

Consumers are reclaiming what it means for food and beverages to be "natural." Here are eight natural and conventional companies that have been in hot water for using the label, and what you can learn from them to avoid the same mistakes.

## Tropicana



Tropicana, a subsidiary of PepsiCo, calls its juices "100% pure and natural" and "fresh from the grove" but consumers beg to differ. A rash of 20 lawsuits charges the juice maker with adding "flavor packs," which are made in a lab, in addition to heavily processing and enhancing the juices to ensure a longer shelf life. No word yet on the winner in this case.

Your takeaway: Tread carefully with the "100%" modifier.

## Ben & Jerry's



Ben & Jerry's, owned by Unilever, was pressured in October 2010 by the Center for Science in Public Interest to remove its "all natural" claims on several products that contained chemically modified ingredients, such as corn syrup and partially hydrogenated soybean oil.

One month later, Ben & Jerry's agreed to remove "natural" from its ice creams and frozen yogurts that contained the ingredients. Bravo!

Your takeaway: If you find yourself in a similar position, react quickly and smartly to avoid future fallout.

#### **SunChips and Tostitos**



Frito-Lay calls its SunChips and some Tostitos snacks "all natural," but the company got slammed earlier this year because its so-called "natural" snacks were found to contain genetically modified corn and oils.

The lawsuit could cost the company \$5 million, even though technically the company played by FDA's rules. There are currently no labeling requirements for products with GMOs. (You can help change that!)

Your takeaway: Consumers aren't as clued in to what FDA does/doesn't do as you are. Don't use "But the government says..." as your excuse. They won't buy it.

### Snapple



Beginning in 2007, the Dr Pepper Snapple Group faced lawsuits from consumers concerned that the drink wasn't "made from the best stuff on earth."

Snapple used to contain high fructose corn syrup, but reformulated to use sugar in 2008 as a response to competition from beverages such as Honest Tea. A judge ruled in Snapple's favor and closed the case after the company had reformulated.

Your takeaway: Be careful about clever marketing slogans that may imply one thing, while your product is another.

## ConAgra's Wesson Oils



In August 2011, ConAgra was sued for labeling their genetically-modified Wesson cooking oils as "100% natural." This lawsuit seemed to create momentum for even more class actions suits that occurred at the end of last year and have carried on to today. Read more

Your takeaway: "Natural" is synonymous with non-GMO to many consumers, 90 percent of which want GMOs labeled.

# Kashi



Kellogg-owned Kashi has had a challenging couple of years. First, in August 2011 the company was hit with a class-action lawsuit that claimed its products contained unnaturally processed and synthetic ingredients.

Then, consumer outrage over a viral photo this year caused them to pledge to ditch GMOs in their major product lines sooner than expected. Consumers are making it loud and clear: They crave transparency! Read more

Your takeaway: Don't try to pass off synthetics as natural. FDA doesn't like it, either, and will take action against you.

#### **Bear Naked**



In September 2011, Bear Naked, owned by Kellogg through its Kashi subsidiary, was sued for using a "100% Pure & Natural" label on granola that contained synthetic ingredients, specifically potassium carbonate, glycerin and lecithin. <u>Read more</u>

Your takeaway: Don't add insult to injury by claiming something is pure when it contains ingredients created in a lab.

#### **Alexia Foods**



Gourmet natural frozen food maker Alexia Foods didn't get sued, but did receive a lawsuit from the U.S. Food and Drug Administration (FDA) for its use of "all natural." That's because the company used a synthetic chemical preservative, which is actually against the rules in FDA's loose definition of natural. Read more

Your takeaway: Experts are saying that FDA doesn't want to touch the "natural" label, but that may not matter in another year. Consumers are defining the word for us.

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