

Winston Wins Dismissal of False Advertising Claims Against Birdseed Manufacturer

JANUARY 16, 2025

Plaintiffs filed suit in the Northern District of California, claiming a publicly traded market leader in the pet and garden industries misled consumers with its “Wild Bird Seed” and “Wild Bird Feed” products because they contained milo, which wild birds supposedly dislike. Winston argued the products had ingredients birds eat, birds can eat milo, and plaintiffs got what they paid for. On January 16, 2025, the court dismissed the class action, allowing an amendment, but plaintiffs voluntarily dropped it instead.

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