

## **PRESS RELEASE**

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**CONTACT: Russell Keith**  
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## **Nationwide Class Action Lawsuit Filed Against Pet Food Companies and Retailers For Misleading Consumers Regarding the Contents of Pet Food**

**“Premium” Pet Food Marketed and Sold as “Complete and Balanced” Has Historically Contained Such Items as Euthanized Dogs and Cats, Restaurant Grease, Hair, Hooves, and Diseased Animals, and Other Inedible Garbage**

[MIAMI, FLORIDA] A cat and dog owner from Michigan and two cat and dog owners from Florida have filed a nationwide class action against food industry giants Mars, Inc., Proctor and Gamble Co., Colgate Palmolive Company, Del Monte Foods, Co., and Nestle U.S.A. Inc. These manufacturers have a combined approximate 70% of the market share in the \$16 billion dollar a year pet food industry. The suit also names as Defendants Nutro Products, Inc., Menu Foods, Wal-Mart Stores, Inc. Target Corp., Publix Supermarkets, Inc., Winn Dixie Stores, Inc., as manufacturers and marketers of their own brand pet food and retailers PETCO Animal Supplies, Inc., Pet Supermarket, Inc., and Petsmart Inc.

The Plaintiffs maintain that these companies have spent \$300 million a year in making false and misleading marketing statements regarding the contents of their pet food to the dog and cat loving American public. While these Defendants tout their pet food products as choice cuts of prime beef, chunks of chicken, fish, fresh wholesome vegetables and whole grains to induce consumers to buy them, the Plaintiffs contend the food is actually made from “inedible” slaughterhouse waste products of the human food chain such as spines, heads, tails, hooves, hair, and blood. Rendering companies who process this waste have also added other inedible “waste” such as euthanized cats and dogs from veterinarian offices and animal shelters, road kill, zoo animals, rancid restaurant grease, toxic chemicals and additives. Additionally, dead animals and those declared unfit for human consumption due to disease and illness are also placed in the mix.

The lawsuit was filed in United States District Court for the Southern District of Florida by attorney Catherine J. MacIvor of the 23 attorney Miami litigation law firm of Maltzman Foreman, PA. The case is pending before the Honorable Cecilia Altonaga. Class Counsel, Catherine J. MacIvor says that “The melamine debacle is not the only

serious problem with pet food. The number and frequency of lethal pet food recalls in the last few years clearly shows the seriousness and extent of this problem.”

The lawsuit alleges that pet food companies market their products as wholesome, choice cuts of meat, natural and complete and balanced diets even though they are fully aware that this food is largely carbohydrates and sugars combined with toxic preservatives and additives with very little to no meat at all. The lawsuit seeks damages to consumers for the false representations made in the Defendants’ advertising as well as punitive damages.

“Sadly,” MacIvor said, “the Defendant pet food companies and retailers recognized that American pet owners love their cats and dogs like members of their family. The Defendants deceptive advertising specifically marketed premium healthy food to the American public knowing that they want to buy the best food that they can for their loved one and knowing that the food consists largely of garbage, chemicals, additives, diseased meat and even residual pentobarbital from euthanized animals.”

The 58 page lawsuit outlines in grotesque detail the actual manner in which most commercial pet food in the United States is made. The lawsuit also attaches and cites numerous news stories and research articles outlining the real content of the Defendant’s pet foods and the misleading and deceptive advertising undertaken by the Defendants.

The Defendants targeted in the Complaint produce pet foods under a wide array of brands and names including: Pedigree®, Sheba®, Goodlife Recipe®, Royal Canine, Iams®, Eukanuba®, Science Diet®, Prescription Diet®, 9 Lives®, Amore®, Gravy Train®, Kibbles-n-Bits® and Nature’s Recipe®, Snausages®, Milk Bone®, Pup-Peroni®, Meaty Bone®, Canine’s Carry Outs®, Jerky Treats®, Wagwells®, Alpo®, Beneful®, Beggin’ Strips®, Dog, Cat, Puppy and Kitten Chow®, Fancy Feast®, Friskies®, Mighty Dog®, Deli-Cat®, Pro Plan®, Purina One®, Natural Choice® Dog and Cat Products, Max® Dog Products, Max® Cat Gourmet Classics, Natural Choice® Complete Care® for cats, Ultra™ Products for dogs, Americas Choice Preferred Pets, Authority, Award, Best Choice, Big Bet, Big Red, Cadillac, Companion, Compliments, Demoulus Market Basket, Eukanuba, Fine Feline Cat, Food Lion, Food Town, Giant Companion, Hannaford, Hill Country Fare, Hy-Vee, Iams, J.E. Mondou, Laura Lynn, Li’l Red, Loving Meals, Medi-Cal, Meijer’s Main Choice, Mighty Dog Pouch, Mixables, Natural Life, Nutriplan, Nutro Max, Nutro Max Gourmet Classics, Nutro Natural Choice, Ol’ Roy, Paws, Pet Essentials, Pet Pride, President’s Choice, Price Chopper, Priority US, Publix, Roche Brothers, Save-a-Lot Special Blend, Schnucks, Science Diet Feline Savory Cuts Cans, Sophistacat, Special Kitty, Springfield Prize, Sprout, Stop and Shop Companion, Tops Companion, Wegmans, Weis Total Pet, Western family US, White Rose, Winn Dixie, Your Pet, LIFElong™, Ol’ Roy and Special Kitty brands of pet food.

The lawsuit alleges, among other claims, that the pet food companies have fraudulently and/or negligently misrepresented and concealed what is actually in their pet foods, violated Deceptive and Unfair Trade Practices, and Failed to Warn the public of the health risks to animals associated with a diet consisting of their commercial pet foods.

Through the lawsuit, the Plaintiff's hope to recover financial damages for all pet owners who have been similarly deceived. "Ultimately we are hopeful that our lawsuit will force the Defendants to more accurately describe what is in their pet foods and to offer more healthful pet food options that provide pets with food quality similar to that provided in human food products."

A copy of the Complaint and supporting research materials is available at [www.mflegal.com/petfoodlawsuit](http://www.mflegal.com/petfoodlawsuit).

For more information about Maltzman Foreman PA please visit [www.mflegal.com](http://www.mflegal.com).