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*Attorneys for Plaintiff,*  
Victoria Palmer

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**Case No.: 2:25-cv-04777**

**VICTORIA PALMER,  
Individually and On Behalf of All  
Others Similarly Situated,**

**CLASS ACTION**

**COMPLAINT FOR VIOLATIONS  
OF:**

**Plaintiff,**

- 1) CALIFORNIA CONSUMER LEGAL REMEDIES ACT (“CLRA”), CAL. CIV. CODE §§ 1750, *ET SEQ.*;
- 2) CALIFORNIA’S UNFAIR COMPETITION LAW (“UCL”), CAL. BUS. & PROF. CODE §§ 17200, *ET SEQ.*;
- 3) CALIFORNIA’S FALSE ADVERTISING LAW (“FAL”), CAL. BUS. & PROF. CODE §§ 17500, *ET SEQ.*;
- 4) BREACH OF EXPRESS WARRANTY
- 5) UNJUST ENRICHMENT;
- 6) NEGLIGENT MISREPRESENTATION; AND,
- 7) INTENTIONAL MISREPRESENTATION.

**v.**

**THE COCA-COLA COMPANY,**

**Defendant.**

**JURY TRIAL DEMANDED**

**ACTION SEEKING STATEWIDE  
OR NATIONWIDE RELIEF**



## INTRODUCTION

1  
2 1. Plaintiff Victoria Palmer (“Plaintiff” or “Ms. Palmer”), individually and on  
3 behalf of all others similarly situated, brings this class action complaint  
4 (“Complaint”) for damages, injunctive relief, and any other available legal or  
5 equitable remedies resulting from the unlawful actions of Defendant The Coca-Cola  
6 Company, doing business as Sprite and Fanta (“Coca-Cola ” or “Defendant”).

7 2. This Complaint concerns the illegal, unfair, and deceptive labeling,  
8 marketing, and sale of Coca-Cola’s beverage products as being made with “100%  
9 Natural Flavors.”

10 3. The unlawfully and deceptively represented products are sold through  
11 multiple channels, including, but not limited to, direct-to-consumer sales via  
12 Defendant’s Amazon.com (“Amazon”) store, as well as through third-party  
13 merchants operating both brick-and-mortar locations and online platforms. These  
14 include, but are not limited to, Safeway, Vons, Albertsons, Target, Walmart, Kroger,  
15 CVS, Walgreens, and numerous other retailers throughout the United States.

16 4. Ms. Palmer alleges as follows upon personal knowledge as to herself and her  
17 own acts and experiences, and as to all other matters, upon information and belief,  
18 including investigation conducted by her attorneys.

19 5. In the highly competitive beverage industry, companies sometimes seek to  
20 gain an unfair advantage by misleading consumers about the nature and quality of  
21 their products. Coca-Cola manufactures, markets, and sells two lines of products that  
22 are prominently labeled as containing “100% Natural Flavors.” In reality, these  
23 products contain significant amounts of synthetic ingredients that are integral and  
24 indispensable to their flavor systems, rendering the labeling false, deceptive,  
25 misleading, and fraudulent.

26 6. Numerous federal and state laws, rules, and regulations govern the proper  
27 labeling of consumer products, including beverages.  
28



1 7. For example, the Federal Food, Drug, and Cosmetic Act (“FDCA”), and  
2 various state laws<sup>1</sup> that generally align with the FDCA govern the aspects of food  
3 and beverage labeling discussed herein. These laws reflect a fundamental principle:  
4 **consumers have the right to know what they are purchasing and consuming.**

5 8. When companies misrepresent the presence of key ingredients, fail to disclose  
6 the true nature of components that materially affect product flavor or composition,  
7 mischaracterize the nature of their formulations, or falsely imply that certain  
8 ingredients are natural or derived from natural sources, they violate fundamental  
9 consumer protection laws. Such conduct erodes consumer trust, distorts fair  
10 competition, and grants deceptive actors an improper advantage in the marketplace.

11 9. Under both the FDCA and the Sherman law, a food is considered misbranded  
12 if its labeling is false or misleading in *any particular*.<sup>2</sup> This includes representations  
13 about the nature, source, or quality of ingredients, including claims regarding  
14 whether flavors are “natural.”

15 10. Defendant’s Sprite and Fanta beverage products are labeled, marketed, and  
16 sold in the United States as being made with “100% Natural Flavors,” thereby  
17 expressly warranting that they contain no artificial flavoring ingredients and that no  
18 synthetic substances contribute to their flavor systems, including the flavor  
19 experienced by consumers. In reality, these products contain synthetic ingredients—  
20 including key flavoring compounds—rendering such representations false and  
21 misleading under both federal and California law.

22 11. Defendant’s Sprite Lemon-Lime flavor beverages (the “Sprite Product”) and  
23 Fanta Orange flavor beverages (the “Fanta Product” and, together with the Sprite  
24 Product, the “Product(s)”) purchased by Plaintiff were falsely labeled as containing

25  
26  
27 <sup>1</sup> See California Sherman Food, Drug, and Cosmetic Law (“Sherman Law”), Cal.  
28 Health & Safety Code §§ 109875–111915.

<sup>2</sup> See 21 U.S.C. § 343(a); Cal. Health & Safety Code § 110390, 110395, 110398.

1 “100% Natural Flavors,” despite the presence of synthetic ingredients that materially  
2 contributed to the Products’ flavor.

3 12. As stated by the California Supreme Court in *Kwikset v. Superior Court*, 51  
4 Cal. 4th 310, 328-29 (2011):

5  
6 **Simply stated: labels matter.** The marketing industry is  
7 based on the premise that labels matter, that consumers  
8 will choose one product over another similar product  
9 based on its label and various tangible and intangible  
10 qualities that may come to associate with a particular  
11 source. . .

12 13. Defendant’s conduct of labeling, marketing and selling deceptively labeled  
13 products bearing the aforementioned misrepresentation(s) violates: (1) California’s  
14 Consumer Legal Remedies Act (“CLRA”), Cal. Civ. Code §§ 1750, *et seq.*; (2)  
15 California’s Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code §§ 17200, *et*  
16 *seq.*; (3) California’s False Advertising Law (“FAL”), Cal. Bus. & Prof. Code §§  
17 17500, *et seq.*; and constitutes (4) breach of express warranty; (5) unjust enrichment;  
18 (6) negligent misrepresentation; and (7) intentional misrepresentation.

19 14. Defendant’s conduct of labeling, marketing and selling deceptively labeled  
20 products bearing the aforementioned misrepresentations also violates the FDCA and  
21 the Sherman Law.

22 15. This conduct caused Plaintiff, and other similarly situated consumers,  
23 damages, and requires restitution and injunctive relief to remedy and prevent future  
24 harm.

25 16. In addition to the “100% Natural Flavors” claims on the Products purchased  
26 by Plaintiff, upon information and belief, many of Defendant’s other substantially  
27 similar Sprite and Fanta beverages—including, but not limited to, Sprite Zero Sugar,  
28 Sprite Chill Strawberry Kiwi, Sprite Tropical Mix, Sprite Lymonade, Sprite Cherry,  
Sprite Winter Spiced Cranberry, Fanta Zero Sugar Orange, Fanta Strawberry, Fanta



1 Grape, Fanta Peach, Fanta Pineapple, Fanta Pina Colada, and Fanta Berry  
2 (collectively, with the Products purchased by Plaintiff, the “Class Products”)<sup>3</sup>—are,  
3 or have been marketed and sold using the same unlawful, unfair, and deceptive  
4 “100% Natural Flavors” claims.

5 **JURISDICTION AND VENUE**

6 17. This Court has jurisdiction over this matter pursuant to the Class Action  
7 Fairness Act (CAFA), 28 U.S.C. § 1332(d), because: (1) there is minimal diversity  
8 because Plaintiff is a citizen of the State of California and Defendant is a Delaware  
9 corporation with its headquarters and principal place of business in Georgia;<sup>4</sup> (2) the  
10 amount in controversy in this matter exceeds \$5 million, exclusive of interest and  
11 costs; and (3) there are more than one hundred (100) people in the putative class.

12 18. Venue is proper in the United States District Court for the Central District of  
13 California pursuant to 28 U.S.C. § 1391 for the following reasons: (i) Plaintiff  
14 resides in Los Angeles County, California, which is within this judicial district; (ii)  
15 a substantial part of the conduct complained of herein occurred within this judicial  
16 district; (iii) Defendant conducted business within this judicial district at all relevant  
17 times.

18 **PARTIES**

19 19. Ms. Palmer is, and at all times mentioned herein was, a natural person, an  
20 individual citizen and resident of Los Angeles County, California.

21 20. Defendant is a corporation that is organized and exists under the laws of  
22 Delaware, with its principal place of business in Georgia located at One Coca-Cola  
23 Plaza, Atlanta, Georgia 30313.

24  
25 \_\_\_\_\_  
26 <sup>3</sup> Class Products include all seasonal and limited edition variations of Sprite and  
Fanta, including but not limited to those not specifically listed herein.

27 <sup>4</sup> According to the California Secretary of State’s website, The Coca-Cola Company  
28 (Control ID 167890) is a Delaware corporation that has been registered to do  
business in California since July 28, 1936.



1 21. Defendant is a manufacturer, distributor and seller of beverage and related  
2 food products that conducts business: (a) direct-to-consumers through its Amazon  
3 store; (b) through the websites of third-party vendors, including, but not limited to,  
4 Walmart.com, CVS.com, Walgreens.com, Target.com, and Kroger.com, among  
5 others; and (c) through the distribution of its products to be sold in grocery stores,  
6 convenience stores, movie theaters, amusement parks, sports and entertainment  
7 venues, hotels, airports, vending machines, and elsewhere including, but not limited  
8 to, Walmart, CVS, Walgreens, Target, and 7-Eleven, among others.

9 22. Ms. Palmer alleges that at all relevant times Defendant conducted business  
10 within the State of California, in Los Angeles County, and within this judicial  
11 district.

12 23. Unless otherwise indicated, the use of Defendant’s name in this Complaint  
13 includes all agents, employees, officers, members, directors, heirs, successors,  
14 assigns, principals, trustees, sureties, subrogees, representatives, and insurers of the  
15 Defendant, respectively.

16 **NATURE OF THE CASE**

17 24. Defendant was founded in Atlanta, Georgia in 1886 and has since grown into  
18 one of the most recognizable brands in the world—whether in the beverage industry  
19 or among global consumer brands generally. Today, depending on the year,  
20 Defendant ranks as either the largest or second-largest beverage company in the  
21 United States, if not the world.

22 25. Defendant produces, markets and sells a wide portfolio of beverage products  
23 through multiple distribution channels including, but not limited to, its Amazon  
24 store, through third-party retailers online as well as in brick and mortar stores,  
25 restaurants and elsewhere. In 2024, Defendant reported annual revenue of \$47.1  
26 billion, underscoring its immense scale and market dominance.<sup>5</sup>

27 \_\_\_\_\_  
28 <sup>5</sup> See *Coca-Cola Reports Fourth Quarter and Full Year 2024 Results*  
<https://investors.coca-colacompany.com/news-events/press->



1 26. As a direct result of its sustained success, Defendant commands financial,  
2 technical, legal, and regulatory resources that are virtually unparalleled in the global  
3 marketplace.

4 27. Given Defendant’s long-standing presence in the food and beverage  
5 industry—and its vast resources and operational sophistication—it is difficult to  
6 comprehend how it could so blatantly disregard the well-established laws, rules,  
7 and regulations governing the labeling, marketing, and sale of beverage products.

8 28. At all relevant times, Defendant has made and continues to make material  
9 misrepresentations regarding the Class Products either directly or through its  
10 agents.<sup>6</sup>

11 29. Specifically, Defendant labeled, packaged, marketed, and sold the Class  
12 Products as containing “100% Natural Flavors” when, in reality, they contain  
13 multiple synthetic ingredients that contribute to the Class Products’ flavor—  
14 including one that is a primary driver of the overall flavor profile. These claims are  
15 false, unlawful, unfair, and deceptive, and they continue to be made to this day.

16 30. Each consumer, including Plaintiff, was exposed to the same material  
17 misrepresentations, as substantially similar labels, packaging and/or marketing  
18 materials were used in connection with all Class Products sold—and currently being  
19 sold—throughout the United States, including within the State of California.

20 31. Federal and state laws, rules, and regulations regarding the labeling of  
21

22 [releases/detail/1128/coca-cola-reports-fourth-quarter-and-full-year-2024-results](#)  
23 (last visited May 16, 2025).

24 <sup>6</sup> Indeed, Coca-Cola’s B2B platform represents many of the Class Products as  
25 being made with “100% Natural Flavors.” See  
26 <https://www.cokesolutions.com/products/brands/sprite/sprite.html> (last accessed  
27 May 16, 2025); [https://www.cokesolutions.com/products/brands/sprite-](https://www.cokesolutions.com/products/brands/sprite-zero/sprite-zero_.html)  
28 [zero/sprite-zero\\_.html](https://www.cokesolutions.com/products/brands/sprite-zero/sprite-zero_.html) (same);  
<https://www.cokesolutions.com/products/brands/fanta/fanta.html> (same);  
[https://www.cokesolutions.com/products/brands/fanta-zero/fanta-zero\\_.html](https://www.cokesolutions.com/products/brands/fanta-zero/fanta-zero_.html)  
(same).

1 consumer products are well-established and clearly defined. Specifically, under the  
2 FDCA and the Sherman Law, a food is considered misbranded if its labeling is false  
3 or misleading in any particular.

4 32. As a direct result of Defendant’s unfair and deceptive practices, Plaintiff and  
5 other similarly situated consumers purchased the Class Products based on false  
6 impressions and in reasonable reliance on Defendant’s misrepresentation.

7 33. As a result, Plaintiff and other similarly situated consumers overpaid for the  
8 Class Products, purchased the Class Products over the products of competitors,  
9 and/or purchased the Class Products under the belief that the Defendant’s  
10 representations were accurate, truthful and lawful. This includes both initial and  
11 repeat purchases of the Class Products.

12 34. Despite clearly established and well-defined federal and state laws, rules, and  
13 regulations—including consumer protection laws—governing the labeling,  
14 marketing, and sale of food and beverage products in the United States, Defendant  
15 falsely, unfairly, and deceptively advertised, marketed, and sold its products,  
16 including the Products purchased by Plaintiff, as further detailed herein.

17 35. Had Plaintiff been aware that the labeling and marketing of the Class  
18 Products contained false and deceptive misrepresentations, she would not have  
19 purchased the Class Products or would have paid less for them.

20 36. As a result of Defendant’s false, unfair, and deceptive representations—and  
21 its failure to disclose the true nature of the flavoring ingredients used in the Class  
22 Products—consumers nationwide, inclusive of Plaintiff, purchased millions of units  
23 of the Class Products across the United States, including in California, and have  
24 suffered, and continue to suffer, harm, including the loss of money and/or property.

25 37. Defendant’s conduct regarding the labeling, marketing, and sale of the Class  
26 Products, as alleged herein, violates multiple federal and California laws, rules, and  
27 regulations, as detailed below.

28 38. This action seeks, among other things, actual damages and prospective



1 injunctive relief (including public injunctive relief), and in the alternative restitution  
2 and disgorgement of all ill-gotten profits resulting from Defendant’s alleged  
3 wrongdoing.

4 39. Unless enjoined, Defendant's unfair, deceptive and unlawful conduct will  
5 continue into the future, and Plaintiff and Class members will continue to suffer  
6 harm through the purchase of Defendant’s misbranded Class Products in the  
7 marketplace.

8 **FACTUAL ALLEGATIONS**

9 40. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of  
10 this Complaint as though fully set forth herein, and further alleges as follows:

11 41. At all relevant times, including as of the filing of this Complaint, Defendant  
12 has made material misrepresentations regarding the Class Products either directly  
13 or through its agents.

14 42. Defendant produces, markets, advertises and sells certain of its products,  
15 including the Products purchased by Plaintiff, as being made with “100% Natural  
16 Flavors.”

17 43. The term “Natural Flavor” is well-defined under United States law.<sup>7</sup> In  
18 general, it refers exclusively to flavoring substances that are derived from natural  
19 sources, including plant or animal materials.

20 44. The legal definition of “Natural Flavor” does not encompass substances  
21

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22 <sup>7</sup> See 21 C.F.R. § 101.22(a)(3) (“The term *natural flavor* or *natural flavoring* means  
23 the essential oil, oleoresin, essence or extractive, protein hydrolysate, distillate, or  
24 any product of roasting, heating or enzymolysis, which contains the flavoring  
25 constituents derived from a spice, fruit or fruit juice, vegetable or vegetable juice,  
26 edible yeast, herb, bark, bud, root, leaf or similar plant material, meat, seafood,  
27 poultry, eggs, dairy products, or fermentation products thereof, whose significant  
28 function in food is flavoring rather than nutritional. Natural flavors include the  
natural essence or extractives obtained from plants listed in §§ 182.10, 182.20,  
182.40, and 182.50 and part 184 of this chapter, and the substances listed in §  
172.510 of this chapter.”) (emphasis in original)

1 produced synthetically, including those synthesized by genetically modified or  
2 mutated strains of mold. Additionally, consumers’ understanding of “Natural  
3 Flavor” does not encompass synthetic ingredients that drive or contribute to the  
4 overall flavor experience.

5 45. In the food and beverage industry, natural flavors are highly valued by  
6 consumers and frequently used in products targeted at health-conscious individuals.  
7 Companies often include natural flavors—and prominently advertise their use—to  
8 enhance the perceived healthfulness of their products, boost sales, gain a  
9 competitive edge, and avoid public scrutiny.

10 46. Consumers, including Plaintiff, increasingly favor products labeled or  
11 marketed as "natural," associating them with health benefits and safety. A recent  
12 Acosta Group study found that 59% of shoppers prioritize natural and organic  
13 groceries and household products, primarily due to perceptions of better health and  
14 fewer synthetic additives.<sup>8</sup> In the same study, younger consumers showed an even  
15 stronger preference for natural and organic products, with 89% of Gen Z and 85%  
16 of Millennials reporting they purchased such items within the past six months.  
17 Additionally, research published in the Journal of Consumer Research indicates that  
18 consumers prefer natural products more strongly when used for prevention rather  
19 than cure, as they are perceived to be safer.<sup>9</sup> Given the widespread recognition of  
20 the term “Natural Flavors,” consumers are attracted to products that contain them—  
21 and even more so to those that are marketed as being made with “100% Natural  
22 Flavors.”

23 47. Consumers, including Plaintiff, have often sought out products labeled as  
24 containing “100% Natural Flavors,” relying on such representations as an express  
25 warranty that the product contains no synthetically created flavoring ingredients  
26 that contribute to their flavor systems or overall flavor experience. This claim also

27 \_\_\_\_\_  
28 <sup>8</sup> See <https://shorturl.at/LLnFZ> (last accessed May 16, 2025).

<sup>9</sup> See <https://shorturl.at/NdFk4> (last accessed May 16, 2025).



1 signals to consumers that the product is generally more natural and healthful overall.  
2 48. As a result, representations such as “100% Natural Flavors” have become a  
3 significant factor in consumer purchasing decisions, leading consumers to prefer—  
4 and ultimately purchase—products that prominently make such claims over those  
5 that do not.

6 49. Recognizing this consumer demand, Coca-Cola deliberately sought to exploit  
7 it by prominently marketing the Products with bold and conspicuous “100% Natural  
8 Flavors” claims—both in advertising and on product packaging—in order to  
9 capitalize on consumers’ recognition of, and preference for, such representations.

10 50. Coca-Cola sought to capitalize on consumers' preferences by promoting the  
11 Class Products not merely with a vague or general “natural flavors” claim, but with  
12 highly specific assertions of “**100%** Natural Flavors” (emphasis added) and similar  
13 representations.

14 51. A reasonable consumer understands that when a product explicitly claims to  
15 be made with “100% Natural Flavors,” it does not contain flavoring ingredients that  
16 are synthetically derived or sourced from anything other than natural materials.

17 52. In the case of the Class Products, Coca-Cola prominently displays the “100%  
18 Natural Flavors” representation on the packaging and heavily features it throughout  
19 its marketing materials and marketing materials of retailers.

20 53. Below are non-exhaustive examples of the aforementioned representations  
21 appearing on the packaging and in the marketing of the Class Products.<sup>10</sup>

22  
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27 <sup>10</sup> Images include representations found on Coca-Cola’s websites at  
28 <https://www.coca-cola.com/us/en/brands/sprite/products> and <https://www.coca-cola.com/us/en/brands/fanta/products> (last accessed May 16, 2025).





Roll over image to zoom in

**Sprite Mini-Can 7.5oz**

Visit the Sprite Store

4.7 ★★★★★ 22,749 ratings | Search this page

10K+ bought in past month

**\$5.98** (\$0.80 / Fl Oz)

**Get Fast, Free Shipping with Amazon Prime**

Apply now and get a \$10 Amazon Gift Card upon approval of the Amazon Store Card, or see if you pre-qualify with no impact to your credit bureau score.

SNAP EBT eligible

Flavor Name: **Sprite**

<b>Sprite</b> \$5.98 (\$0.80 / Fl Oz)	<b>Lemon-lime zero</b> See available options	<b>Sprite Zero Sugar</b> See available options
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Size: **7.5 Fl Oz (Pack of 10)**

7.5 Fl Oz (Pack of 10)	7.5 Fl Oz (Pack of 6)	7.5 Ounce Mini Cans (Pack of 20)
12 Fl Oz (Pack of 12)	16.9 fl oz (Pack of 6)	16.9 Oz Bottles (Pack of 12)
7.5 fl oz (Pack of 10)	144 Fl Oz (Pack of 12)	

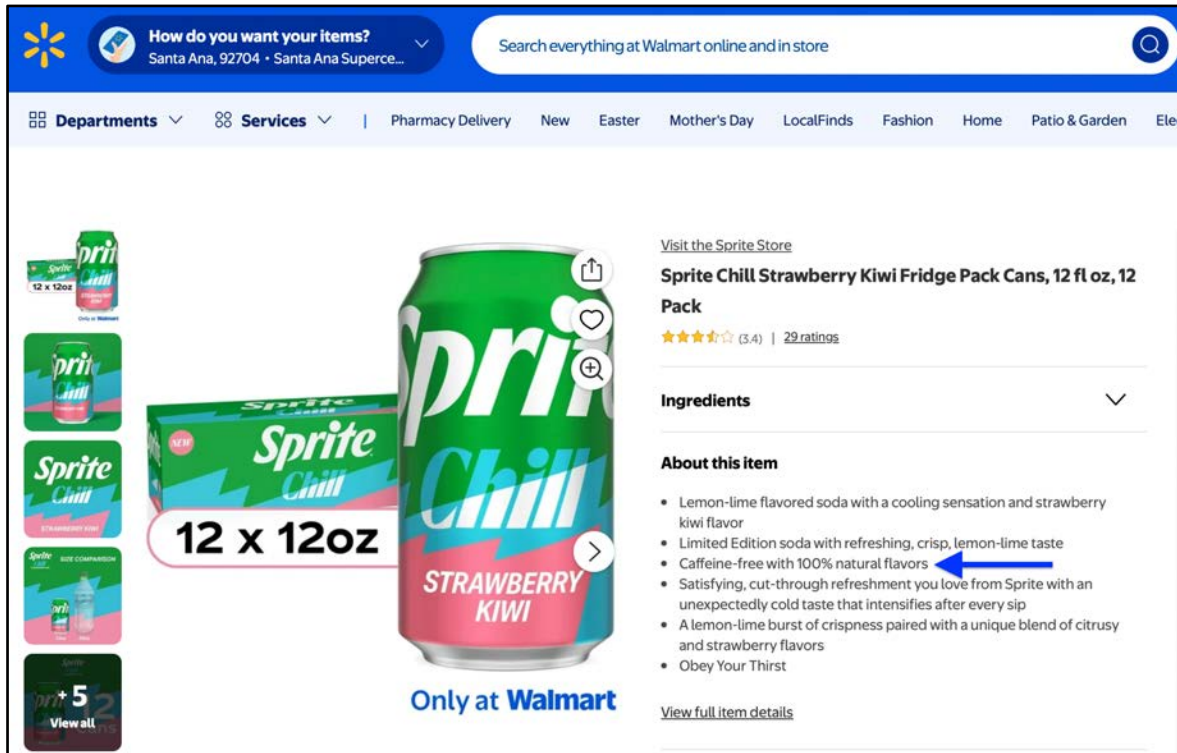
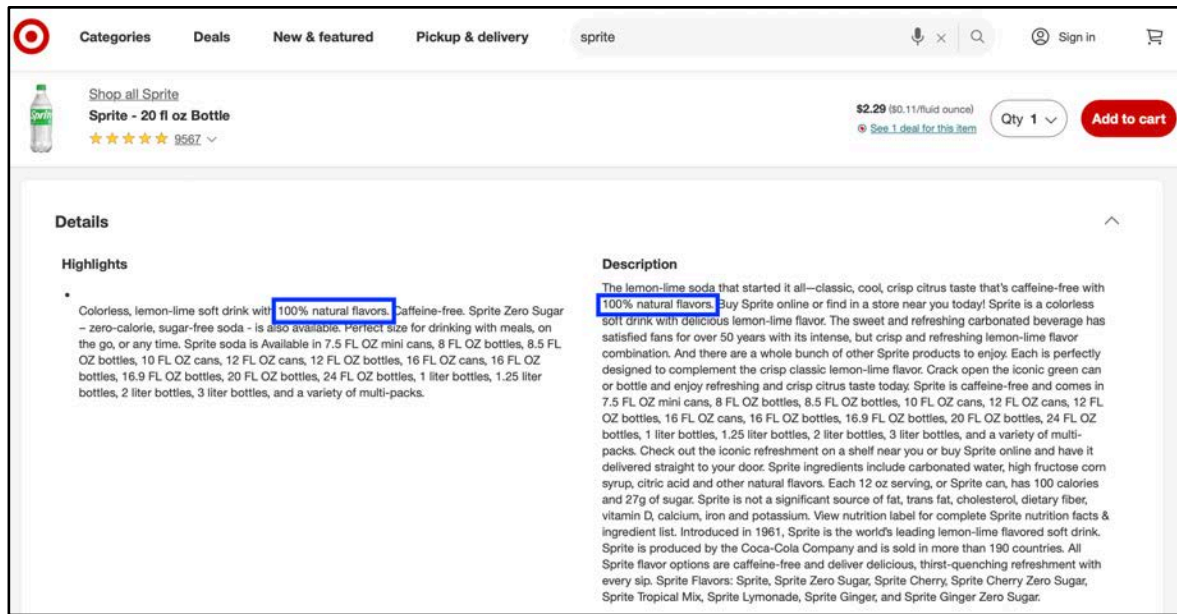
**Ingredients**

**About this item**

<b>Brand</b>	Sprite
<b>Item Form</b>	Liquid
<b>Flavor</b>	Sprite
<b>Number of Items</b>	10
<b>Package Information</b>	Can

- A pack of 10, 7.5 fl oz Mini cans
- Introduced in 1961, Sprite is the world's leading lemon-lime flavored soft drink; it has a crisp, clean taste that really quenches your thirst.
- Lemon-lime soda, 100% natural flavors.**
- Clean, crisp, fresh tasting and no caffeine.
- Perfect size for drinking with meals, on the go, or any time.

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How do you want your items?  
Santa Ana, 92704 · Santa Ana Superce...

Search everything at Walmart online and in store

Departments Services Pharmacy Delivery New Easter Mother's Day Local Finds Fashion Home Patio & Garden Electr

Visit the Sprite Store

**Sprite Tropical Mix Lemon Lime Soda Pop, 20 fl oz Bottle**

★★★★☆ (4.5) | 35 ratings

Pack Size: Single

Single  
See more seller options

4 Pack  
\$9.52  
\$2.38 e/fl oz

**Ingredients**

**About this item**

- Take it back to the 2000s and sip refreshing Sprite Tropical Mix soda
- Clear, crisp lemon-lime soda with the perfect remix of tropical strawberry and pineapple flavors that will keep you invigorated and inspired
- A delicious citrus taste that knows how to keep things cool
- Caffeine-free, full of 100% natural flavors
- 20 fl oz bottle to help you cut through the noise

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Search 19001 Brookhurst St, Huntingto... Account

Prescriptions Health Services Shop Savings Photo More Weekly Ad Easter Shop Vaccinations Es

Home > Shop > Grocery & Beverages > Beverages > Soda

**FREE 1-Hour Delivery on \$35\***

\*Restrictions apply

Shop all Sprite

**Sprite Soda Lymonade 20 oz. Bottle, 20.0 fl oz**

4.4 ★★★★★ 632

**2/\$5.00 or 1/\$2.99**

Extra 15% off \$35 Sitewide code EGG15 or Extra 20% off \$50 code EGG20

Sign in to unlock savings and earn myWalgreens cash rewards on every purchase.

**Store Pickup**

Not sold at 19001 BROOKHURST ST, HUNTINGTON BEACH, CA 92646  
Check other stores

**Same Day Delivery**

As soon as 1 hour or schedule delivery.

**Shipping**

Save to shopping list

**Description**

- Lemon-lime & lemonade flavored soda with real juice & other natural flavors.
- 100% natural flavors.
- No caffeine.
- Made with 1% real juice.
- 220 calories per bottle.
- A product of The Coca-Cola Company.

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**Sprite**

The OG, the flavor that started it all—classic, cool, crisp lemon-lime taste that's caffeine free with 100% natural flavors.

**Available Sizes:** 7.5 fl oz, 8 fl oz, 12 fl oz, 13.2 fl oz, 16.9 fl oz, 20 fl oz, 1 Liter, 1.25 Liters, 2 Liters, 3 Liters

**View Nutrition Facts** ^

**Nutrition Facts**

1 serving per container

**Serving Size** 1 Can (12 FL OZ)

**Amount per serving**

**Calories** 140

**Nutritional Composition** % Daily Value\*


<b>Total Fat</b> 0g	0%
<b>Sodium</b> 65mg	3%
<b>Total Carbohydrate</b> 38g	14%
<b>Total Sugars</b> 38g	-
<b>Includes Added Sugars</b> 38g	76%
<b>Protein</b> 0g	-

**Ingredients**

CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, CITRIC ACID, NATURAL FLAVORS, SODIUM CITRATE, SODIUM BENZOATE (TO PROTECT TASTE).

100% NATURAL FLAVORS NO CAFFEINE

\* Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D, calcium, iron and potassium.




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Home
Products



## FANTA PIÑA COLADA

Fanta Piña Colada is like a tropical pool party—and you're the guest of honor. An island resort for one. But words only do so much. Try one today.

**Available Sizes:** 20 fl oz

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[View Nutrition Facts](#) ^

### Nutrition Facts

1 serving per container

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**Serving Size** 1 Bottle (20 FL OZ)

**Amount per serving**

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**Calories** 230

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	% Daily value*
<b>Nutritional Composition</b>	
<b>Total Fat</b> 0g	0%
<b>Sodium</b> 65mg	3%
<b>Total Carbohydrate</b> 61g	22%
<b>Total Sugars</b> 61g	-
<b>Includes Added Sugars</b> 61g	122%
<b>Protein</b> 0g	-

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**INGREDIENTS**

CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, NATURAL FLAVORS, MALIC ACID, MODIFIED FOOD STARCH, POTASSIUM SORBATE AND SODIUM BENZOATE (TO PROTECT TASTE), SUCROSE ACETATE ISOBUTYRATE, GLYCEROL ESTER OF ROSIN, CITRIC ACID.

CAFFEINE FREE

100% NATURAL FLAVORS

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\* Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D, calcium, iron and potassium.

CLASS ACTION COMPLAINT

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Home
Products



## FANTA STRAWBERRY

Fanta Strawberry soda is almost like finding the most perfect strawberry out of the bunch and raising it as if it were your own. Delicious. Try one today.

**Available Sizes:** 12 fl oz, 12 pack; 16 fl oz, 20 fl oz, 2 Liters

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[View Nutrition Facts](#) ^

### Nutrition Facts

1 serving per container

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<b>Serving Size</b>	<b>1 Bottle (20 FL OZ)</b>
<b>Amount per serving</b>	
<hr style="border: 0.5px solid #ccc;"/>	
<b>Calories</b>	<b>270</b>
<hr style="border: 0.5px solid #ccc;"/>	
	% Daily value*
<b>Nutritional Composition</b>	
<b>Total Fat</b> 0g	<b>0%</b>
<b>Sodium</b> 80mg	<b>3%</b>
<b>Total Carbohydrate</b> 75g	<b>27%</b>
<b>Total Sugars</b> 74g	-
<b>Includes Added Sugars</b> 74g	<b>148%</b>
<b>Protein</b> 0g	-

### INGREDIENTS

CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, NATURAL FLAVORS, CITRIC ACID, SODIUM BENZOATE (TO PROTECT TASTE), RED 40.

100% NATURAL FLAVORS;

\* Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D, calcium, iron and potassium.

CLASS ACTION COMPLAINT

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**FANTA ORANGE CAN 7.5 FL OZ X10**  
 Brand: Fanta  
 4.7 ★★★★★ 2,503 ratings | Search this page  
**Amazon's Choice**  
 4K+ bought in past month  
**\$5.98** (\$0.08 / Fl Oz)  
 Get Fast, Free Shipping with Amazon Prime  
 Apply now and get a \$10 Amazon Gift Card upon approval of the Amazon Store Card, or see if you pre-qualify with no impact to your credit bureau score.  
 SNAP EBT eligible  
 Size: **7.5 fl oz (Pack of 10)**  

<b>16.9 Fl Oz (Pack of 6)</b> 1 option from \$4.38	<b>7.5 fl oz (Pack of 10)</b> \$5.98 (\$0.08 / Fl Oz)	<b>16.9 Fl Oz (Pack of 12)</b> \$8.76 (\$0.04 / Fl Oz)	<b>144 Fl Oz (Pack of 12)</b> \$9.69 (\$0.07 / Fl Oz)
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 Flavor Name: **Orange**  
**Diet type**  
 Kosher  
**Ingredients** ▼  
**About this item** ▲  
 Brand: Fanta  
 Item Form: Liquid  
 Flavor: Orange  
 Number of Items: 10  
 Package Information: Can  

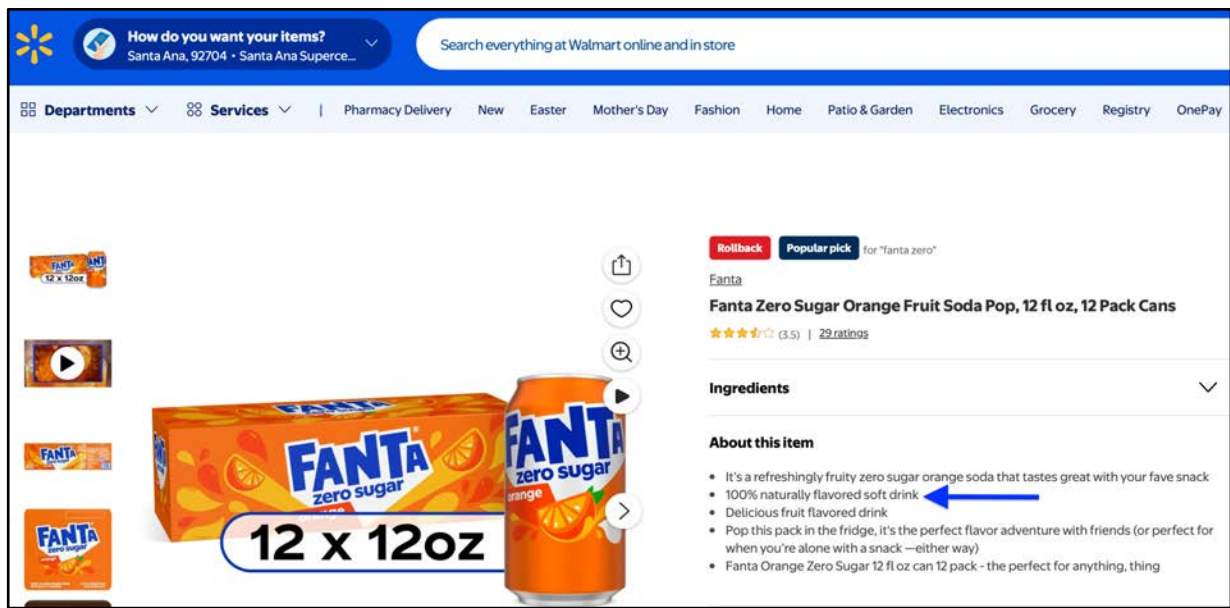
- It's a refreshingly fruity orange soda that tastes great with your fav snack
- 100% naturally flavored soft drink**
- Delicious fruit flavored drink

 Roll over image to zoom in

**Fanta Orange Soda - 20 fl oz Bottle**  
 \$2.29 (\$0.11/fluid ounce)  
 See 1 deal for this item  
 Add to cart  
**Details** ▲  
**Highlights**  

- Bright, bubbly and instantly refreshing, Fanta is made with **100% natural flavors** and is caffeine-free
- Its bright color, bold fruit taste, and tingly carbonation liven up special times with friends and family
- Fanta is fun and has a great fruity taste with **100% natural flavors**
- Choose from a range of bold fruit flavors
- Perfect size for drinking with meals, on the go, or any time

**Description**  
 Introduced in 1940, Fanta is inspired by real fruit flavors. Fanta is known for its great fruity taste and fun vibrant colors for consumers who want to Be More Than One Flavor. Bright, bubbly and instantly refreshing, Fanta is made with **100% natural flavors** and is caffeine-free. Its bright color, bold fruit taste, and tingly carbonation liven up special times with friends and family. Grab a Fanta in a range of fruit flavors.



54. In every instance, the claim of “100% Natural Flavors” is prominently featured on all packaging variants of the Class Products, including, but not limited to, bottles, cans, and paper packaging used for multipack can sets. This claim is also central to the marketing strategies for the Class Products.

55. Contrary to Coca-Cola’s prominent claim of “100% Natural Flavors,” the Class Products—including the Products purchased by the Plaintiff—do not consist exclusively of natural flavors. Instead, they incorporate industrially manufactured citric acid (“MCA”), a synthetic compound that significantly influences the flavor profile of the Class Products.

56. Citric acid, an organic compound with the formula  $C_6H_8O_7$ , is a colorless organic acid that occurs naturally in citrus fruits.

57. Citric acid is a key acid widely used in the food and beverage industry, valued both as a preservative and a flavoring agent.

58. Although citric acid can be naturally derived from citrus fruits, this method of production has been largely abandoned due to economic inefficiency, agricultural limitations, lack of standardization, and other practical constraints.<sup>11</sup> Instead, the

<sup>11</sup> See Lotfy WA, Ghanem KM, El-Helow ER. *Citric Acid Production by a Novel Aspergillus niger Isolate: II. Optimization of Process Parameters Through*

1 citric acid used in many commercial products—including the Class Products—is  
 2 industrially synthesized through a process involving genetically mutated mold  
 3 (*Aspergillus niger*), a method fundamentally distinct from natural extraction from  
 4 citrus fruit.

5 59. Citric acid produced through the above-described industrial synthesis is  
 6 commonly referred to as MCA.

7 60. Given its distinct tart, tangy and sour taste, MCA is frequently used to  
 8 enhance or create sour or citrus flavors in food and beverage products,<sup>12</sup> such as  
 9 Coca-Cola’s citrus flavored beverages. While citric acid naturally occurs in citrus  
 10 fruits—particularly lemons, limes and oranges, where it can constitute up to 8% of  
 11 their dry weight<sup>13</sup>—MCA is a synthetic alternative used in products such as the  
 12 Class Products.

13 61. The industrial synthesis of MCA involves introducing a sucrose- or glucose-  
 14 containing medium to carefully selected and genetically mutated *Aspergillus niger*  
 15 under highly controlled and optimized conditions.<sup>14</sup> In response to these conditions,  
 16 *Aspergillus niger* metabolizes the sugars and synthesizes citric acid.

17 62. Citric acid is not present in either the sugar medium or the *Aspergillus niger*  
 18 itself prior to synthesis, and thus cannot be extracted, as can be done from natural

19 \_\_\_\_\_  
 20 *Statistical Experimental Designs*. 98 BIORESOURCE TECH. 3470 (2007). (“The  
 21 supply of natural citric acid is limited and the demand can only be satisfied by  
 22 biotechnological fermentation processes.”); Max B, Salgado JM, Rodriguez N, *et*  
 23 *al.* *Biotechnological production of citric acid*. 4 BRAZ. J. MICROBIOL. 862 (2010).  
 (“About 99% of world production of citric acid occurs via microbial processes,  
 23 which can be carried out using surface or submerged cultures.”)

24 <sup>12</sup> See Penniston KL, Nakada SY, Holmes RP, Assimos DG. *Quantitative*  
 25 *assessment of citric acid in lemon juice, lime juice, and commercially-available*  
*fruit juice products*. 22 J ENDUROLOG. 567 (2008).

26 <sup>13</sup> *Id.*

27 <sup>14</sup> See Max, *et al.*, *supra*. n. 9 (“Although many microorganisms can be employed  
 28 to produce citric acid, *A. niger* is still the main industrial producer. In fact, specific  
strains that are able to overproduce citric acid in different types of fermentation  
 processes have been developed.”) (emphasis added)

1 sources such as citrus fruits. This method of production stands in stark contrast to  
2 the definition of “natural flavor” in 21 C.F.R. § 101.22(a)(3). *See, supra*, n.8.

3 63. Even after the mutated *Aspergillus niger* metabolizes the sugar medium—  
4 along with other introduced catalysts—to fuel its growth and produce a citric acid  
5 derivative as a byproduct, that derivative is not immediately usable.<sup>15</sup> It must  
6 undergo a series of chemically intensive processes. Specifically, the compound is  
7 first reacted with non-natural sulfuric acid,<sup>16</sup> then subjected to further refinement  
8 steps including adsorption using resins and activated charcoal, evaporation,  
9 crystallization, and drying.<sup>17</sup> Only after these steps is the purified,  
10 biotechnologically synthesized citric acid (or MCA) ultimately produced. This  
11 method of production further underscores the departure from any reasonable  
12 definition of “natural,” involving genetically modified organisms, non-natural  
13 catalysts, and extensive chemical processing that defy consumer expectations.

14 64. In addition to MCA, Defendant’s Sprite Product contains sodium citrate,  
15 another synthetic ingredient,<sup>18</sup> which has a flavor profile that is both salty and  
16 sour,<sup>19</sup> further contributing to the Sprite Product’s flavor. Similarly, Defendant  
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18 <sup>15</sup> *See* Mores S, Porto de Souza Vandenberghe L, Magalhães AI, et. al. *Citric acid*  
19 *bioproduction and downstream processing: Status, opportunities, and challenges*.  
20 320 BIORESOURCE TECHNOLOGY 124426 (2021)

21 <sup>16</sup> *See* <https://pubchem.ncbi.nlm.nih.gov/compound/Sulfuric-Acid> (“Pure sulfuric  
22 acid is not encountered naturally on Earth in its anhydrous form, due to its great  
23 affinity for water.”) (last accessed May 16, 2025).

24 <sup>17</sup> *See supra* n. 13.

25 <sup>18</sup> *See* [https://www.jungbunzlauer.com/en/products/citrics/trisodium-citrate-](https://www.jungbunzlauer.com/en/products/citrics/trisodium-citrate-anhydrous)  
26 [anhydrous](https://www.jungbunzlauer.com/en/products/citrics/trisodium-citrate-anhydrous) (“Trisodium citrate is a tribasic salt of citric acid. It is produced by  
27 complete neutralisation of citric acid with high purity sodium hydroxide or  
28 carbonate and subsequent crystallisation and dehydration.”) (Notably, sodium  
citrate is not derived from natural sources; rather, it is produced through a chemical  
reaction between two synthetic ingredients: citric acid and sodium hydroxide.) (last  
accessed April 16, 2025)

<sup>19</sup> *See* <https://pubchem.ncbi.nlm.nih.gov/compound/Sodium-Citrate> (last accessed  
May 16, 2025).

1 utilizes other forms of citrate, which are also synthetic,<sup>20</sup> in the Class Products. For  
 2 example, Defendant's Fanta Orange Zero Sugar product contains potassium citrate,  
 3 an additive with a saline flavor profile<sup>21</sup> that contributes to its flavor.

4 65. Defendant's inclusion of synthetic ingredients that contribute to the flavor of  
 5 the Class Products is not immaterial. Specifically, MCA (labeled as "citric acid")  
 6 appears *before* "natural flavors" in the ingredient statements of the Products  
 7 purchased by Plaintiff, indicating its greater relative weight or concentration.

8 66. Below are non-exhaustive examples of the aforementioned ingredient  
 9 statements.

### Sprite Lemon-Lime<sup>22</sup>

#### **Ingredients**

CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP,  
 CITRIC ACID, NATURAL FLAVORS, SODIUM CITRATE,  
 SODIUM BENZOATE (TO PROTECT TASTE).

100% NATURAL FLAVORS NO CAFFEINE

22 <sup>20</sup> See 21 C.F.R. §184.1625(a) ("Potassium citrate ... is the potassium salt of citric  
 23 acid. It is prepared by neutralizing citric acid with potassium hydroxide or  
 24 potassium carbonate. It occurs as transparent crystals or a white granular powder,  
 25 is odorless and deliquescent, and contains one mole of water per mole of potassium  
 citrate.")

26 <sup>21</sup> See [https://xitrical.com/application-of-potassium-citrate-in-beverages-and-  
 27 formulation-optimization/](https://xitrical.com/application-of-potassium-citrate-in-beverages-and-formulation-optimization/) ("It appears as white crystals or powder, dissolves easily  
 in water, and has a mildly sour taste.") (last accessed May 15, 2025)

28 <sup>22</sup> See <https://www.coca-cola.com/us/en/brands/sprite/products> (last accessed May  
 15, 2025)

**Sprite Lemon-Lime Zero Sugar<sup>23</sup>**

**Ingredients**

CARBONATED WATER, CITRIC ACID, POTASSIUM CITRATE, NATURAL FLAVORS, POTASSIUM BENZOATE (TO PROTECT TASTE), ASPARTAME, ACESULFAME POTASSIUM.

**Fanta Orange<sup>24</sup>**

**INGREDIENTS**

CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, LESS THAN 2% OF: CITRIC ACID, NATURAL FLAVORS, SODIUM BENZOATE (TO PROTECT TASTE), MODIFIED FOOD STARCH, GLYCEROL ESTER OF ROSIN, YELLOW 6, RED 40.



<sup>23</sup> *Id.*

<sup>24</sup> See <https://www.coca-cola.com/us/en/brands/fanta/products> (last accessed May 15, 2025).

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**Fanta Orange Zero Sugar**<sup>25</sup>

**INGREDIENTS**

CARBONATED WATER, CITRIC ACID, POTASSIUM CITRATE, ASPARTAME, NATURAL FLAVORS, MODIFIED FOOD STARCH, POTASSIUM BENZOATE (TO PROTECT TASTE), ACESULFAME POTASSIUM, GLYCEROL ESTER OF ROSIN, YELLOW 6, MEDIUM CHAIN TRIGLYCERIDES, SUCROSE ACETATE ISOBUTYRATE, RED 40.

PHENYLKETONURICS: CONTAINS PHENYLALANINE

LOW SODIUM

PHENYLKETONURICS: CONTAINS PHENYLALANINE CAFFEINE FREE 100% NATURAL FLAVORS



67. The placement of citric acid before “natural flavors” in the Products’ ingredient statements underscores the significance of MCA to the overall flavor profile. If MCA were removed or substantially reduced, the flavor of the Products would be materially altered. In other words, synthetic, non-natural MCA is a critical component of the flavor in Class Products that are marketed as containing “100% Natural Flavors.”

68. Similarly, if sodium citrate were removed or substantially reduced in the Sprite Product, its flavor would also be materially affected, further underscoring the role of synthetic ingredients in shaping the taste of products marketed as containing “100% Natural Flavors.”

69. Additionally, the removal or substantial reduction of potassium citrate from

<sup>25</sup> *Id.*

1 the Fanta Orange Zero Sugar product would materially alter its flavor, further  
2 highlighting the influence of synthetic additives on products labeled as containing  
3 “100% Natural Flavors.”

4 70. Even if citric acid appears after natural flavors in the ingredient statements of  
5 the Class Products, its potent taste ensures that any amount contributes  
6 meaningfully to their flavor systems and overall flavor experience. In short,  
7 synthetic flavoring ingredients—including, but not limited to, citric acid, sodium  
8 citrate, and potassium citrate—are integral to the Class Products’ flavor profiles.

9 71. The position of citric acid in the Products’ ingredient statements renders  
10 Coca-Cola’s subjective purpose or intent immaterial, as both the potency of citric  
11 acid’s flavor and its relative quantity in the Products and Class Products have a  
12 significant impact on their overall flavor profiles.

13 72. Given the significant impact of MCA on flavor, it is highly likely that the  
14 quantity of MCA in the Class Products was either specifically determined or  
15 carefully adjusted by Defendant’s experts responsible for formulating the Class  
16 Products’ flavor profiles. The details surrounding the development of these flavor  
17 profiles remain exclusively within Defendant’s knowledge. Accordingly, Plaintiff  
18 cannot fully allege the extent of Defendant’s experts’ involvement or knowledge  
19 without the benefit of discovery.

20 73. As yet another example of Defendant’s misleading use of “100% Natural  
21 Flavors,” Defendant’s “Zero” products—marketed as containing zero sugar—rely  
22 not on one, but two well-known and controversial fully artificial sweeteners:  
23 aspartame<sup>26</sup> and acesulfame potassium.<sup>27</sup>

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25 <sup>26</sup> See <https://pubchem.ncbi.nlm.nih.gov/compound/Aspartame> (“Commonly used  
26 as an artificial sweetener. It has a role as a sweetening agent, a nutraceutical, a  
27 micronutrient, a xenobiotic, an environmental contaminant, an apoptosis inhibitor  
28 and an EC 3.1.3.1 (alkaline phosphatase) inhibitor.”) (last accessed April 17, 2025)

<sup>27</sup> See <https://www.ncbi.nlm.nih.gov/books/NBK576288/> (“Acesulfame potassium  
is an artificial sweetener used throughout the world. It is currently available as a dry

1 74. While Coca-Cola may argue that sweetness does not constitute “flavor,” no  
2 reasonable consumer would agree. Sweetness is a fundamental component of how  
3 flavor is experienced. If the aspartame and acesulfame potassium were removed  
4 from the Sprite or Fanta “Zero” products, no consumer would recognize the  
5 resulting beverage as tasting like the lemon-lime, orange, or other flavors  
6 represented on the product labels. Ultimately, no reasonable consumer would  
7 expect a product labeled and marketed as containing “100% Natural Flavors” to  
8 also include two entirely artificial sweeteners.

9 75. Furthermore, Defendant includes synthetic preservatives—specifically  
10 sodium benzoate<sup>28</sup> and potassium benzoate<sup>29</sup>—under the guise of “protecting taste.”  
11 If these additives genuinely serve to protect taste, they necessarily contribute to the  
12 flavor, flavor system, and overall flavor experience of the Class Products. Their  
13 inclusion further undermines and contradicts Defendant’s claim that the Class  
14 Products contain “100% Natural Flavors.”

15 76. Coca-Cola’s “100% Natural Flavors” claim is highly deceptive and  
16 misleading because a primary contributor to the citrus flavor in the Class  
17 Products—MCA—is not natural, but synthetic. While citric acid does occur  
18 naturally in fruits such as lemons, limes, and oranges, and was historically extracted  
19 from these sources, modern production relies on industrial synthesis. Although  
20 advancements in biotechnology have made this method efficient, it does not yield  
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22 \_\_\_\_\_  
23 powder for use in food and beverages and is present as a flavoring agent in  
24 numerous food items and diet drinks; therefore, there is extensive human  
25 exposure.”) (last accessed May 16, 2025).

26 <sup>28</sup> See 21 C.F.R. § 184.1733(a) (“Sodium benzoate is the chemical benzoate of soda  
27 . . . produced by the neutralization of benzoic acid with sodium bicarbonate, sodium  
28 carbonate, or sodium hydroxide. The salt is not found to occur naturally.”).

29 See <https://foodadditives.net/preservatives/potassium-benzoate/> (“It is not  
30 natural. Potassium benzoate is the salt of benzoic acid. The salt is not found to occur  
31 naturally and the manufacturing process through chemical synthesis, so it is not  
32 natural.”) (last accessed May 16, 2025)

1 citric acid from a natural source, nor does it align with the regulatory definition of  
2 a “natural flavor.”

3 77. As a result of the “100% Natural Flavors” representations on the Class  
4 Products packaging and in their advertising, retailers have further propagated this  
5 misrepresentation through their websites’ product pictures and descriptions, in  
6 addition to continuing to sell the Class Products with “100% Natural Flavors”  
7 misrepresentations on their shelves, where applicable.<sup>30</sup>

8 78. Defendant’s unqualified “100% Natural Flavors” misrepresentations were  
9 also prominently displayed in the “About this item” section of its Amazon product  
10 pages.<sup>31</sup>

11 79. As a result of Defendant’s false “100% Natural Flavors” claims, the Class  
12 Products obtained an unfair competitive advantage across social media platforms,  
13 search engine algorithms, and Amazon search results—harming both consumers  
14 and legitimate competitors in the marketplace.

15 80. One of the methods Defendant used to advance its deceptive “100% Natural  
16 Flavors” claims was through social media marketing and influencer  
17 partnerships<sup>32</sup>—the full scope of which is known only to Defendant and its  
18 marketing agencies at this time.

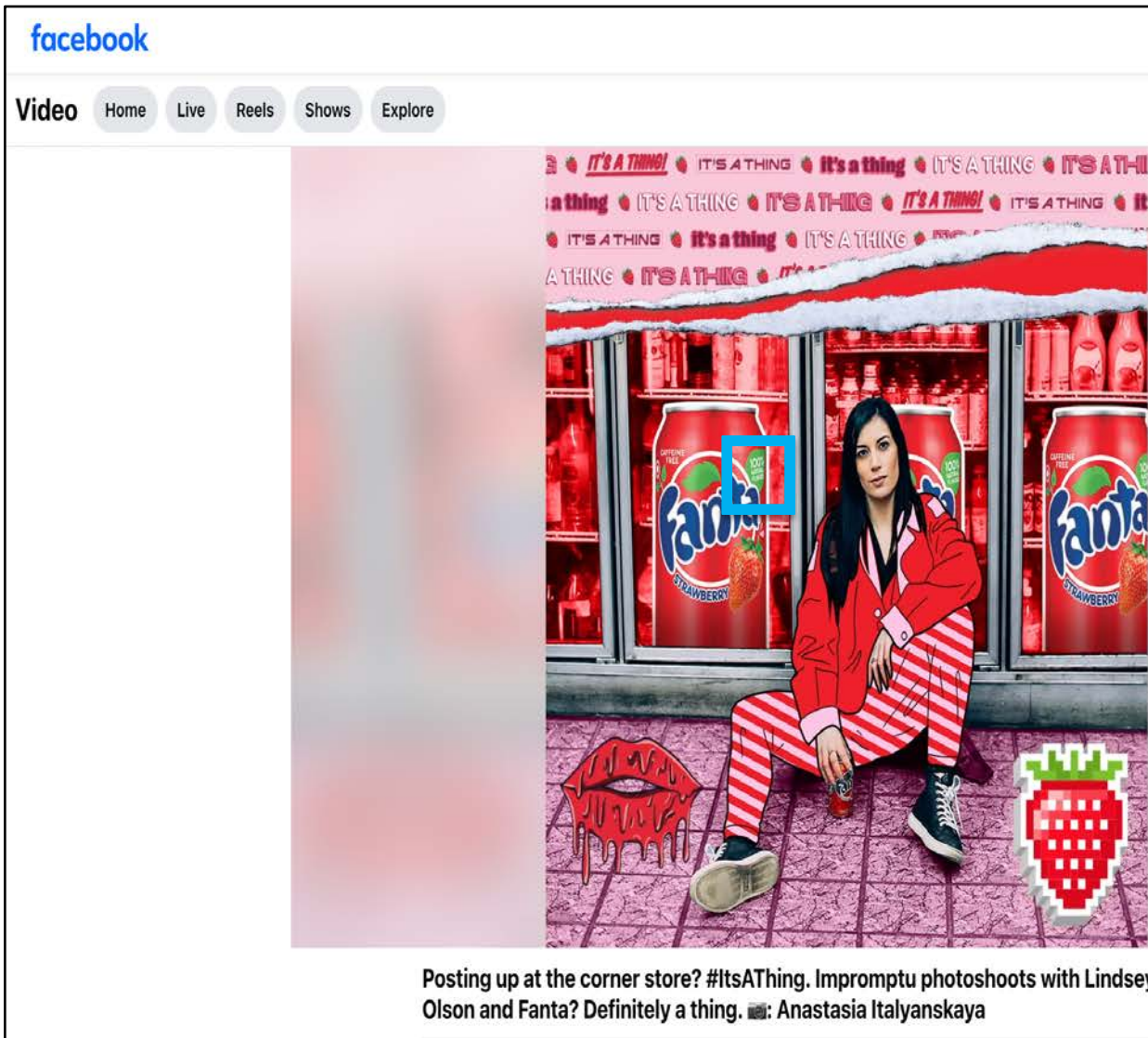
19 \_\_\_\_\_  
20 <sup>30</sup> For illustrative examples of Defendant’s “100% Natural Flavors” (or similar)  
21 claims appearing on Amazon, Target.com, Walmart.com and Walgreens.com sales  
22 pages, see ¶ 53, *supra*.

23 <sup>31</sup> *Id.*

24 <sup>32</sup>

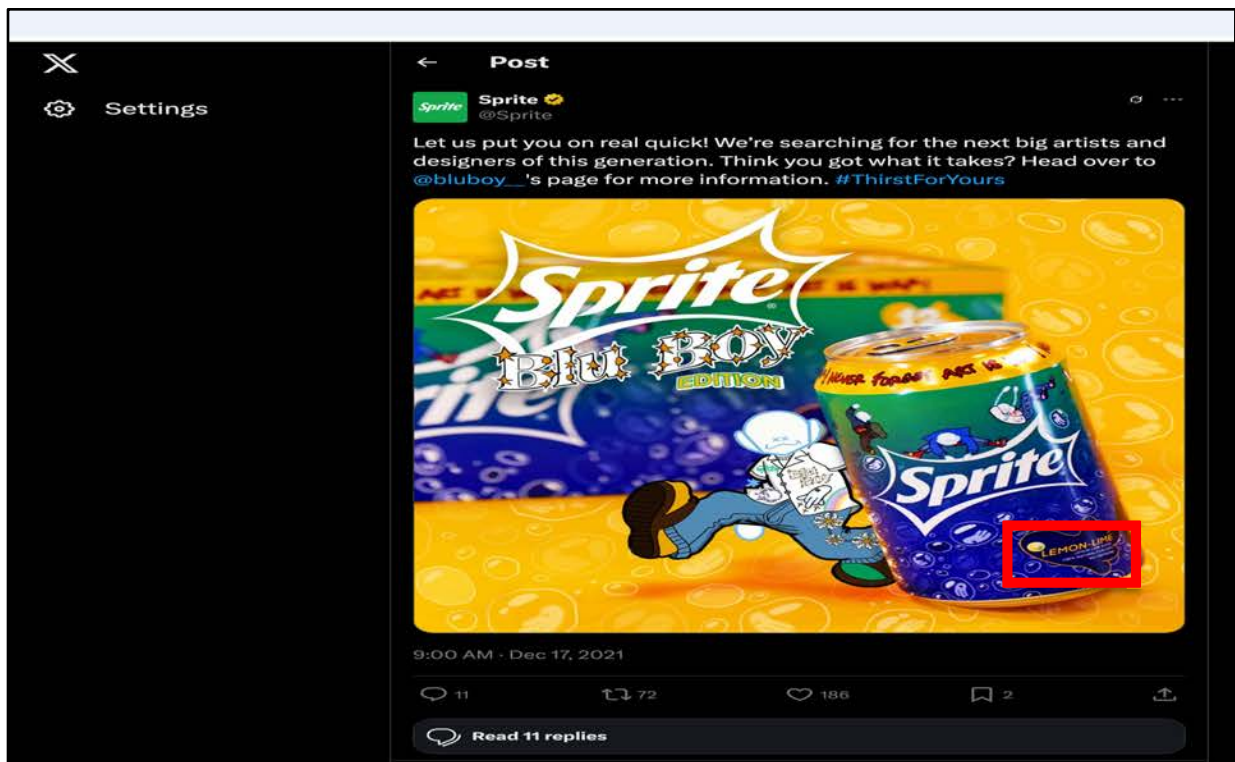
25 <https://www.instagram.com/p/CnFk0DaPNM8/?igsh=NTc4MTIwNjQ2YQ%3D%3D>  
26 (last accessed May 16, 2025);  
27 <https://www.instagram.com/reel/Cop2kO1JYrQ/?igsh=NTc4MTIwNjQ2YQ%3D%3D>  
28 (same); <https://www.facebook.com/100064334276280/posts/2420116801553246/> (same);  
<https://www.facebook.com/FantaUSA/videos/520899021987841/?app=fbl> (same);  
<https://www.facebook.com/FantaUSA/videos/1197131617833604/?app=fbl>  
(same); <https://www.facebook.com/FantaUSA/videos/714423405660982/?app=fbl>  
(same); <https://x.com/Sprite/status/1471887944558555136> (same).

1 81. Some examples of Defendant's social media marketing and influencer  
2 partnerships are shown below:



KAZEROUNI  
LAW GROUP, APC

1  
2 **Instagram**



1 82. Defendant’s misleading and deceptive claims regarding “100% Natural  
2 Flavors,” misleads consumers into purchasing products that do not meet their  
3 expectations. This deception causes financial harm, poses potential physical risks,<sup>33</sup>  
4 and undermines consumer trust in product labeling. As a result, consumers,  
5 including Plaintiff, did not receive the “100% Natural Flavors” or their associated  
6 benefits that they paid for and were unknowingly exposed to synthetic flavoring  
7 ingredients—without their consent.

8 83. As a result of Defendant’s “100% Natural Flavors” claim on the Class  
9 Products’ packaging and in their marketing, consumers have been misled for years  
10 into making both initial and repeat purchases of products they reasonably believed  
11 contained no synthetic flavoring ingredients.

12 84. Had Plaintiff and other similarly situated consumers been made aware that  
13 the Class Products contained a substantial amount of synthetic flavoring  
14 ingredients, they would not have purchased the Class Products or would have paid  
15 less for them.

16 85. Defendant possesses superior knowledge of the true facts, which were not  
17 disclosed, thereby tolling the applicable statute of limitations.

18 86. On information and belief, Defendant either charged a premium for the Class  
19 Products compared to its competitors or gained a significant competitive advantage  
20 by misleading consumers into choosing its products over others based on false  
21 “100% Natural Flavors” claims. Federal and California laws are specifically  
22 designed to protect consumers from such false, deceptive, misleading, and unlawful  
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24 <sup>33</sup> See Sweis, IE, Cressey, BC. *Potential Role of the Common Food Additive*  
25 *Manufactured Citric Acid in Eliciting Significant Inflammatory Reactions*  
26 *Contributing to Serious Disease States: A Series of Four Case Reports*. 5 TOXICOL.  
27 REP. 808 (2018) (“We believe that ingestion of the MCA may lead to a harmful  
28 inflammatory cascade which manifests differently in different individuals based on  
their genetic predisposition and susceptibility, and that the use of MCA as an  
additive in consumable products warrants further studies to document its safety.”)

1 representations, as well as from predatory business practices that unfairly  
2 manipulate consumer choice.

3 **FACTS SPECIFIC TO PLAINTIFF VICTORIA PALMER**

4 87. On or about April 28, 2025, Plaintiff searched online for beverages while in  
5 Northridge, Los Angeles County, California. While searching online, Plaintiff  
6 found the Products available for sale on Amazon.

7 88. Plaintiff viewed the Amazon product page for the “Sprite Mini-Can 7.5oz”  
8 ten-pack located at <https://a.co/d/jgTq8IQ>. On that page, Plaintiff viewed the Sprite  
9 Product’s images and information.

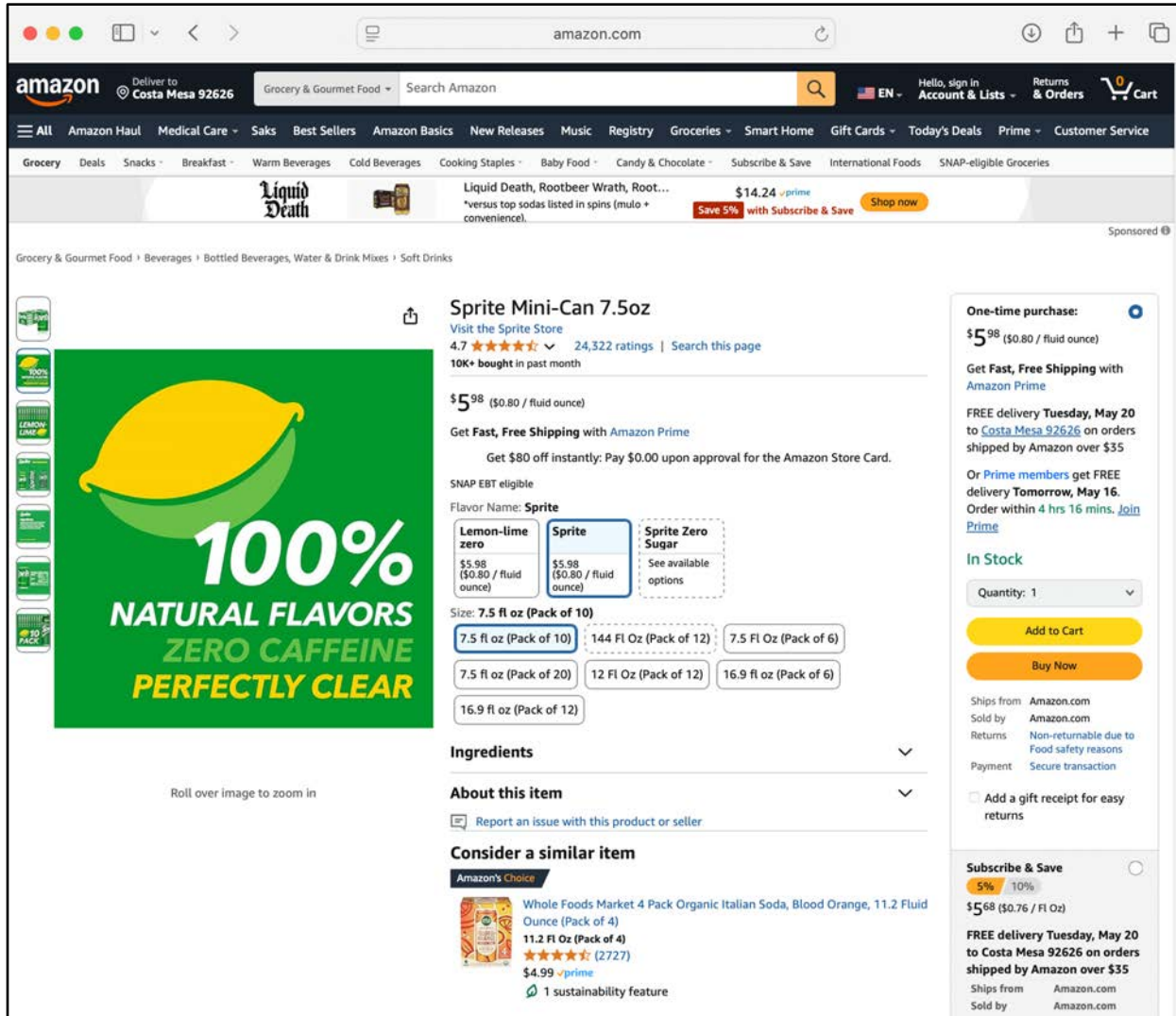
10 89. Plaintiff observed multiple references to “100% Natural Flavors” on the  
11 Amazon product listing, including both in product images and written descriptions.

12 90. Particularly, on the Sprite Product’s Amazon product page, the words “100%  
13 Natural Flavors” appeared in capitalized white letters on an image of the Sprite  
14 Product’s box; in bold, capitalized white letters on an image with a green  
15 background along with the words “ZERO CAFFEINE” in a lighter shade of green,  
16 and “PERFECTLY CLEAR” in yellow; and on an image of the Sprite Product’s  
17 ingredient list. Plaintiff noticed the “100% Natural Flavors” representations on the  
18 image of the Sprite Product’s box and in bold, capitalized white letters on the image  
19 with the green background.

20 91. Plaintiff also noticed that the language “Lemon-lime soda, 100% natural  
21 flavors” appeared under the “About this item” section of the Sprite Product’s  
22 webpage. A similar “100% natural Flavors” representation is made under the  
23 “Product Description” section of the same Amazon webpage.

24 92. Relying on Coca-Cola’s repeated representations on the Amazon product  
25 page that the Sprite Product was made with “100% Natural Flavors,” Plaintiff added  
26 the Sprite Product to her Amazon shopping cart and paid \$5.98, exclusive of  
27 shipping, taxes and fees.

93. As of May 19, 2025, the Amazon page for the Sprite Product continues to show images representing 100% natural flavors, as depicted below.



**Sprite Mini-Can 7.5oz**  
 Visit the Sprite Store  
 4.7 ★★★★★ 24,322 ratings | Search this page  
 10K+ bought in past month

**\$5.98** (\$0.80 / fluid ounce)  
 Get Fast, Free Shipping with Amazon Prime  
 Get \$80 off instantly: Pay \$0.00 upon approval for the Amazon Store Card.

SNAP EBT eligible  
 Flavor Name: **Sprite**

**Lemon-lime zero** \$5.98 (\$0.80 / fluid ounce)  
**Sprite** \$5.98 (\$0.80 / fluid ounce)  
**Sprite Zero Sugar** See available options

Size: **7.5 fl oz (Pack of 10)**  
 7.5 fl oz (Pack of 10) 144 Fl Oz (Pack of 12) 7.5 Fl Oz (Pack of 6)  
 7.5 fl oz (Pack of 20) 12 Fl Oz (Pack of 12) 16.9 fl oz (Pack of 6)  
 16.9 fl oz (Pack of 12)

**Ingredients**  
 CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, CITRIC ACID, NATURAL FLAVORS, SODIUM CITRATE, SODIUM BENZOATE (TO PROTECT TASTE).

**About this item**  
 Report an issue with this product or seller

**Consider a similar item**  
 Amazon's Choice  
 Whole Foods Market 4 Pack Organic Italian Soda, Blood Orange, 11.2 Fluid Ounce (Pack of 4)  
 11.2 Fl Oz (Pack of 4)  
 ★★★★★ (2,727)  
 \$4.99 <sup>prime</sup>  
 1 sustainability feature

**One-time purchase:**  
**\$5.98** (\$0.80 / fluid ounce)  
 Get Fast, Free Shipping with Amazon Prime  
 FREE delivery Tuesday, May 20 to Costa Mesa 92626 on orders shipped by Amazon over \$35  
 Or Prime members get FREE delivery Tomorrow, May 16. Order within 4 hrs 16 mins. [Join Prime](#)

**In Stock**  
 Quantity: 1  
 Add to Cart  
 Buy Now

Ships from Amazon.com  
 Sold by Amazon.com  
 Returns Non-returnable due to Food safety reasons  
 Payment Secure transaction

Add a gift receipt for easy returns

**Subscribe & Save**  
 5% / 10%  
**\$5.68** (\$0.76 / Fl Oz)  
 FREE delivery Tuesday, May 20 to Costa Mesa 92626 on orders shipped by Amazon over \$35  
 Ships from Amazon.com  
 Sold by Amazon.com

**Sprite Mini-Can 7.5oz**  
 Visit the Sprite Store  
 4.7 ★★★★★ 24,322 ratings | Search this page  
 10K+ bought in past month

**\$5.98** (\$0.80 / fluid ounce)  
 Get Fast, Free Shipping with Amazon Prime  
 Get \$80 off instantly: Pay \$0.00 upon approval for the Amazon Store Card.

SNAP EBT eligible  
 Flavor Name: **Sprite**

**Lemon-lime zero** \$5.98 (\$0.80 / fluid ounce)  
**Sprite** \$5.98 (\$0.80 / fluid ounce)  
**Sprite Zero Sugar** See available options

Size: **7.5 fl oz (Pack of 10)**  
 7.5 fl oz (Pack of 10) 144 Fl Oz (Pack of 12) 7.5 Fl Oz (Pack of 6)  
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**Ingredients**  
 CARBONATED WATER, HIGH FRUCTOSE CORN SYRUP, CITRIC ACID, NATURAL FLAVORS, SODIUM CITRATE, SODIUM BENZOATE (TO PROTECT TASTE).

**About this item**

Brand	Sprite
Item Form	Liquid
Flavor	Sprite
Number of Items	10
Package Information	Can

- A pack of 10, 7.5 fl oz Mini cans
- Introduced in 1961, Sprite is the world's leading lemon-lime flavored soft drink; it has a crisp, clean taste that really quenches your thirst.
- Lemon-lime soda, 100% natural flavors.
- Clean, crisp, fresh tasting and no caffeine.
- Perfect size for drinking with meals, on the go, or any time.

**One-time purchase:**  
**\$5.98** (\$0.80 / fluid ounce)  
 Get Fast, Free Shipping with Amazon Prime  
 FREE delivery Tuesday, May 20 to Costa Mesa 92626 on orders shipped by Amazon over \$35  
 Or Prime members get FREE delivery Tomorrow, May 16. Order within 4 hrs 16 mins. [Join Prime](#)

**In Stock**  
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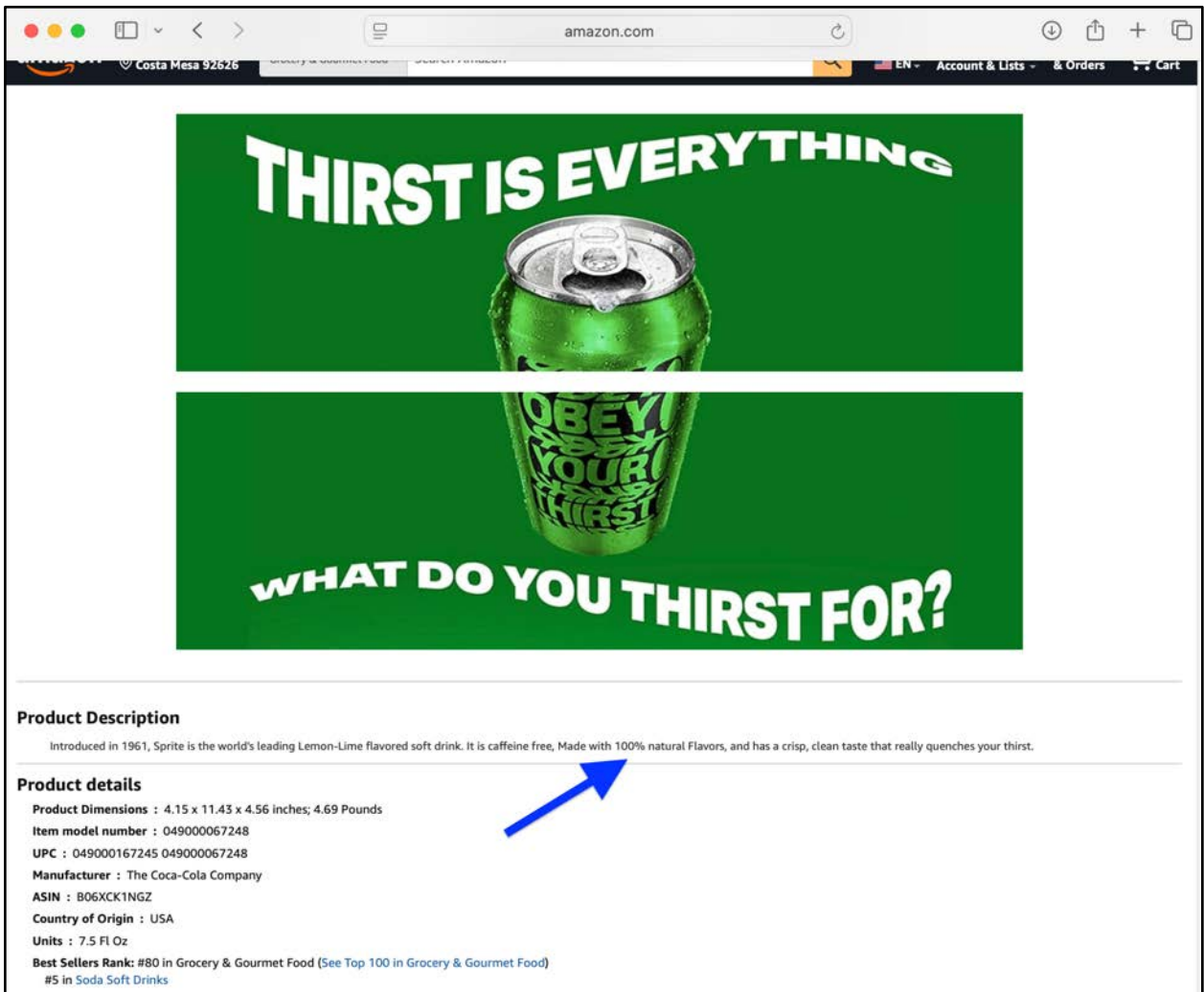
Add a gift receipt for easy returns

**Subscribe & Save**  
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**\$5.68** (\$0.76 / Fl Oz)  
 FREE delivery Tuesday, May 20 to Costa Mesa 92626 on orders shipped by Amazon over \$35  
 Ships from Amazon.com  
 Sold by Amazon.com

Add to List

**Other sellers on Amazon**

KAZEROUNI LAW GROUP, APC



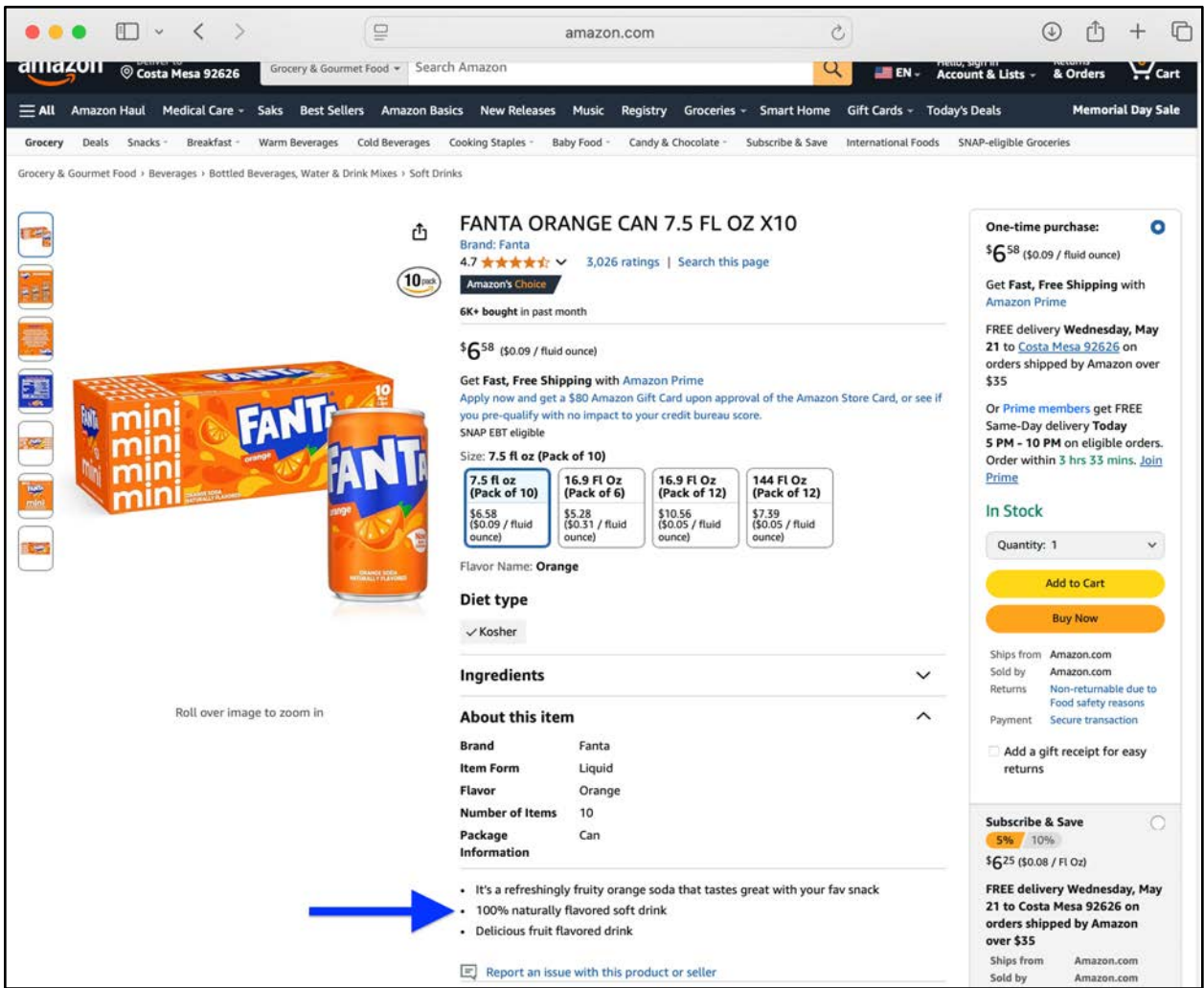
KAZEROUNI  
LAW GROUP, APC

94. Plaintiff also viewed the Amazon product page for the “FANTA ORANGE CAN 7.5 OZ X10” ten-pack located at <https://a.co/d/8YdPZgQ>. On that webpage, Plaintiff viewed the Fanta Product’s images and information.

95. In reviewing the Amazon product listing for the Fanta Product, Plaintiff again observed clear representations of “100% Natural Flavors,” including in both product images and written descriptions.

96. One of the images Plaintiff observed on the Amazon product page for the Fanta Product displayed the front and side of the packaging, which featured both a nutrition panel and the claims “CAFFEINE FREE” and “100% NATURAL FLAVORS.” Additionally, under the “About this item” section of the same listing, Plaintiff noticed the statement “100% naturally flavored soft drink.”





KAZEROUNI LAW GROUP, APC

99. Plaintiff's reliance on Defendant's representations was reasonable given the circumstances, as ordinary consumers are not experts in beverage product formulations or the true nature or origins of ingredients. They have no reason to doubt such claims or suspect that a manufacturer would deliberately misrepresent the contents of a product, especially when such claims are prominently displayed on the product's labels and in its marketing.

100. For instance, when a consumer encounters an explicit representation such as "100% Natural Flavors" on a product's labeling or marketing, they reasonably expect that the product contains only natural flavoring ingredients and is free from synthetic ones. A reasonable consumer would not anticipate that the product is significantly—or even predominantly—flavored with synthetically produced

1 ingredients.

2 101. Defendant’s representations regarding the Products and the Class Products  
3 were unlawful, unfair, deceptive, and misleading, as the Products contain synthetic,  
4 chemically derived, or otherwise non-natural ingredients that contribute a  
5 significant—if not predominant—portion of the Products’ flavor.

6 102. Accordingly, Defendant is not entitled to lawfully make the claims of “100%  
7 Natural Flavors” that it made on and regarding the Products and the Class Products.

8 103. Defendant’s representations were material to Plaintiff’s decision to purchase  
9 the Products.

10 104. In deciding to purchase the Products, Plaintiff relied on the labeling,  
11 marketing, and/or advertising prepared and approved by Defendant and its agents,  
12 as disseminated through the Products’ and the Class Products’ packaging and  
13 marketing containing the misrepresentations alleged herein.

14 105. Had Plaintiff known that the Products did not contain only naturally derived  
15 flavoring ingredients, and instead included synthetic flavoring ingredients, she  
16 would not have purchased the Products or would have paid less for them.

17 106. In other words, Defendant’s “100% Natural Flavors” representation was  
18 important to Plaintiff’s decision to purchase the Products.

19 107. Plaintiff believed, at the time of purchase, that the Products were of superior  
20 quality and more healthful than comparable products that do not claim to be made  
21 with “100% Natural Flavors.”

22 108. Each time Plaintiff and putative Class members purchased Class Products,  
23 they relied on Defendant’s representations in their purchasing decisions, as is  
24 typical of most U.S. consumers.

25 109. After purchasing the Products, Plaintiff learned that the Products were  
26 flavored with synthetically produced ingredients.

27 110. As a result, Plaintiff was harmed because Defendant took Plaintiff’s money  
28 due to its unlawful, false, unfair, and deceptive misrepresentations on the Class



1 Products, including the Products Plaintiff purchased.

2 111. Consequently, Plaintiff and other similarly situated consumers were deceived  
3 by Defendant’s unlawful actions and suffered harm as a direct result of Defendant’s  
4 false, unlawful, unfair, and deceptive representations.

5 112. The Class Products, including the Products purchased by Plaintiff, contain  
6 synthetic flavoring ingredients and are not worth the purchase price paid by Plaintiff  
7 and putative Class members.

8 113. The precise amount of damages will be proven at the time of trial.

9 114. This false, unlawful, unfair, and deceptive advertising of the Class Products  
10 by Defendant presents an ongoing threat to consumers, as Defendant’s conduct  
11 continues to this day.

12 115. Although Plaintiff would like to purchase the Class Products in the future,  
13 she cannot be certain that she will not be misled again unless and until Defendant  
14 and its agents accurately label and represent the Class Products.

15 **CLASS ALLEGATIONS**

16 116. Plaintiff brings this action on behalf of herself and all others similarly situated.

17 117. Plaintiff is a member of and seeks to represent a National Class, pursuant to  
18 Federal Rules of Civil Procedure, Rule 23(a), 23(b)(2) and 23(b)(3), defined as:

19 All persons in the United States who purchased one or  
20 more of the Class Products that were marketed or  
21 represented as being made with “100% Natural Flavors”  
22 or any similar representation, whether on the product  
23 packaging or in marketing materials.

24 118. Plaintiff is also a member of and seeks to represent a California Sub-Class,  
25 pursuant to Federal Rules of Civil Procedure, Rule 23(a), 23(b)(2) and 23(b)(3),  
26 defined as:

27 All persons in California who purchased one or more of  
28 the Class Products that were marketed or represented as

1 being made with “100% Natural Flavors” or any similar  
2 representation, whether on the product packaging or in  
marketing materials.

3 119. The National Class and the California Sub-Class are referred to collectively  
4 as the “Class(es).”

5 120. Excluded from the Classes are Defendant’s officers, directors, and employees;  
6 any entity in which Defendant has a controlling interest; and the affiliates, legal  
7 representatives, attorneys, successors, heirs, and assigns of Defendant. Further  
8 excluded from the Classes are members of the judiciary to whom this case is  
9 assigned, their families, and members of their staff.

10 121. Plaintiff reserves the right to modify the proposed definition of the Classes,  
11 including but not limited to expanding the Classes to protect additional individuals  
12 and to assert additional sub-classes as warranted by additional investigation.

13 122. Numerosity: The members of the Classes are so numerous that joinder of all  
14 of them is impracticable. While the exact number of members of the Classes is  
15 unknown to Plaintiff at this time, based on information and belief, the Classes each  
16 consist of hundreds of thousands to hundreds of millions of individuals within the  
17 United States and California.

18 123. Defendant has estimated that it serves approximately 325 million consumers  
19 in North America alone.<sup>34</sup> And, Reyes Coca-Cola Bottling, which is a distributor of  
20 Defendant’s Class Products servicing the West Coast and Midwest, estimates that it  
21 serves more than 210,000 customers nationwide.<sup>35</sup> Similarly, Swire Coca-Cola  
22 USA, another one of Defendant’s distributors servicing parts of California, Arizona,  
23 Colorado, Idaho, Kansas, Nebraska, Nevada, New Mexico, Oregon, South Dakota,  
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27 <sup>34</sup> [https://web.archive.org/web/20250402012754/https://investors.coca-  
colacompany.com/about/segments](https://web.archive.org/web/20250402012754/https://investors.coca-<br/>colacompany.com/about/segments) (last accessed May 16, 2025).

28 <sup>35</sup> <https://www.reyescocacola.com> (last accessed May 16, 2025).

1 Utah, Washington, and Wyoming, states that it “delivers . . . to 31 million consumers  
2 across the American West.”<sup>36</sup>

3 124. Commonality: There are questions of law and fact common to the Classes,  
4 which predominate over any questions affecting only individual members of the  
5 Classes. These common questions of law and fact include, without limitation:

- 6 • The nature, scope, and operations of the wrongful practices of  
7 Defendant;
- 8 • Whether the Class Products are or have been represented as being  
9 made with “100% Natural Flavors”;
- 10 • Whether the Class Products contain citric acid;
- 11 • Whether the citric acid in any of the Class Products is derived  
12 from citrus fruits;
- 13 • Whether Defendant negligently or intentionally misrepresented  
14 or omitted the fact that the Class Products, including the Product  
15 purchased by Plaintiff and other Class members, were sold illegally in  
16 the United States, including California;
- 17 • Whether Defendant knew or should have known that its business  
18 practices were unfair and/or unlawful;
- 19 • Whether Defendant’s conduct violated the CLRA;
- 20 • Whether Defendant’s conduct violated the FAL;
- 21 • Whether Defendant’s conduct was “unlawful” as that term is  
22 defined in the UCL;
- 23 • Whether Defendant’s conduct was “unfair” as that term is  
24 defined in the UCL;
- 25 • Whether Defendant’s conduct was “fraudulent” as that term is  
26 defined in the UCL;

27  
28 <sup>36</sup> <https://www.swirecc.com> (last accessed May 16, 2025).

- 1 • Whether Defendant’s conduct was “unfair, deceptive, untrue or
- 2 misleading” as those terms are defined in the UCL;
- 3 • Whether Defendant was unjustly enriched by its unlawful, unfair
- 4 and deceptive business practices;
- 5 • Whether Defendant breached an express warranty to Plaintiff and
- 6 members of the Classes;
- 7 • Whether Defendant negligently or intentionally misrepresented
- 8 its products;
- 9 • Whether Plaintiff and members of the Classes suffered monetary
- 10 damages as a result of Defendant’s conduct and, if so, the appropriate
- 11 amount of damages; and
- 12 • Whether Plaintiff and members of the Classes are entitled to
- 13 injunctive relief, including public injunctive relief.

14 125. Typicality: Plaintiff’s claims are typical of those of the Classes. Plaintiff and  
15 all members of the Classes have been harmed by Defendant’s wrongful practices.  
16 Plaintiff’s claims arise from the same course of conduct that gave rise to the claims  
17 of the Classes and are based on the same legal theories. Specifically, Plaintiff  
18 purchased one or more of the Class Products that were labeled, represented and/or  
19 advertised as being made with “100% Natural Flavors.”

20 126. Adequacy of Representation: Plaintiff will fairly and adequately represent  
21 and protect the interests of members of the Classes. Plaintiff’s counsel are  
22 competent and experienced in litigating consumer class actions. Plaintiff has  
23 retained counsel experienced in consumer protection law, including complex class  
24 action litigation involving unfair business practices. Plaintiff has no adverse or  
25 antagonistic interests to those of the Classes and will fairly and adequately protect  
26 the interests of the Classes. Plaintiff’s attorneys are aware of no interests adverse  
27 or antagonistic to those of Plaintiff and the proposed Classes.

28 127. Predominance: Defendant has engaged in a common course of conduct

1 toward Plaintiff and members of the Classes, in that Plaintiff and members of the  
2 Classes were induced to purchase the Class Products. The common issues arising  
3 from Defendant’s conduct affecting members of the Classes set out above  
4 predominate over any individual issues. Adjudication of these common issues in a  
5 single action has important and desirable advantages of judicial economy.

6 128. Superiority: A class action is superior to other available methods for the fair  
7 and efficient adjudication of the controversy.

8 129. Class treatment of common questions of law and fact is superior to multiple  
9 individual actions or piecemeal litigation. Absent a class action, most members of  
10 the Classes would likely find that the cost of litigating their individual claims is  
11 prohibitively high and would therefore have no effective remedy.

12 130. The prosecution of separate actions by individual members of the Classes  
13 would create a risk of inconsistent or varying adjudications with respect to  
14 individual members of the Classes, which would establish incompatible standards  
15 of conduct for Defendant. In contrast, the conduct of this action as a class action  
16 presents far fewer management difficulties, conserves judicial resources and the  
17 parties’ resources, and protects the rights of each member of the Classes.

18 131. Unless the Classes are certified, Defendant will retain monies received as a  
19 result of Defendant’s unlawful, unfair and deceptive conduct alleged herein. Unless  
20 a class-wide injunction is issued, Defendant will also likely continue to advertise,  
21 market, label, promote and package the Class Products in an unlawful, unfair,  
22 deceptive and misleading manner, and members of the Classes will continue to be  
23 deceived, misled, harmed, and denied their rights under federal and California law.

24 132. Defendant has acted on grounds that apply generally to the Classes, so that  
25 class certification is appropriate.

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**CAUSES OF ACTION**

**FIRST CAUSE OF ACTION**

**Violations of the Consumer Legal Remedies Act (“CLRA”)  
(Cal. Civ. Code §§ 1750, *et seq.*)  
(On Behalf of Plaintiff and the California Sub-Class)**

133. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of this Complaint as though fully set forth herein, and further alleges as follows:

134. California Civil Code Section 1750, *et seq.*, entitled the Consumer Legal Remedies Act (“CLRA”), enumerates various “unfair or deceptive” practices in a “transaction” relating to the sale of “goods” or “services” to a “consumer” that are illegal in the State of California.

135. The Legislature’s intent in promulgating the CLRA is expressed in Civil Code Section 1760, which provides, *inter alia*, that its terms are to be:

Construed liberally and applied to promote its underlying purposes, which are to protect consumers against unfair and deceptive business practices and to provide efficient and economical procedures to secure such protections.

136. Defendant’s actions, representations, and conduct have violated, and continue to violate the CLRA because they extend to transactions that intended to result, or which have resulted in the sale of beverage products to consumers.

137. Plaintiff and the members of the California Sub-Class are not sophisticated experts with independent knowledge of product labeling, marketing practices and/or ingredient sourcing.

138. Plaintiff and members of the California Sub-Class are consumers in California who purchased the Class Products for personal, family or household purposes.

139. Defendant is a “person” as defined by Cal. Civ. Code § 1761(c).



1 140. The Class Products that Plaintiff and other members of the California Sub-  
2 Class purchased from Defendant constitute “goods” as defined in Cal. Civ. Code §  
3 1761(a).

4 141. Plaintiff, and the members of the California Sub-Class, are each  
5 “consumer[s]” as defined in Cal. Civ. Code § 1761(d).

6 142. The purchases of Defendant’s products by Plaintiff and the members of the  
7 California Sub-Class constituted a “transaction” as defined in Cal. Civ. Code §  
8 1761(e).

9 143. Cal. Civ. Code § 1770(a)(2), (5), (7) and (9) of the CLRA provide that:

10 The following unfair methods of competition and unfair or  
11 deceptive acts or practices undertaken by any person in a  
12 transaction intended to result or which results in the sale  
13 or lease of goods or services to any consumer are  
14 unlawful:

15 (2) [m]isrepresenting the source, sponsorship, approval, or  
16 certification of goods or services;

17 (5) [r]epresenting that goods or services have sponsorship,  
18 approval, characteristics, ingredients, uses, benefits, or  
19 quantities which they do not have or that a person has a  
20 sponsorship, approval, status, affiliation, or connection  
21 which he or she does not have;

(7) [r]epresenting that goods or services are of a particular  
standard, quality, or grade...; [and]

(9) [a]dvertising goods or services with intent not to sell  
them as advertised.

22 144. Defendant violated Civil Code section 1770(a)(2), (5), (7), and (9) by  
23 marketing and representing the Class Products as being made with “100% Natural  
24 Flavors.” In reality, the Class Products contain synthetically manufactured or  
25 otherwise non-natural flavoring ingredients, and were falsely, deceptively, and  
26 unlawfully labeled and marketed to conceal this fact.  
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1 145. Plaintiff further alleges that the Defendant committed these acts with full  
2 awareness of the harm it would cause and engaged in such unfair and deceptive  
3 conduct despite this knowledge.

4 146. Defendant knew or should have known that its representations about the  
5 Class Products, as described herein, violated numerous regulations and laws,  
6 including consumer protection laws, and that these statements would be relied upon  
7 by Plaintiff and members of the California Sub-Class.

8 147. As a direct and proximate result of Defendant's violations of Cal. Civ. Code  
9 §§ 1750, *et seq.*, Plaintiff and members of the California Sub-Class have suffered  
10 harm by paying for the Class Products, which they would not have purchased or  
11 would have purchased at a lower price had they known the products were  
12 unlawfully, falsely, unfairly, and deceptively labeled and/or marketed.

13 148. Plaintiff and members of the California Sub-Class suffered monetary harm  
14 as a result of Defendant's conduct because: (a) they would not have purchased the  
15 Class Products on the same terms had it not been for Defendant's unlawful, unfair,  
16 and deceptive actions as set forth herein; and/or (b) they paid a price premium for  
17 the Class Products or chose them over competing products due to Defendant's  
18 marketing misrepresentations and deceptive labeling, as discussed herein.

19 149. Plaintiff was therefore harmed because her money was taken by Defendant  
20 as a result of Defendant's false, unlawful, unfair, and deceptive misrepresentations  
21 regarding the Class Products. These unlawful actions include misrepresenting the  
22 nature of the flavoring ingredients used in the Class Products.

23 150. Plaintiff and members of the California Sub-Class reasonably relied upon  
24 Defendant's representations regarding the Class Products, and Plaintiff and  
25 members of the California Sub-Class reasonably expected that the Class Products  
26 would not be unlawfully labeled or marketed in a unfair, deceptive and misleading  
27 manner.  
28





1 151. Thus, Plaintiff and members of the California Sub-Class reasonably relied to  
2 their detriment on Defendant’s unlawful, unfair, deceptive and misleading  
3 representations.

4 152. Pursuant to California Civil Code § 1782(a), on or about May 23, 2025,  
5 Plaintiff, through counsel, sent Defendant a notice and demand for corrective action  
6 (the “CLRA Demand”) via certified mail, informing Defendant of its violations of  
7 the CLRA and demanding that it cease and desist from such violations, as well as  
8 make full restitution by refunding all monies received in connection therewith.

9 153. If Defendant fails to respond to Plaintiff’s CLRA Demand, fails to agree to  
10 rectify the problems associated with the conduct detailed above, or fails to give  
11 notice to all affected consumers within 30 days of the CLRA Demand’s date,  
12 Plaintiff reserves the right to amend the Complaint to pursue claims for actual,  
13 punitive, and statutory damages, as appropriate against Defendant. As to this cause  
14 of action, at this time, Plaintiff seeks only restitution, injunctive relief, and  
15 declaratory relief.

16 154. Plaintiff and members of the California Sub-Class were harmed as a direct  
17 and proximate result of Defendant’s conduct because they paid a premium for 100%  
18 naturally-flavored Class Products even though the Class Products they purchased  
19 were not-in fact 100% naturally flavored as labeled.

20 155. Attached hereto as **Exhibit A** is a sworn declaration from Plaintiff pursuant  
21 to Cal. Civ. Code § 1780(d).

22  
23 **SECOND CAUSE OF ACTION**  
24 **Violations of California’s Unfair Competition Law (“UCL”)**  
25 **(Cal. Bus. & Prof. Code §§ 17200, *et seq.*)**  
26 **(On Behalf of Plaintiff and the California Sub-Class)**

27 156. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of  
28 this Complaint as though fully set forth herein, and further alleges as follows:

1 157. Plaintiff brings this claim individually and on behalf of members of the  
2 California Sub-Class for Defendant’s violations of California’s Unfair Competition  
3 Law, Cal. Bus. & Prof. Code §§ 17200, *et seq.*

4 158. Plaintiff and Defendant are each “person[s]” as defined by California  
5 Business & Professions Code § 17201.

6 159. California Business & Professions Code § 17204 authorizes a private right of  
7 action on both an individual and representative basis.

8 160. “Unfair competition” is defined by Business and Professions Code Section §  
9 17200 as encompassing several types of business “wrongs,” four of which are at  
10 issue here: (1) an “unlawful” business act or practice, (2) an “unfair” business act  
11 or practice, (3) a “fraudulent” business act or practice, and (4) “unfair, deceptive,  
12 untrue or misleading advertising.”

13 161. The definitions in § 17200 are drafted in the disjunctive, meaning that each  
14 of these “wrongs” operates independently from the others.

15 162. Through the conduct alleged in detail above and herein, Defendant engaged  
16 in unlawful, unfair, deceptive and/or fraudulent business practices in violation of  
17 Cal. Bus. & Prof. Code § 17200, *et seq.*, during the four-year period preceding the  
18 filing of this Complaint, Cal. Bus. & Prof. Code § 17208, and persisting to this day.

19 **A. “Unlawful” Prong**

20 163. Defendant has committed acts of unfair competition, including those  
21 described above, by engaging in a pattern of “unlawful” business practices, within  
22 the meaning of Bus. & Prof. Code § 17200, *et seq.*

23 164. Defendant violated federal and California law by falsely advertising,  
24 marketing, labeling, and selling the Class Products as being made with “100%  
25 Natural Flavors” when they were not, while failing to disclose the true nature of the  
26 flavoring ingredients contained therein.

27 165. Specifically, by manufacturing, distributing, and/or marketing the Class  
28 Products with false, unlawful, unfair and deceptive claims, Defendant violates the



1 FDCA, 21 U.S.C. § 343(a); Cal. Health & Safety Code §§ 110390, 110395, 110398;  
2 California’s CLRA, Civil Code §§ 1750, *et seq.*; and Californias’ FAL, Cal. Bus. &  
3 Prof. Code §§ 17500, *et seq.*

4 166. Defendant falsely, unlawfully, unfairly, and deceptively represents that the  
5 Class Products are made with “100% Natural Flavors” when, in fact, they are not.  
6 Instead, Defendant uses synthetically manufactured or otherwise non-natural flavor  
7 ingredients to create the flavor profile for the Class Products.

8 167. Aside from the unlawful conduct described herein, Defendant has other  
9 reasonably available alternatives to advance its business interests, such as  
10 accurately, truthfully, and lawfully marketing, labeling, and selling the Class  
11 Products.

12 168. Instead, Defendant deliberately and deceptively misled and continues to  
13 mislead consumers through unlawful and unfair practices for its own economic  
14 gain.

15 **B. “Unfair” Prong**

16 169. Defendant has engaged in acts of unfair competition prohibited by Bus. &  
17 Prof. Code § 17200, *et seq.*

18 170. Defendant engaged in a pattern of "unfair" business practices that violate both  
19 the letter and the intent of the statutes. Defendant's conduct threatens an incipient  
20 violation of the law or violates the policy and spirit of the law by manufacturing,  
21 distributing, and/or marketing its products with false, unfair and deceptive claims.

22 171. The utility of such conduct, if any, is vastly outweighed by the harm it inflicts,  
23 particularly through the manufacturing, distribution, and/or marketing of the Class  
24 Products by means of false representations that they are made with “100% Natural  
25 Flavors” despite containing synthetically manufactured or otherwise non-natural  
26 flavoring ingredients.

27 172. As a result of Defendant’s conduct: (1) the injury to consumers was  
28 substantial; (2) the injury was not outweighed by any countervailing benefits to



1 consumers or competition; and (3) the injury was one that consumers could not have  
2 reasonably avoided.

3 173. Without limitation, Defendant’s knowing mislabeling and false, unlawful  
4 marketing of the Class Products constitute unlawful, unfair, and deceptive business  
5 practices, misleading consumers into believing they are purchasing products that  
6 contain only natural flavoring ingredients despite containing synthetically  
7 manufactured or otherwise non-natural flavoring ingredients.

8 174. Plaintiff could not have reasonably avoided the resulting injury.

9 **C. “Fraudulent” Prong**

10 175. Defendant violated the “fraudulent” prong of the UCL by misleading Plaintiff  
11 and the members of the California Sub-Class to believe that the Class Products  
12 contain only natural flavoring ingredients.

13 176. The Class Products are falsely labeled and marketed as being made with  
14 “100% Natural Flavors” despite Defendant’s use of synthetically manufactured or  
15 otherwise non-natural flavoring ingredients in the Class Products. These  
16 misrepresentations mislead consumers, including Plaintiff, into consuming  
17 synthetic flavoring ingredients to which they did not, and could not have, given  
18 informed consent.

19 177. On or about April 28, 2025, Plaintiff searched online for beverages while in  
20 Northridge, Los Angeles County, California. While searching online, Plaintiff  
21 found the Products available for sale on Amazon.

22 178. First, Plaintiff viewed the Amazon webpage for the “Sprite Mini-Can 7.5oz”  
23 ten-pack located at <https://a.co/d/jgTq8IQ>. On that webpage, Plaintiff viewed the  
24 Sprite Product’s images and information.

25 179. One image Plaintiff observed on the Sprite Product’s Amazon product page  
26 included a green background with bold, capitalized letters stating “100%  
27 NATURAL FLAVORS” in white, “ZERO CAFFEINE” in a lighter shade of green,  
28 and “PERFECTLY CLEAR” in yellow in the foreground.





1 180. Another image Plaintiff observed on the Sprite Product’s Amazon product  
2 page included the words “100% Natural Flavors” in capitalized white letters on an  
3 image of the Sprite Product’s box

4 181. Plaintiff also noticed that the words “Lemon-lime soda, 100% natural  
5 flavors” appeared under the “About this item” sections of the same page. A similar  
6 “100% natural Flavors” representation is made under the “Product Description”  
7 section of the same Amazon webpage.

8 182. Relying on Coca-Cola’s representations on the Amazon webpage that the  
9 Sprite Product was made with “100% Natural Flavors,” Plaintiff added the Sprite  
10 Product to her Amazon shopping cart and paid \$5.98, exclusive of taxes and fees,  
11 for same.

12 183. Next, Plaintiff viewed the Amazon webpage for the “FANTA ORANGE  
13 CAN 7.5 OZ X10” ten-pack located at <https://a.co/d/8YdPZgQ>. On that webpage,  
14 Plaintiff viewed the Fanta Product’s images and information.

15 184. One of the images Plaintiff observed on the Amazon product page for the  
16 Fanta Product displayed the front and side of the packaging, which featured both a  
17 nutrition panel and the claims “CAFFEINE FREE” and “100% NATURAL  
18 FLAVORS.” Additionally, under the “About this item” section of the same listing,  
19 Plaintiff noticed the statement “100% naturally flavored soft drink.”

20 185. Relying on Coca-Cola’s representations on the Amazon webpage that the  
21 Fanta Product was made with “100% Natural Flavors,” Plaintiff added the Fanta  
22 Product to her Amazon shopping cart and paid \$5.98, exclusive of taxes and fees,  
23 for same.

24 186. Like Plaintiff, members of the California Sub-Class purchased the Class  
25 Products in reliance on Defendant’s misrepresentations.

26 187. Plaintiff and the Class are not sophisticated experts in beverage marketing  
27 practices, product labeling or ingredient sourcing, or the regulations governing the  
28 Class Products.

1 188. Plaintiff and members of the California Sub-Class acted reasonably in  
2 purchasing the Class Products based on their incorrect belief that Defendant’s  
3 representations that the Class Products contained “100% Natural Flavors” were  
4 accurate, truthful and lawful.

5 **D. “Unfair, Deceptive, Untrue or Misleading Advertising” Prong**

6 189. Defendant’s labeling, marketing and advertising is unfair, deceptive, untrue,  
7 and misleading, as it misleads consumers into believing that the Class Products  
8 contain only natural flavoring ingredients, when in fact that is not true.

9 190. Plaintiff, as a reasonable consumer, and the public are likely to be, and in fact  
10 were, deceived and misled by Defendant’s labeling and marketing. They reasonably  
11 interpreted Defendant’s representations according to their ordinary meaning—that  
12 the Class Products contain “100% Natural Flavors” and do not contain synthetically  
13 manufactured or otherwise non-natural flavoring ingredients.

14 191. Plaintiff and members of the California Sub-Class are not sophisticated  
15 experts in beverage marketing practices, product labeling, ingredient sourcing, or  
16 the regulations governing the Class Products. They acted reasonably in purchasing  
17 the Class Products based on their belief that Defendant’s representations were  
18 accurate, truthful and lawful.

19 192. Plaintiff and the members of the California Sub-Class lost money or property  
20 as a result of Defendant’s UCL violations because, at a minimum: (a) they would  
21 not have purchased the Class Products on the same terms had they known the true  
22 facts about Defendant’s representations; (b) they paid a price premium for the Class  
23 Products due to Defendant’s alleged misrepresentations; and/or (c) they chose Class  
24 Products over the products of Defendant’s competitors who made accurate, truthful  
25 and lawful representations about their products.

26 193. Defendant’s alleged unlawful, unfair, and deceptive business practices, along  
27 with their unfair, deceptive, untrue, or misleading advertising, present a continuing  
28



1 threat to the public as Defendant continues to engage in unlawful conduct that harms  
2 consumers.

3 194. Such acts and omissions by Defendant are unlawful, unfair, and/or deceptive,  
4 constituting violations of Business & Professions Code §§ 17200, *et seq.*

5 195. As a direct and proximate result of the acts and representations described  
6 above, Defendant has received and continues to receive unearned commercial  
7 benefits at the expense of its competitors and the public.

8 196. As a direct and proximate result of Defendant’s unlawful, unfair, and  
9 fraudulent conduct described herein, Defendant has been, and will continue to be,  
10 enriched by ill-gotten gains from customers, including Plaintiff, who unwittingly  
11 provided money based on Defendant’s “100% Natural Flavors” misrepresentation.

12 197. Plaintiff was harmed because Defendant took Plaintiff’s money through an  
13 unlawful, false, unfair, and deceptive representation made regarding the Class  
14 Products.

15 198. The conduct of Defendant, as described above, demonstrates the need for  
16 injunctive relief to restrain such acts of unfair competition pursuant to the California  
17 Business and Professions Code. Unless enjoined by the court, Defendant will retain  
18 the ability to, and may, continue engaging in unfair and deceptive competition and  
19 misleading marketing. As a result, Plaintiff and members of the California Sub-  
20 Class are entitled to monetary relief and prospective injunctive relief, and restitution  
21 in the alternative.

22 199. Plaintiff would like to purchase at least some of the Class Products again but  
23 cannot be certain she will not be misled in the future unless and until Defendant  
24 makes the appropriate changes to the labeling and marketing of its Class Products,  
25 as requested herein.

26 200. Pursuant to Bus. and Prof. Code § 17203, Plaintiff and members of the  
27 California Sub-Class are entitled to, and hereby seek, injunctive relief to prevent  
28



1 Defendant from continuing the conduct in question as well as restitution of  
2 Defendant’s ill-gotten gains.

3 201. Plaintiff also seeks public injunctive relief to prevent Defendant from  
4 marketing and selling the Class Products as being made with “100% Natural  
5 Flavors” despite the inclusion of synthetically manufactured or otherwise non-  
6 natural flavoring ingredients, including the removal of the misbranded Class  
7 Products from the marketplace.

8 202. In prosecuting this action to enforce important rights affecting the public  
9 interest, Plaintiff seeks the recovery of attorneys’ fees and costs pursuant to, *inter*  
10 *alia*, Cal. Civ. Proc. Code § 1021.5.

11 203. As it concerns the Second Cause of Action, Plaintiff, on behalf of herself and  
12 the California Sub-Class, seeks prospective injunctive relief as well as restitution in  
13 the alternative to monetary damages.

14  
15 **THIRD CAUSE OF ACTION**  
16 **Violations of California’s False Advertising Law (“FAL”)**  
17 **(Cal. Bus. & Prof. Code §§ 17500, *et seq.*)**  
18 **(On Behalf of Plaintiff and the California Sub-Class)**

19 204. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of  
20 this Complaint as though fully set forth herein, and further alleges as follows:

21 205. California’s False Advertising Law (“FAL”), Cal. Bus. & Prof. Code §  
22 17500, states that “[i]t is unlawful for any ... corporation ... with intent ... to dispose  
23 of ... personal property ... to induce the public to enter into any obligation relating  
24 thereto, to make or disseminate or cause to be made or disseminated ... from this  
25 state before the public in any state, in any newspaper or other publication, or any  
26 advertising device, or by public outcry or proclamation, or in any other manner or  
27 means whatever, including over the Internet, any statement...which is untrue or  
28 misleading and which is known, or which by the exercise of reasonable care should  
be known, to be untrue or misleading....”



1 206. Defendant’s material misrepresentations and omissions concerning the  
2 nature of the flavoring ingredients used in its Class Products, as alleged herein,  
3 violate Bus. & Prof. Code §§ 17500, *et seq.* Defendant knew or should have known  
4 that its misrepresentations and omissions were false, unlawful, unfair, deceptive,  
5 and misleading. This includes the representations that the Class Products contain  
6 “100% Natural Flavors” despite containing synthetically manufactured or otherwise  
7 non-natural flavoring ingredients.

8 207. Plaintiff and the Class suffered tangible, concrete injuries as a result of  
9 Defendant’s actions, as set forth herein, because they purchased the Class Products  
10 in reliance on Defendant’s misrepresentations.

11 208. As a result, pursuant to Cal. Bus. & Prof. Code § 17535, Plaintiff and  
12 members of the Class are entitled to injunctive relief, equitable relief, and  
13 restitution.

14 209. Further, Plaintiff and the members of the Class seek an order requiring  
15 Defendant to disclose the misrepresentations and request an order awarding  
16 Plaintiff restitution for the money wrongfully acquired by Defendant through those  
17 misrepresentations.

18 210. Additionally, Plaintiff and members of the Class seek an order requiring  
19 Defendant to pay attorneys' fees pursuant to, *inter alia*, Cal. Civ. Proc. Code §  
20 1021.5.

21 211. As it concerns this Third Cause of Action, Plaintiff, on behalf of herself and  
22 the California Sub-Class, also seeks prospective injunctive relief as well as  
23 restitution in the alternative to monetary damages.

24  
25 **FOURTH CAUSE OF ACTION**

26 **Breach of Express Warranty**

27 **(On Behalf of Plaintiff, the National Class, and the California Sub-Class)**

28 212. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of  
this Complaint as though fully set forth herein, and further alleges as follows:

1 213. Under California law, the elements of breach of express warranty include the  
2 seller’s statement(s) constituting an affirmation of fact or promise or a description  
3 of the goods which is made part of the basis of the bargain, and breach of that  
4 warranty. Reliance is not required. *See Weinstat v. Dentsply Internat., Inc.*, 180  
5 Cal.App.4th 1213, 1227 (2010).

6 214. Defendant represented to Plaintiff and similarly situated consumers, through  
7 its labeling, advertising, and marketing, that the Class Products are made with  
8 “100% Natural Flavors” when, in fact, they are not. Instead the Class Products are  
9 also flavored with synthetically manufactured, artificial, or otherwise non-natural  
10 ingredients.

11 215. Defendant’s representations regarding the flavoring of the Class Products  
12 constitute affirmations of fact.

13 216. Defendant’s explicit claim that the Class Products contain “100% Natural  
14 Flavors” directly pertains to the nature and composition of the products. This  
15 representation forms a fundamental part of the bargain between Defendant and  
16 purchasers, influencing consumer purchasing decisions and expectations.

17 217. Defendant’s statements—prominently featured on the labeling and marketing  
18 of the Class Products constitutes an express warranty concerning the nature,  
19 composition, and origin of the products’ flavoring ingredients.

20 218. Defendant breached its express warranty by falsely representing that the  
21 Class Products are made with “100% Natural Flavors” when, in reality, they  
22 contained synthetically manufactured, artificial, or otherwise non-natural flavoring  
23 ingredients.

24 219. As a result of Defendant’s breach, Plaintiff and Class members suffered harm  
25 and are entitled to recover either the full purchase price of the Class Products or the  
26 difference between their actual value and the value they would have held if  
27 Defendant’s representations regarding the Class Products had been accurate,  
28 truthful, and lawful.



1 220. Plaintiff and Class members did not receive the benefit of their bargain and  
2 sustained additional injuries, as alleged herein.

3 221. Had Plaintiff and Class members known the true nature of the Class Products,  
4 they either would not have purchased the products or would not have paid the price  
5 Defendant charged.

6 222. Defendant’s misrepresentations were a substantial factor in causing Plaintiff  
7 and the Class economic harm.

8  
9 **FIFTH CAUSE OF ACTION**

10 **Unjust Enrichment**

11 **(On Behalf of Plaintiff, the National Class, and the California Sub-Class)**

12 223. Plaintiff pleads this unjust enrichment cause of action in the alternative to  
13 contract-based claims.

14 224. Plaintiff re-alleges and incorporates by reference the preceding paragraphs of  
15 this Complaint as though fully set forth herein, with the exception of contract-based  
16 claims, and further alleges as follows:

17 225. Under California law, the elements of unjust enrichment are the receipt of a  
18 benefit and the unjust retention of that benefit at the expense of another.

19 226. Plaintiff and members of the Classes conferred non-gratuitous benefits upon  
20 Defendant by purchasing the Class Products, which Defendant misrepresented as to  
21 their flavoring ingredients’ “natural” status.

22 227. Plaintiff and members of the Classes allege that Defendant owes them money  
23 for the unjust conduct described herein that resulted in the wrongful acquisition of  
24 funds.

25 228. An undue advantage was taken of Plaintiff’s and members of the Classes’  
26 lack of knowledge of the deception, resulting in money being extracted to which  
27 Defendant had no legal right.  
28



1 229. Defendant is therefore indebted to Plaintiff and members of the Classes in a  
2 specific sum—the amount of money each paid for the Class Products, which  
3 Defendant should not retain in equity and good conscience.

4 230. Defendant is therefore liable to Plaintiff and members of the Classes for the  
5 amount of unjust enrichment.

6 231. Defendant’s retention of any benefit, whether directly or indirectly collected  
7 from Plaintiff and members of the Classes, violates principles of justice, equity, and  
8 good conscience.

9 232. As a result, Defendant has been and continues to be unjustly enriched.

10 233. Plaintiff and the Classes are entitled to recover from Defendant all amounts  
11 that Defendant has wrongfully and improperly obtained, and Defendant should be  
12 required to disgorge to Plaintiff and members of the Classes the benefits it has  
13 unjustly received.

14 234. Defendant accepted and retained such benefits with knowledge that  
15 Plaintiff’s and members of the Classes’ rights were being violated for financial gain.  
16 Defendant has been unjustly enriched by retaining the revenues and profits obtained  
17 from Plaintiff and members of the Classes, and such retention under these  
18 circumstances is both unjust and inequitable.

19 235. As a direct and proximate result of Defendant’s unlawful practices and the  
20 retention of monies paid by Plaintiff and members of the Classes, Plaintiff and the  
21 members of the Classes have suffered concrete harm and injury.

22 236. Defendant’s retention of the non-gratuitous benefits conferred upon it by  
23 Plaintiff and members of the Classes would be unjust and inequitable.

24 237. Plaintiff and members of the Classes are entitled to seek disgorgement and  
25 restitution of wrongful profits, revenue, and benefits conferred upon Defendant, in  
26 a manner to be determined by this Court.



**SIXTH CAUSE OF ACTION**

**Negligent Misrepresentation**

**(On Behalf of Plaintiff, the National Class, and the California Sub-Class)**

238. Plaintiff pleads this negligent misrepresentation cause of action in the alternative to the intentional misrepresentation cause of action stated below.

239. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of this Complaint as though fully set forth herein, and further alleges as follows:

240. Under California law, the elements of negligent misrepresentation are a misrepresentation of a past or existing material fact without reasonable grounds for believing it to be true, with intent to induce reliance on the fact misrepresented, intent by the defendant that the plaintiff rely on the representation, justifiable reliance by the plaintiff, and damages.

241. Defendant represented to the public, including Plaintiff and the Classes, through its marketing, advertising, labeling, and other means, that the Class Products are made with “100% Natural Flavors.” This representation is false and misleading because the Class Products contain synthetically manufactured, artificial, or otherwise non-natural flavoring ingredients.

242. Defendant had no reasonable grounds to believe that its “100% Natural Flavor” representation was true when it made such a representation because it is uniquely aware of the ingredients it puts in its Class Products.

243. Plaintiff alleges that Defendant made these negligent, false and deceptive representations with the intent to induce the public, including Plaintiff and the members of the Classes, to purchase the Class Products.

244. Plaintiff and other similarly situated individuals saw, believed, and reasonably relied upon Defendant’s negligent, false, unfair, and deceptive misrepresentations, and purchased the Class Products as a result of this reliance.

245. At all relevant times, Defendant made the negligent, false, unfair, and deceptive misrepresentations alleged herein, knowing or reasonably having known



1 that such representations were unlawful, unfair, deceptive, inaccurate, and  
2 misleading.

3 246. As a direct and proximate result of Defendant’s negligent, false, unfair, and  
4 deceptive misrepresentations, Plaintiff and similarly situated consumers were  
5 induced to purchase the Class Products, purchase more of them, pay a higher price,  
6 or choose them over competitors’ products.

7 247. Defendant’s unlawful, unfair, and deceptive acts caused damages in an  
8 amount to be determined at trial.

9  
10 **SEVENTH CAUSE OF ACTION**

11 **Intentional Misrepresentation**

12 **(On Behalf of Plaintiff, the National Class, and the California Sub-Class)**

13 248. Plaintiff pleads this intentional misrepresentation cause of action in the  
14 alternative to the negligent misrepresentation cause of action stated above.

15 249. Plaintiff re-alleges and incorporates by reference all preceding paragraphs of  
16 this Complaint as though fully set forth herein, and further alleges as follows:

17 250. Under California law, the elements of intentional misrepresentation are a  
18 false representation of a material fact, knowledge by the defendant that the  
19 representation was false or reckless disregard for its truth, intent by the defendant  
20 to induce reliance, justifiable reliance by the plaintiff, and damages.

21 251. Defendant knowingly and intentionally represented to the public, including  
22 Plaintiff and the Classes, through its marketing, advertising, labeling, and other  
23 means, that the Class Products are made with “100% Natural Flavors.” This  
24 representation is false and misleading because the Class Products contain  
25 synthetically manufactured or otherwise non-natural flavoring ingredients.

26 252. Defendant knew its representations were false because it maintains full  
27 control over the labeling, sourcing, formulation and manufacturing of the Class  
28 Products, including the sourcing of its flavoring ingredients.





1 253. Defendant acted intentionally by willfully and purposefully disseminating  
2 misrepresentations about the Class Products through labeling, online and offline  
3 marketing, advertising, and social media.

4 254. However, as described above, Defendant’s representations regarding the  
5 Class Products are false, unlawful, unfair, deceptive and/or misleading.

6 255. Defendant knew that its representations regarding the Class Products were  
7 false, unlawful, unfair, deceptive, and/or misleading, yet continued to make such  
8 representations over a period of years.

9 256. Defendant further knew that retailers were marketing the Class Products in a  
10 false or misleading manner, as Defendant designed, manufactured, and affixed the  
11 product labeling to the Class Products before supplying them to retailers.  
12 Additionally, Defendant provided retailers with marketing materials that contained  
13 its false and misleading representations, thereby perpetuating the deception.

14 257. Plaintiff and members of the Classes saw, believed, and relied on  
15 Defendant’s misrepresentations when deciding to purchase the Class Products.

16 258. As a direct and proximate result of Defendant’s intentional  
17 misrepresentations, Plaintiff and the putative Class members suffered damages in  
18 an amount to be determined at trial.

19 259. By engaging in the acts described above, Plaintiff and members of the Classes  
20 are entitled to recover exemplary or punitive damages.

21 **PRAYER FOR RELIEF**

22 260. WHEREFORE, Plaintiff prays for relief and judgment against Defendant as  
23 follows, seeking restitution and disgorgement in the alternative to legal relief where  
24 applicable, as well as prospective injunctive relief:

- 25 • Certification of this action as a class action;
- 26 • Appointment of Plaintiff as Class Representative;
- 27 • Appointment of Plaintiff’s attorneys as Class Counsel;



- 1 • That Defendant’s wrongful conduct alleged herein be adjudged and decreed
- 2 to violate the consumer protection statutes asserted herein;
- 3 • An Order declaring that Defendant’s conduct violated the CLRA, California
- 4 Civil Code §§ 1750, *et seq.*, and awarding injunctive relief pursuant to Cal.
- 5 Civ. Code § 1780(a) and (b);
- 6 • An Order declaring that Defendant’s conduct violated California’s Unfair
- 7 Competition Law, California Business & Professions Code §§ 17200, *et seq.*;
- 8 and awarding injunctive relief pursuant to Bus. & Prof. Code § 17203;
- 9 • An Order requiring Defendant to disgorge all monies, revenues, and profits
- 10 obtained by means of any wrongful act or practice;
- 11 • An Order requiring the imposition of a constructive trust and/or disgorgement
- 12 of Defendant’s ill-gotten gains, compelling Defendant to pay restitution to
- 13 Plaintiff and all members of the Classes, and to restore to Plaintiff and the
- 14 Classes all funds acquired through any act or practice declared by this Court
- 15 to be unlawful, fraudulent, unfair, or deceptive; in violation of laws, statutes,
- 16 or regulations; or constituting unfair competition, along with pre- and post-
- 17 judgment interest thereon;
- 18 • For pre and post-judgment interest on all amounts awarded;
- 19 • For an order of restitution and all other forms of equitable monetary relief, as
- 20 pleaded, including awarding such relief pursuant to Bus. & Prof. Code §
- 21 17535; and/or Bus. & Prof. Code § 17203;
- 22 • For public injunctive relief as pleaded or as the Court may deem proper;
- 23 • That Defendant be enjoined from continuing the wrongful conduct alleged
- 24 herein and required to comply with all applicable laws;
- 25 • Punitive damages including under Cal. Civ. Code § 3294;
- 26 • General and compensatory damages in an amount to be determined at trial;
- 27 • That Plaintiff recover her costs of suit, including reasonable attorneys’ fees
- 28 and expenses pursuant to, *inter alia*, Cal. Civ. Code. § 1021.5; and

- That Plaintiff and the members of the Class be granted any other relief the Court may deem just and proper.

**DEMAND FOR TRIAL BY JURY**

261. Plaintiff, individually and on behalf of all others similarly situated, hereby demands a jury trial on all claims so triable.

Dated: May 27, 2025

Respectfully submitted,

**KAZEROUNI LAW GROUP, APC**

By: /s/ Abbas Kazerounian  
Abbas Kazerounian, Esq.  
*ATTORNEYS FOR PLAINTIFF*

**Additional Plaintiff's Counsel**

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