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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: 23-cv-1446

CLASS ACTION

GARY REYNOLDS, on behalf of himself, all others
similarly situated, and the general public,

Plaintiff,

v.

THE COCA-COLA COMPANY,

Defendant.

**COMPLAINT FOR VIOLATIONS OF CAL.
BUS. & PROF. CODE §§ 17200 *et seq.*; CAL.
BUS. & PROF. CODE §§ 17500 *et seq.*; CAL.
CIV. CODE §§ 1750 *et seq.*; BREACH OF
EXPRESS AND IMPLIED WARRANTIES;
NEGLIGENT AND INTENTIONAL
MISREPRESENTATION; AND UNJUST
ENRICHMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff Gary Reynolds on behalf of himself and all others similarly situated by and through his
2 undersigned counsel, hereby sues Defendant, The Coca-Cola Company (“Coca-Cola”), and alleges the
3 following upon his own knowledge, or where he lacks personal knowledge, upon information and belief,
4 including the investigation of his counsel.

5 **INTRODUCTION**

6 1. Many of us grew up believing that drinking fruit juice was healthy, and many parents still
7 believe it is healthy. Because whole fruit is healthy it seems sensible that fruit juice, which is derived from
8 fruit, would also be healthy.

9 2. But compelling scientific evidence establishes that fruit juice is actually unhealthy because
10 drinking it increases the risk of heart disease, type 2 diabetes, metabolic syndrome, and all-cause mortality.

11 3. Knowing that parents are looking for healthy beverages for their children, the Coca-Cola
12 Company exploits and deceptively perpetuates the misperception that juice is healthy by marketing and
13 labeling its Minute Maid Juice Boxes (the “Juice Boxes” or “Products”)¹ as being “Good for You!” and “Part
14 of a Healthy, Balanced Diet.”

15 4. These and other representations and omissions of material facts are, however, false and
16 misleading, because consuming fruit juices like the Juice Boxes actually increases the risk of chronic
17 diseases.

18 5. Accordingly, Plaintiff brings this action against Coca-Cola on behalf of himself and similarly-
19 situated Class Members to enjoin Coca-Cola from deceptively marketing the Juice Boxes, and to recover
20 compensation for injured Class Members.

21 **JURISDICTION & VENUE**

22 6. This Court has original jurisdiction over this action under 28 U.S.C. § 1332(d)(2) (The Class
23 Action Fairness Act) because the matter in controversy exceeds the sum or value of \$5,000,000, exclusive of
24 interest and costs, and at least one member of the class of plaintiffs is a citizen of a State different from
25 Defendant.

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28 ¹ The Products consist of Minute Maid Juice Boxes in at least Apple, Apple White Grape, Mixed Berry, Fruit
Punch, and Lemonade flavors. See Appendix A. To the extent that Minute Maid sold additional flavors during
the Class Period that Plaintiff’s prefiling investigation was unable to identify, this Complaint should be read

1 15. Coca-Cola is well aware that consumers prefer healthful foods and are willing to pay more
2 for, or purchase more often, products marketed and labeled as healthy. For instance, a Nielsen Global Health
3 & Wellness Survey found that “88% of those polled are willing to pay more for healthier foods.”²

4 16. Coca-Cola has taken advantage of this by marketing the Juice Boxes as healthy options,
5 including by promoting them with health and wellness messages directly on their labeling and packaging.

6 17. During the Class Period, Coca-Cola labeled the Juice Boxes as both “Good for You!” and
7 “Part of a Healthy, Balanced Diet.”

8 18. Coca-Cola also uses images of fresh fruit on the Juice Boxes to further reinforce the perception
9 that the Juice Boxes are healthy.

10 19. Below is a representative example of the Juice Boxes’ packaging sold during the Class Period.



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24 20. These images and statements, however, are false or at least highly misleading because they
25 convey that the Juice Boxes are healthy (beneficial to health) when in reality regularly consuming them is
26 unhealthy since it increases risk of disease.

27
28 ² Gagliardi, N., *Consumers Want Healthy Foods—And Will Pay More For Them*. FORBES (Feb. 18, 2015)

1 **II. SCIENTIFIC EVIDENCE DEMONSTRATES THAT CONSUMING JUICE, LIKE COCA-**
 2 **COLA’S JUICE BOXES, IS UNHEALTHY**

3 **A. While Consuming Whole Fruit is Beneficial to Health, Processing it into Juice Renders**
 4 **it Harmful to Health**

5 21. Susan Jebb, Professor of Diet and Population at Cambridge University, has explained that
 6 many “people believe fruit juices . . . have about the same effects as eating fruit. Unfortunately, this is wrong
 7”³ This is because processing intact fruit destroys the fruits’ natural food matrix thereby concentrating
 8 and releasing the fruit’s sugar, which “is absorbed very fast, so by the time it gets to your stomach your body
 9 doesn’t know whether it’s Coca-Cola or orange juice[.]” Ms. Jebb has accordingly cautioned consumers,
 10 “don’t fall for the fruit juice trap and don’t believe the hype that it’s a good addition to a balanced meal.”⁴

11 22. The food matrix is “the nutrient and non-nutrient components of foods and their molecular
 12 relationships, i.e., chemical bonds, to each other.”⁵ The food matrix may be viewed as a physical domain that
 13 contains and/or interacts with specific constituents of a food (e.g., a nutrient) providing functionalities and
 14 behaviors which are different from those exhibited by the components in isolation or a free state. It is, quite
 15 literally, the physical geometry of the food.⁶

16 23. The effect of the food matrix (FM-effect) has profound implications in food processing, oral
 17 processing, satiation, and satiety, and digestion in the gastrointestinal tract.⁷

18 24. The effect of the food matrix also explains the counterintuitive reality that consuming two
 19 foods with the same chemical composition may lead to significantly different outcomes for health based on
 20 their chemical structures.

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 22
 23 ³ *Don’t Fall for the Juice Trap*, Apartments For Us (Oct. 15, 2018), at
<https://www.apartmentsforus.com/dont-fall-for-the-fruit-juice-trap/>.

24 ⁴ *Id.*

25 ⁵ United States Department of Agriculture, NAL Agricultural Thesaurus, at
 26 <https://lod.nal.usda.gov/nalt/17238>.

27 ⁶ See Aguilera, J., *The food matrix: implications in processing, nutrition and health*, 59(22) CRIT. REV. FOOD
 28 SCI. NUTR. 3612 (2019).

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