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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11

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### LEGAL NEWS

## Callahan & Blaine files lawsuit over olive oil

Litigation claims several manufacturers, retailers, have been selling and misrepresenting the product as extra virgin.

BY KRISTEN SCHOTT  
Published: August 11, 2010 02:08 PM

Santa Ana-based Callahan & Blaine has filed a class-action lawsuit on behalf of a number of chefs and restaurateurs claiming that several olive-oil manufacturers and retailers have been misrepresenting and selling adulterated oils as extra virgin olive oil.



Courtesy of Fotolia

The suit, which was filed last week in Orange County Superior Court, alleges that these companies – which include brands such as Bertolli and Filippo Berio, and supermarket chains ranging from Ralphs to Geison's Markets, among others – have been "knowingly misleading and defrauding" consumers across California.



"Defendants have been claiming the olive oil they sell meets the high standard of the extra-virgin classification, thus entitling defendants to charge a hefty premium for the product, when in fact the product does not meet that standard and is of inferior quality," said Daniel Callahan, lead counsel for the plaintiffs, who include Chef David Martin of the first season of Bravo TV's "Top Chef" and Michael Owings, culinary director of Dink's Restaurant and Ultra Lounge Palm Springs.

And, many products are labeled as Italian olive oil – a claim that is largely untrue, noted Callahan.

The suit cites a study conducted by the UC Davis Olive Oil Center that found 69 percent of the imported products and 10 percent of California olive oils do not meet USDA and International Olive Council standards.

"These samples were found to be adulterated, and/or of poor quality mixed with cheaper refined oils," according to a statement released by Callahan & Blaine.

Additionally, Callahan said the problem is not limited to extra virgin olive oils but to the blends that make up the products. He said the products are typically made with extra virgin olive and canola oil – but the latter is often substituted for vegetable or soy oil.

"There's absolutely no tie between what's on the label and what's in the tin," he said.

And, many products are labeled as Italian olive oil – a claim that is largely untrue, noted Callahan.

"There's more Italian extra virgin olive oil sold in California than actually comes from Italy."

About \$700 million worth of extra virgin olive oil is sold in the U.S. per year, and roughly 25 percent of that is sold in the state.

The suit seeks reimbursement for the sale of adulterated extra virgin olive oil in California and an injunction to stop the sale of these adulterated olive oils in the state for health and false labeling issues.

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From by Daniel J. Callahan of Callahan & Blaine

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