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California Avocado Farmers File Class Action Lawsuit Against US Packers/Importers Over Misleading Sustainability Claims

[Los Angeles, California] — On Friday, February 21, 2025, several California avocado growers filed a class action complaint in the United States District Court for the Central District of California, Western Division, against Mission Produce, Inc., Calavo Growers, Inc., Fresh Del Monte Produce, Inc., Del Monte Fresh Produce Company, and Del Monte Fresh Produce N.A., Inc. (“Defendants”) for violations of California’s False Advertising Law, Unfair Competition Law and unjust enrichment. The complaint asserts that Defendants engage in false advertising and unfair competition via Defendants’ representations to consumers about the alleged sustainable and responsible sourcing of their avocados. Defendants, all of whom import and distribute Mexican-grown avocados to the U.S. marketplace, mislead consumers by representing their avocados as responsibly and sustainably sourced when their sourcing practices actually contribute to negative environmental consequences such as, deforestation, water scarcity, climate change, water and air pollution, soil degradation, and critical habitat and biodiversity loss.

The plaintiffs, Kachuck Enterprises, Bantle Avocado Farm, Maskell Growers and Northern Capital, Inc., represent domestic avocado growers across the State of California who have suffered the consequences of this consumer deception and unfair competition perpetrated by Defendants, all of whom lead consumers to believe that Mexican-grown avocados are just as environmentally friendly as California-grown avocados. Plaintiffs assert that Defendants have seriously overstated the sustainability of their imported avocados to capitalize on growing consumer demand for sustainable produce. Despite Defendants’ sustainability claims, Mexican government shipping records and satellite imagery indicate that Defendants have each sourced avocados from multiple orchards installed on deforested land in Michoacán, Mexico. The complaint further alleges that each Defendants’ sourcing practices contribute to water scarcity, habitat and biodiversity loss, climate change, water and air pollution, and soil degradation - practices that contradict their public commitments to responsible and sustainable sourcing.

“Our farms have adhered to rigorous sustainability standards for generations,” said Dr. Norm Kachuck, a lead plaintiff and second-generation avocado grower. “When packing houses falsely represent their products as responsibly sourced and environmentally sustainable, it undermines our US environmental and food safety standards, deceives the public and consumers, and threatens the future of American agriculture.”

The lawsuit highlights specific grievances, including the alleged failure by Defendants to verify the environmental practices implemented by their suppliers through reasonable and adequate due diligence measures. Plaintiffs assert that Defendants’ practices not only create adverse global environmental impacts but also result in an uneven playing field, deceiving U.S. consumers

and decreasing profits for domestic growers all of whom must comply with stringent U.S. environmental and agricultural laws, follow environmentally sustainable practices, and incur the financial costs of doing so.

American farmers have long faced challenges competing with lower-cost imports that are marketed to U.S. consumers as substantially equivalent to domestic produce, prompting calls for greater transparency of agricultural ownership, financial reporting, and accountability in the import supply chain.

The plaintiffs are seeking an injunction to halt Defendants' alleged false advertising along with restitution of all monies unjustly acquired through Defendants' unfair competition. The case is expected to draw attention to broader issues of sustainability and fair trade within the \$2.8 billion U.S. avocado market.

"We're not just fighting for our farms—we're fighting for the trust of every consumer who cares about how their food is produced and where their food comes from," added Kachuck. "It's way past time for the truth to come out."

Defendants have not yet issued a public response to the lawsuit. Plaintiffs are represented by Richman Law & Policy.

ABOUT RICHMAN LAW & POLICY

Richman Law & Policy is a premier law firm specializing in representing consumers and nonprofit organizations in legal advocacy against deceptive marketing practices, including "greenwashing" and "humanewashing." As a socially conscious collective of lawyers and advocates, the firm employs a policy-driven approach to impact litigation. Driven by a passion for creating meaningful change, Richman Law & Policy is committed to holding corporations accountable for actions that jeopardize public health, animal welfare, workers' rights, and the environment.