

## California: Consumers can sue over products falsely labeled organic

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Federal law does not bar consumers from filing lawsuits under California law alleging food products are falsely labeled “organic,” the state Supreme Court ruled.

The ruling overturned a lower court decision that barred such suits on the grounds that they were superseded by federal law.

Congress wanted only state and federal officials to police organic food violations in order to create a national standard for organic foods, a division of the 2nd District Court of Appeal decided in 2013.

But the state Supreme Court said allowing consumer lawsuits would further congressional goals of curtailing fraud and ensuring consumers can rely on organic labels.

“Accordingly, state lawsuits alleging intentional organic mislabeling promote, rather than hinder, Congress’s purposes and objectives,” Associate Justice Kathryn Werdegar wrote for the unanimous court.

The ruling will have an impact beyond California’s borders, said Marsha Cohen, a professor at UC Hastings College of the Law in San Francisco.

“Nothing in here is irrelevant to a parallel case in another state,” she said. “The court is simply saying federal law does not supersede our consumer protection functions.”

At issue were allegations in a lawsuit by consumer Michelle Quesada that Herb Thyme Farms Inc. — one of the nation’s largest herb producers — mixed organic and non-organic herbs then falsely labeled the product “organic.”

**Read full, original post:** [California high court OKs organic labeling lawsuits](#)