

**If you purchased Kroger Simple Truth branded disposable plates, bowls and/or platters, a Class Action Settlement may affect you.**

San Francisco, CA, September 9, 2021 / PR Newswire / A class action settlement has been reached with The Kroger Co. (“Defendant”) regarding the advertising, marketing, and selling of Simple Truth branded disposable plates, bowls, and platters as compostable (the “Products”). The lawsuit alleged that the Products contain perfluoroalkyl and polyfluoroalkyl substances (“PFAS”), and that Defendant violated California consumer protection laws by falsely advertising the Products as “compostable” when they allegedly contain PFAS that do not break down over time, thereby contaminating what would otherwise be usable compost. Plaintiff alleges that Defendant’s representations that the Products are “compostable” are unlawful, unfair, and deceptive. The Defendant denies any wrongdoing and the Court has not decided who is right.

The Court decided that the Class includes all current and former purchasers of the Products in California who purchased the Products after June 16, 2016. Excluded from the Class are the judge to whom this case is assigned, any member of the judge’s immediate family, and the judge’s staff and their immediate families.

The Settlement is for injunctive relief. The Defendant has agreed to modify all its labels, advertising and marketing of the Products to remove the words “100% compostable” or “compostable.” Defendant has also agreed to comply with all Federal and California state laws regarding the presence of PFAS in products identified as compostable.

The Court will hold a Fairness Hearing on September 30, 2021 at 1:30 p.m. in the Courtroom of the Honorable Edward M. Chen, United States District Court for the Northern District of California, San Francisco Courthouse, Courtroom 5 - 17th Floor, 450 Golden Gate Ave, San Francisco, CA 94102, to consider whether the settlement is fair, reasonable and adequate and should be approved by the Court.

For more information, including a copy of the Settlement and the documents submitted in support of Court Approval of the Settlement, please visit <https://www.lexlawgroup.com>.

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/SOURCE: Lexington Law Group