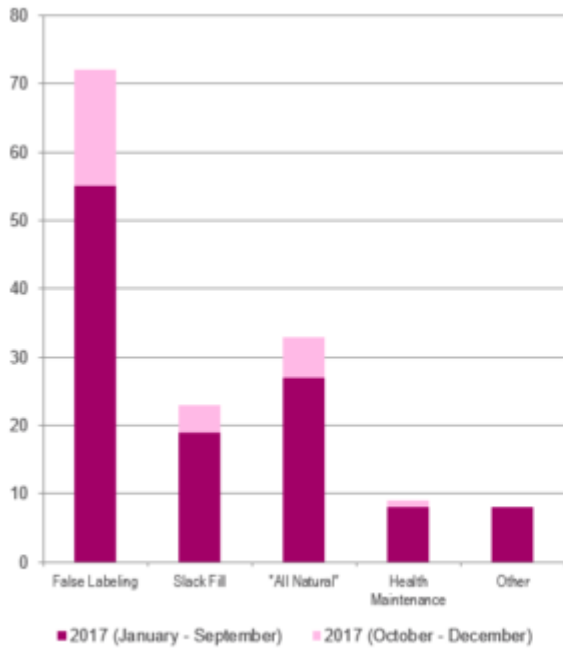


Filings by



Jurisdiction

Filings by Category



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