

# Tea Drinkers Bag Bigelow Tea for “Made in USA” Claims

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On July 13, consumers filed a [class action complaint](#) in California federal court against Bigelow Tea, alleging the company falsely and deceptively represented that its tea products were made in the United States. Plaintiffs claim that the tea manufacturer advertised that its tea products were “Manufactured in the USA 100% American Family Owned” and “America’s Classic,” when the tea is actually grown and processed abroad.

Plaintiffs assert that they purchased Bigelow Tea products “because they reasonably believed, based on the packaging and advertising, that these products are American-made.” Though Bigelow owns a tea plantation in South Carolina, none of the company’s packaged teas are domestically sourced, according to the complaint. Plaintiffs allege that all of the Company’s black, green, and oolong teas are grown in tea plantations and processed abroad in places such as Sri Lanka and India. The plaintiffs seek economic and injunctive relief, along with other equitable remedies.

Although the FTC has been the primary watchdog for “[Made in USA](#)” claims (with over 30 enforcement actions in the last 12 months), this case demonstrates that private plaintiffs are also watching and can seek options under state laws prohibiting unfair and deceptive acts and practices (state UDAP laws). Advertisers must stay vigilant to ensure that Made in USA claims are adequately substantiated and, when appropriate, qualified. As a reminder, the [FTC guidelines](#) state that “all or virtually all” of the product must be made in the United States to support an unqualified “Made in USA” claim.

We will continue to monitor this case as it develops.



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**Who Should Attend** Anyone who is currently or plans to conduct business online with consumers or otherwise facilitates online transactions should join us for this webinar.

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