

Lawsuit alleging Chipotle falsely advertised non-GMO ingredients headed back to court

Reconsidering his previous dismissal, a federal judge has decided to advance a class action accusing Chipotle Mexican Grill of falsely advertising its food as made from only non-GMO ingredients.

U.S. District Judge Haywood Gilliam Jr. said he'd [changed his mind](#) in light of *Davidson v Kimberly-Clark Corp.*, a recent case involving supposedly “flushable” toilet wipes. In that case, the Ninth Circuit held that it may be possible for a consumer to seek injunctive relief after already buying a product and knowing or suspecting the label or advertising to be false.

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The case was originally brought by Colleen Gallagher in August 2015. She claimed Chipotle's tacos, burritos, sour cream and cheese all come from cows fed with genetically modified feed.

Gallagher dropped out of the case in April 2016, and Gilliam dismissed it. But another group of Chipotle customers took up the fight and filed another class action later that month, which Gilliam also dismissed for lack of standing.

But on [October 1], Gilliam granted the plaintiffs' motion for reconsideration and denied Chipotle's motion for summary judgment. “Plaintiffs have offered sufficient evidence to create a disputed issue of material fact that [they] would not have purchased the Chipotle meat and/or dairy products were it not for the allegedly misleading branding,” he wrote.

Read full, original article: [Judge Revives Fight Over Chipotle 'G-M-Over It' Ad](#)