

Bailey Glasser Files Herbal Supplement Class Action Against Walmart

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On February 6, Bailey Glasser attorneys Greg Porter and Michael Murphy filed a class action lawsuit against Walmart in federal court in Miami. The lawsuit claims that Walmart has sold products promoted as herbal supplements that do not contain the herbal product and contain many adulterants and contaminants. A copy of the complaint be found below.

Porter and Murphy have been investigating claims and conducting scientific tests on a number of herbal supplements for over a year. Their findings match those of a recent analysis conducted by the New York State Attorney General.

On February 2, New York State's Attorney General instructed four nationwide retailers –GNC, Target, Walgreens and Walmart – to immediately cease selling certain store-brand herbal supplements after investigation and testing found that the products contained substances other than what was on their label and undisclosed substances that were potentially dangerous to those with allergies. In light of the New York Attorney General's report, Bailey Glasser is expanding its investigation into store-brand dietary supplements from GNC, Target, Walgreens, and Walmart.

DNA tests found that just 21% of the test results from store brand herbal supplements verified DNA from the plants listed on the products' labels. The testing was done on 24 supplements including: ginkgo biloba, St. John's wort, ginseng, garlic, echinacea, saw palmetto, and valerian root.

The Attorney General tested the following store brands:

- GNC (sold under the "Herbal Plus" brand)
- Target (sold under the "Up & Up" brand)
- Walgreens (sold under the "Finest Nutrition" brand)
- Wal-Mart (sold under the "Spring Valley" brand)

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Bailey Glasser is also investigating claims of adulteration and contamination against Albertsons, Shaw's, Kroger, ShopRite, Publix, Safeway, Vons, Ralphs, Stop 'n Shop, Whole Foods, CVS, and Rite Aid.

Suspect products include ginkgo biloba, St. John's wort, ginseng, garlic, echinacea, saw palmetto, and valerian root, cordyceps, and garcinia cambogia.

If you or someone you know purchased herbal supplements, please contact Greg Porter or Michael Murphy in the firm's Washington, D.C. office at (202) 463-2101.

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Practice Areas

Class Actions