



December 8, 2014 Dinner Meeting Review

Thank you to Anthony Anscrombie from the Sedgwick Law firm in downtown Chicago for coming out last Monday and speaking with us about litigation and class action law suits taking place in the Food Industry. Typically, as R&D, Sales, QA, or Management we don't think about how our day to day actions in the work place may leave our companies exposed or think about the number of people that are going to be scrutinizing the products we make. The primary goal for most of us is to make safe and enjoyable products for consumers. But, just remember, if there isn't any pollen in your Natural Honey or if the ppm Arsenic in your apple juice is higher than bottled water your company may be at risk.

Some of the most interesting class action law suits that are taking place in the Food Industry today are as follows: Subway is being sued for selling their famous \$5 Foot Longs because they only measure in at 11". Activia Yogurt is involved in a class action law suit because the amount of probiotics found in a single serving of the yogurt may not be significant enough to aid digestion. Goldfish were accused of not being Natural because they have the potential to have a GMO ingredient included in them. Chobani Yogurt has been involved in litigation and accused of trying to hide the sugar in the label by using evaporated cane juice instead of other more common sugars on the label.

The most alarming of them all? Blue Sky Soda. Being sued because a consumer was outraged the product was not manufactured in New Mexico, which they assumed because of the Southwest Native American style artwork on the can. Yes, they are being sued because the product was made in California as opposed to New Mexico where the consumer thought it was made.

So the question becomes what can I do to protect myself? What can I do to protect my employer? Here are 5 tips from Anthony on how you can stay out of the "Stew".

- 1) Product Safety is #1.
- 2) Avoid statements which are factually true but may be misleading to a large number of people.
- 3) Everything in and about your product will be scrutinized. Be careful using descriptors such as "Natural", "GMO Free", "Fresh", and "Organic".
- 4) Keep an eye on what is being said about other similar products. The Plaintiff's BAR will target similar products if they find success with another.
- 5) Watch what you say and how you say it. Make sure recorded documents and conversations tell a good story about you and your company.

If you or your company have any questions or concerns about legalities in the Food Industry please contact Anthony directly at the Sedgwick Law firm in Chicago. He and his team will be happy to work with other CSIFT Members.



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Merry Christmas & Happy Holidays to you, your families, and friends. We look forward to seeing you in the New Year at our Chocolate Tasting Event at Everest downtown in January.

Glenn Bluemer

CSIFT Chair-Elect