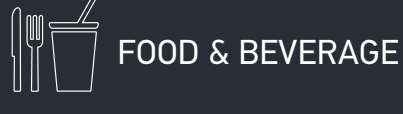


Food & Consumer Packaged Goods Litigation 2023 YEAR IN REVIEW

THIS REPORT COVERS LEGAL TRENDS IN:



FOOD & BEVERAGE



SUPPLEMENTS



CANNABIS



PET FOOD



PERSONAL CARE PRODUCTS



PROPOSITION 65

Food & Beverage

FOOD AND BEVERAGE CLASS ACTIONS: FILINGS BY YEAR

2023 saw a decrease in class action lawsuits filed against the food and beverage industry, 187 cases.

PRESERVATIVE CLAIMS

were among the most popular categories in 2023.

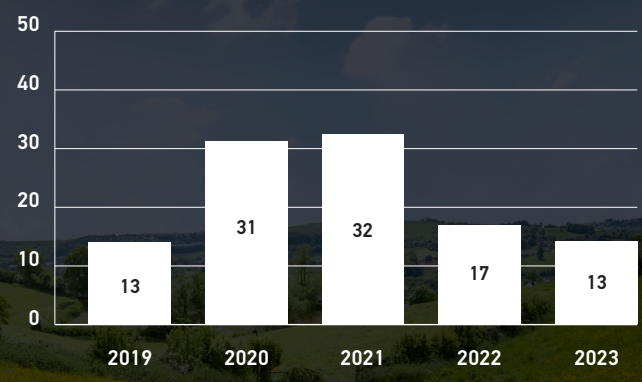


Environmental, Social, and Governance

Recent environmental, social, and governance (ESG) case filings highlight the increasing scrutiny related to sustainability claims and supply chain ethics.

The plaintiffs' bar continued to attack recyclability claims and challenge representations that sunscreens are "reef friendly," "reef safe," or contain a "reef-conscious formula."

ESG RELATED CLASS ACTIONS: FILINGS BY YEAR



Pet Food

In 2023, plaintiffs filed putative class action lawsuits targeting the pet food industry, with a focus on "natural" claims and alleged salmonella contamination.

"NATURAL"
and
"SALMONELLA"
claims were targets of putative class action suits in 2023

Supplements

Filings made against dietary supplement companies were slightly down in 2023, compared to the record high number of supplement-related consumer class-action filings in 2022.

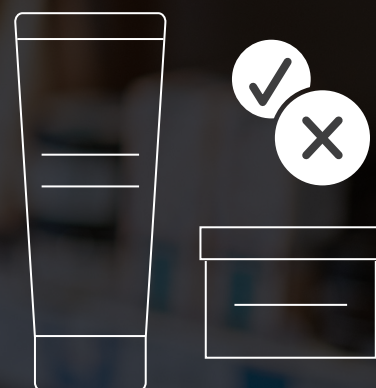
As in previous years, a significant number of the filings in 2023 involved false labeling claims, which accounted for 42% of all filings.

42%
FALSE LABELING



Personal Care Products

In 2023, 45% of filings were related to efficacy claims. We also continued to see lawsuits alleging the presence of a harmful ingredient, challenging clean beauty claims, and pure false advertising cases.



Cannabis

Our survey of federal cannabis class actions filed between 2019 and 2023 revealed approximately 170 new case filings.

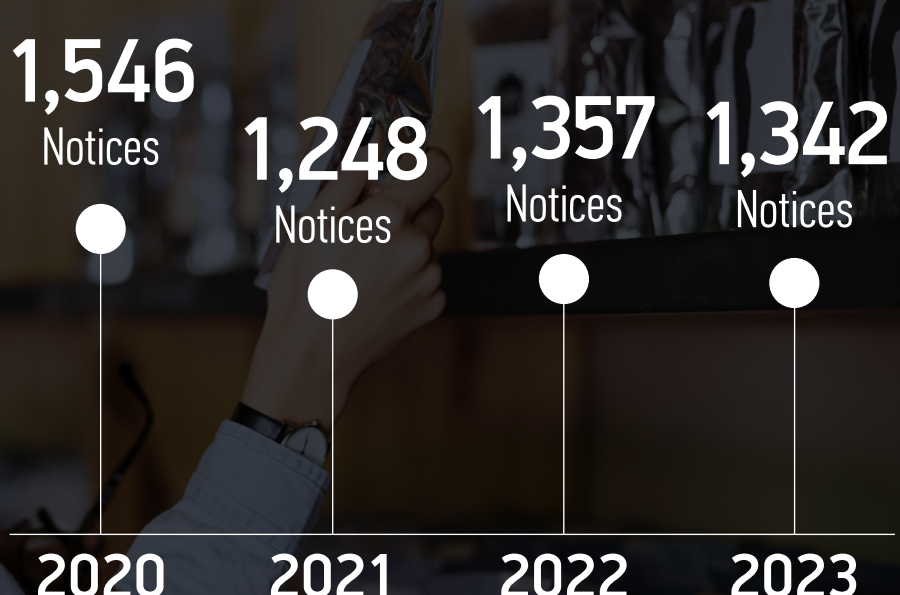
20% Approximate filings involved securities in cannabis businesses

20% Approximate filings involved the Telephone Consumer Protection Act (TCPA)

Proposition 65

Food, beverage, and dietary supplement companies remain major targets for Proposition 65 plaintiffs, with pre-litigation notices staying relatively stable from 2021 through 2023.

As in prior years, the pre-litigation notices primarily target foods containing heavy metals like lead, cadmium, and arsenic.



View The Full Report:
PerkinsCoie.com/Food-CPG-YIR-2023