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22 UNITED STATES DISTRICT COURT
23 SOUTHERN DISTRICT OF CALIFORNIA

24 Duraid Hallak, an individual, on behalf of) CASE NO. **'26CV3268 H MMP**
25 himself and all others similarly situated,) **CLASS ACTION COMPLAINT**
26 Plaintiff,) **JURY TRIAL DEMANDED**
27 vs.)
28 OVERSEAS FOOD DISTRIBUTION,)
29 LLC,)
30 Defendant.)

1 Plaintiff DURaid HALLAK ("Plaintiff"), by and through his attorneys, brings
2 this class action on behalf of himself and the Classes, as defined below, against
3 Defendant OVERSEAS FOOD DISTRIBUTION, LLC ("Defendant"). The following
4 allegations are based upon information and belief, including the investigation of
5 Plaintiff's counsel and laboratory testing conducted as of January 2026 and are as
6 follows:

7 INTRODUCTION

8 1. This class action addresses a profound breach of consumer trust by Defendant,
9 which has misled thousands, if not millions, through its product branded GOLCHIN
10 and labeled "**CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN**
11 **STYLE BLEND**" (the "Misabeled Product"). Laboratory testing reveals a troubling
12 reality – the Misabeled Product contains no detectable olive oil and consists entirely
13 of canola oil and soybean oil, despite the labeled "**CANOLA & EXTRA VIRGIN**
14 **OLIVE OIL MEDITERRANEAN STYLE BLEND**" labeling, prominent depiction
15 of a cluster of olives, and small-font label on the bottle listing "Mediterranean Style
16 Blend" and "No Cholesterol, No Additives, No Preservatives". This uniform
17 mislabeling scheme was developed, approved, and disseminated from Defendant's
18 headquarters in California and has deceived consumers nationwide through both online
19 and retail sales channels. This misconduct violates California law in three critical
20 ways: (1) the failure to label the product as "mixed vegetable oil" as required; (2) the
21 omission of accurate blend proportions; and (3) the complete absence of olive oil.
22 These violations demand accountability for a company that has prioritized profit over
23 people.

24 2. In addition to violating California Health & Safety Code § 112895(b),
25 Defendant's conduct constitutes false advertising, unfair competition, and deceptive
26 business practices in violation of California Business & Professions Code § 17200 and
27 § 17500, common-law fraud and deceit, breach of the implied warranty of
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1 merchantability, and unjust enrichment. These interrelated violations form a single,
2 uniform course of deceptive conduct affecting consumers nationwide.

3 3. Consumers, drawn to olive oil for its recognized health and culinary value – a
4 preference supported by the guidance of doctors and nutrition experts – were deceived
5 into purchasing a product they believed was a genuine olive oil blend. Laboratory
6 testing confirms it consists entirely of canola oil and soybean oil, a stark departure from
7 their expectations. This serious misrepresentation has caused significant financial harm
8 to Plaintiffs and other nationwide purchasers who paid a premium for a product that
9 was neither what it claimed to be nor fit for its advertised use. Many consumers would
10 not have purchased or consumed it at all had they known the truth. Comparable cases
11 like *Koller v. Deoleo USA, Inc.* (N.D. Cal 2018), which reportedly resulted in a \$7
12 million settlement, and *Kumar v. SALOV North America Corp.* (N.D. Cal 2017), which
13 reportedly obtained approximately \$5 million in relief, involved products that allegedly
14 misstated the olives’ country of origin; Defendant’s complete substitution of canola oil
15 and soybean oil for olive oil is a far more egregious deception, warranting substantial
16 redress.

17 4. Defendant’s actions reflect a troubling disregard for consumer protection and
18 public health, exploiting trust in olive oil’s reputation to boost profits. The triple
19 violation of California Health and Safety Code Section 112895(b) – failing to use the
20 required “mixed vegetable oil” label, withholding accurate blend proportions, and
21 delivering a product with no olive oil – underscores a dangerous pattern of product
22 deceit that must be stopped.

23 5. Plaintiff brings this action individually and on behalf of all others similarly
24 situated to hold Defendant accountable for its unlawful, unfair, and fraudulent labeling,
25 advertising, and sale of GOLCHIN “**CANOLA & EXTRA VIRGIN OLIVE OIL**
26 **MEDITERRANEAN STYLE BLEND**”, and to obtain restitution, damages, and
27 injunctive relief necessary to prevent ongoing deception.

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1 6. Defendant continues to label, market, and sell this product, using the same
2 misrepresentations, thereby threatening continued harm to consumers absent judicial
3 intervention. Plaintiff therefore brings this action on behalf of himself and a class of
4 similarly situated consumers nationwide and in California for: (1) Violation of
5 California Health & Safety Code § 112895(b); (2) Violation of California Business &
6 Professions Code §§ 17500 et seq.; (3) Violation of California Business &
7 Professions Code §§ 17200 et seq.; (4) Fraud and Deceit under California common
8 law; (5) Breach of the Implied Warranty of Merchantability, California Commercial
9 Code § 2314; and, (6) Unjust Enrichment / Restitution under the common law of
10 California and the United States.

11 **PARTIES**

12 7. Plaintiff Duraid Hallak is over the age of 18 years old, and at all times relevant
13 herein was a resident of San Diego, in the State of California.

14 8. Defendant Overseas Food Distribution, LLC (“Defendant”) is a corporation
15 organized under the laws of the State of California, with its principal place of
16 business in Vernon, California. Defendant manufactures, distributes, and sells food
17 products, including the Mislabeled Product, both directly through its website
18 (<https://ofdusa.com/>) and through third-party distributors, wholesalers, and retailers
19 throughout the United States.

20 **JURISDICTION AND VENUE**

21 9. This Court has original subject matter jurisdiction under the Class Action
22 Fairness Act (“CAFA”), 28 U.S.C. § 1332(d), because this is a class action in which
23 the aggregate amount in controversy exceeds \$5,000,000, exclusive of interest and
24 costs, the proposed Classes consist of more than 100 members, and minimal diversity
25 exists. Although Plaintiff Duraid Hallak is a citizen of the State of California and
26 Overseas Food Distribution, LLC is registered to do business in the State of California,
27 it boasts on its website that they “are focused on wholesale distribution to ethnic
28 supermarkets, specialty markets, and online food retailers nationwide and in Canada”

1 Accordingly, at least one member of the proposed Classes is a citizen of a state different
2 from Defendant, satisfying the minimal diversity requirement of CAFA.

3 10. To the extent any claims do not independently fall within CAFA, this Court has
4 supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) because those claims arise
5 from the same common nucleus of operative facts and form part of the same case or
6 controversy under Article III of the United State Constitution.

7 11. This Court has personal jurisdiction over Defendant because it is registered to
8 do business in California, conducts and continues to conduct substantial business
9 within the state, employs numerous individuals in California, and has intentionally
10 availed itself of the privileges and benefits of California law by operating its business
11 and selling its products in this state.

12 12. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because (i)
13 Plaintiff Duraid Hallak resides within this judicial district; (ii) a substantial part of the
14 events or omissions giving rise to the claims occurred within this judicial district
15 through Defendant’s sale of the “Mislabeled Product” at Vine Ripe Market in La
16 Mesa; and (iii) Defendant conducts business in this district and derives substantial
17 revenue from its activities here.

18 **FACTUAL ALLEGATIONS**

19 13. Defendant manufactures, distributes, and sells the Mislabeled Product labeled of
20 **GOLCHIN “CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN**
21 **STYLE BLEND,”** which is marketed as a cooking oil suitable for various culinary
22 uses, including frying, baking, and salad dressings.

23 14. Defendant is a food distributor and seller that markets, distributes, and sells a
24 variety of “ethnic” products throughout the United States and Canada. Defendant
25 represents on its website, <https://ofdusa.com/>, that its products are distributed
26 “throughout the United States and Canada” and are “readily available to North
27 American consumers at the best prices distributed and sold at specialty and
28 international markets and online retailers.”

1 15. The Mislabeled Product’s label prominently “**CANOLA & EXTRA VIRGIN**
2 **OLIVE OIL MEDITERRANEAN STYLE BLEND**” and features an image of
3 olives, suggesting a genuine olive oil product. However, this masks the truth, as
4 laboratory testing conducted as of January, 2026 confirms the product contains no
5 detectable olive oil, consisting entirely of canola oil and soybean oil.



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22 16. California Health and Safety Code Section 112895(b) requires that blends of
23 olive oil with other oils be labeled as “mixed vegetable oil” and include prominent
24 disclosure of contents and proportions. The Mislabeled Product violates this law in
25 three serious ways: (1) it fails to label the product as “mixed vegetable oil”; (2) it omits
26 disclosure of accurate blend proportions; and (3) it contains no “extra virgin olive oil,”
27 and consists entirely of canola oil and soybean oil, a clear departure from the label’s
28 implication.

1 17. This misrepresentation preys on consumers who value olive oil for its recognized
2 worth – a preference supported by the counsel of doctors and health providers – leading
3 them to choose it over alternatives like a mix of canola oil and soybean oil for reasons
4 they hold important. Defendant’s failure to disclose the true composition undermines
5 this trust.

6 18. Consumers, including Plaintiff, relied on the labeling, believing he was
7 purchasing a true olive oil blend, only to receive a product consisting entirely of canola
8 oil and soybean oil, as confirmed by laboratory testing conducted as of January 2026.

9 19. The Mislabeled Product is marketed as “A MEDETTERRANENAN STYLE
10 BLEND” fostering a false impression of its composition.

11 20. Plaintiff purchased the Mislabeled Product, trusting the labeling, and would not
12 have purchased it or used it if he had known its true composition.

13 21. Plaintiff has suffered financial harm, having paid for a product he believed was
14 a true olive oil blend, only to discover it consists entirely of canola oil and soybean oil.

15 22. Defendant’s misleading labeling reflects a pattern of conduct that prioritizes
16 profit over consumer trust, with decisions made in California, its principal place of
17 business.

18 23. Defendant’s actions deceive the public, as reasonable consumers expect a
19 product labeled “**CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN**
20 **STYLE BLEND,**” with a graphic of olives to contain olive oil, not solely canola oil
21 and soybean oil.

22 24. These practices, undertaken for Defendant’s financial benefit, create an unfair
23 advantage over competitors and cause significant harm to the public.

24 **A. Scientific Testing Demonstrates that Defendant’s Product Does Not**
25 **Contain Olive Oil**

26 25. To verify the accuracy of Defendant’s labeling and representations, Plaintiff
27 submitted the Mislabeled Product for independent laboratory testing. The analysis
28 was conducted by Process NMR Associates, LLC (“PNA”), located in Poughkeepsie,

1 New York, an analytical chemistry laboratory specializing in nuclear magnetic
2 resonance (NMR) spectroscopy for compositional and structural analysis of industrial
3 and food products.

4 26. Process NMR Associates was founded in 1997 by John Edwards, Ph.D., a
5 physical chemist with more than 25 years of experience in industrial NMR
6 spectroscopy and one of the leading experts in the field. Dr. Edwards personally
7 conducted the analysis of the Mislabeled Product. His laboratory provides analytical
8 NMR testing services to hundreds of corporate clients across the oil, nutraceutical,
9 pharmaceutical, and food industries and is recognized for its expertise in detecting
10 adulteration of edible oils.

11 27. The Mislabeled Product was analyzed using ^1H NMR (proton nuclear magnetic
12 resonance) spectroscopy, a scientifically validated method for determining the
13 chemical composition of organic materials. The test was performed using a Varian
14 Mercury 300 MHz NMR spectrometer in deuterated chloroform (CDCl_3), a neutral
15 solvent that enables clear hydrogen signal detection. This analysis produces a unique
16 molecular “fingerprint” that allows scientists to identify the type and proportion of
17 oils present in a product.

18 28. The resulting ^1H NMR spectrum revealed a complete spectral overlap with
19 57% canola oil and 43% soybean oil and lacked any resonance peaks characteristic of
20 olive oil.

21 29. These findings demonstrate that the product marketed as a “**CANOLA &**
22 **EXTRA VIRGIN OLIVE OIL MEDITERRANEAN STYLE BLEND,**” was
23 devoid of olive oil, consisting instead of canola oil and soybean oil. The laboratory’s
24 analysis provides objective, chemical proof that Defendant’s labeling and ingredient
25 representations including the claim that the product contains “extra virgin olive oil,”
26 are false and misleading to reasonable consumers.

27 30. The testing conducted by Process NMR Associates followed established,
28 industry-standard scientific protocols and conforms to quantitative NMR (qNMR)

1 methods recognized by international standards organizations for authenticity testing.
2 ¹H NMR spectroscopy is a validated and widely accepted analytical method for
3 verifying the composition of edible oils and detecting adulteration. The results here
4 provide reliable, reproducible, and scientifically sound evidence that Defendant’s
5 product was deceptively mislabeled.

6 **B. Plaintiffs’ Experience**

7 31.Plaintiff Duraid Hallak is a resident of San Diego, California.

8 32.On August 29, 2025, Plaintiff Hallak purchased a bottle of the Mislabeled
9 Product from “Vine Ripe Market” grocery store located at 8191 Fletcher Pkwy, La
10 Mesa, CA 91942 for approximately \$11.99, drawn by the label’s suggestion of a
11 **“CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN STYLE**
12 **BLEND,”** and its marketing for culinary use.

13 33.Plaintiff values olive oil for its recognized worth, a choice informed by the
14 guidance of doctors and health providers and prefers it over a mix of canola oil and
15 soybean oil for reasons they hold significant, willing to pay a premium for authenticity.

16 34.Plaintiff regularly used and the Mislabeled product in cooking, and consumed it
17 with food, reasonably believing it to be an olive oil product based on its labeling and
18 presentation. Plaintiff later learned that the product was not olive oil as represented,
19 but instead consisted entirely of canola oil and soybean oil.

20 35.Plaintiff, through his counsel, submitted the Mislabeled Product for
21 independent laboratory testing at Process NMR Associates, LLC (“PNA”), located in
22 Poughkeepsie, New York.

23 36.The test revealed that the **“CANOLA & EXTRA VIRGIN OLIVE OIL**
24 **MEDITERRANEAN STYLE BLEND,”** he had purchased was a complete spectral
25 overlap with a mix of canola oil and soybean oil and lacked any resonance peaks
26 characteristic of olive oil.

27 37.Plaintiff felt deeply misled by the Mislabeled Product’s labeling, which used
28 **“CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN STYLE**

1 **BLEND,”** and imagery featuring a cluster of olives displayed prominently on the
2 product’s face to suggest a genuine product comprised of olive oil.

3 38. Had Plaintiff known the true composition of the Mislabeled Product, he would
4 not have purchased it or consumed it.

5 39. Plaintiff’s experience is typical of the class members, who were similarly
6 deceived by Defendant’s labeling practices and relied on the misleading label to their
7 detriment.

8 **CLASS DEFINITIONS AND ALLEGATIONS**

9 40. Plaintiff brings this action individually and on behalf of all others similarly
10 situated pursuant to Rules 23(b)(2) and 23(b)(3) of the Federal Rules of Civil
11 Procedure. Plaintiff seeks certification of the following Classes:

12 **Nationwide Class:** All persons in the United States who, within the four
13 (4) years preceding the filing of this Complaint (or within the applicable
14 shorter limitations period for any claim asserted herein), purchased the
15 product labeled “GOLCHIN “CANOLA & EXTRA VIRGIN OLIVE
16 OIL MEDITERRANEAN STYLE BLEND,” for personal, household, or
17 consumer use, and not for resale.

18 **California Subclass:** All persons who, within the four (4) years preceding
19 the filing of this Complaint (or within the applicable shorter limitations
20 period for any claim asserted herein), purchased the product labeled
21 GOLCHIN “CANOLA & EXTRA VIRGIN OLIVE OIL
22 MEDITERRANEAN STYLE BLEND,” for personal, household, or
23 consumer use, and not for resale.

24 41. Excluded from the Class are Defendant, its officers and directors, families and
25 legal representatives, heirs, successors, or assigns and any entity in which Defendant
26 has a controlling interest, and any Judge assigned to this case and their immediate
27 families.

28 42. Plaintiff reserves the right to amend or otherwise alter the class definition
presented to the Court at the appropriate time, or to propose or eliminate sub-classes,

1 in response to facts learned through discovery, legal arguments advanced by
2 Defendant, or otherwise.

3 43. This action is properly maintainable as a class action pursuant to Federal Rule
4 of Civil Procedure 23 for the reasons set forth below.

5 44. **Numerosity:** Members of the Classes are so numerous that joinder of all
6 Members is impracticable. Although the exact number of Class Members is unknown
7 to Plaintiff at this time, Plaintiff is informed and believes that the number is in the
8 thousands, if not millions, based on the widespread availability of the Mislabeled
9 Product in retail outlets throughout California and the United States, including through
10 online platforms.

11 45. **Common Questions Predominate:** There are questions of law and fact
12 common to the classes that predominate over any individual issues including but not
13 limited to:

14 a. Whether Defendant’s labeling of the Mislabeled Product as “GOLCHIN
15 **CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN**
16 **STYLE BLEND,”** violates California Health and Safety Code Section
17 112895(b) by failing to label it as “blended vegetable oil” and omitting
18 accurate blend proportions;

19 b. Whether Defendant’s labeling of the Mislabeled Product as “**CANOLA**
20 **& EXTRA VIRGIN OLIVE OIL MEDITERRANEAN STYLE**
21 **BLEND,”** violates California Health and Safety Code Section 112895(b)
22 by misrepresenting a product that laboratory testing conducted as of
23 January 2026 confirms contains no olive oil and consists entirely of canola
24 oil and soybean oil.

25 c. Whether Defendant’s failure to label the product as “mixed vegetable oil,”
26 or to disclose accurate blend proportions, violated California Health and
27 Safety Code § 112895(b) and other labeling regulations;

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- 1 d. Whether Defendant’s representations regarding the composition, source,
2 and quality of the “Mediterranean Style Blend,” including claims that it
3 contained “No Cholesterol” “No Additives” “No Preservatives” were
4 false, misleading, or likely to deceive reasonable consumers;
- 5 e. Whether Defendant knew or should have known that the “Mediterranean
6 Style Blend” contained no olive oil prior to or during the period it was
7 labeled, marketed, and sold to consumers;
- 8 f. Whether Defendants’ advertising, marketing, and sales practices were
9 false, misleading, or deceptive;
- 10 g. Whether Defendants’ practices violate California Business and
11 Professions Code Sections 17200, et seq., and 17500, et seq.;
- 12 h. Whether Defendants’ practices constitute fraud and deceit;
- 13 i. Whether Defendants breached the implied warranty of merchantability;
- 14 j. Whether Defendants were unjustly enriched by their practices;
- 15 k. Whether Plaintiff and class members suffered injury in fact and lost
16 money or property as a result of Defendants’ practices;
- 17 l. Whether Defendant has been unjustly enriched by the sale of the
18 Mislabeled Product and the appropriate measure of restitution,
19 disgorgement, and damages;
- 20 m. Whether Defendant’s misrepresentations and omissions caused
21 consumers to pay more for the product than it was worth and whether
22 Plaintiff and Class Members suffered ascertainable loss or injury in fact
23 as a result;
- 24 n. Whether Defendant’s deceptive labeling, advertising, and marketing
25 practices are ongoing and generally applicable to all Class Members;
- 26 o. Whether injunctive and declaratory relief are necessary to prevent
27 Defendant from continuing to mislabel, advertise, or sell the product as
28 “Mediterranean Blend”;

1 p. The appropriate corrective labeling, disclosure, or reformulation required
2 to bring the product into compliance with California Health and Safety
3 Code § 112895(b) and to prevent future consumer deception; and,

4 q. The appropriate measure of restitution, damages, and injunctive relief.

5 **46. Typicality:** Plaintiff's claims are typical of the claims of the class members they
6 seek to represent, because Plaintiff, like Class members purchased Defendant's product
7 believing it to be a true olive oil blend when it was not. Defendant's unlawful, unfair,
8 and/ or fraudulent actions concern the same business practices described herein
9 irrespective of where they occurred or were experienced. Plaintiff and the Class
10 sustained similar injuries, including financial harm, arising out of Defendant's conduct.
11 Plaintiff's and Class members' claims arise from the same practices and course of
12 conduct and are based on the same legal theories.

13 **47. Adequacy:** Plaintiff is an adequate representative of the Classes he seeks to
14 represent because he is committed to seeking justice for those affected and their
15 interests do not conflict with the interests of the members of the Classes. Plaintiff will
16 fairly and adequately protect the interests of the Classes and has retained counsel
17 experienced and competent in prosecution of complex class actions, including complex
18 questions that arise in consumer protection litigation.

19 **48. Superiority:** A class action is superior to other available methods for the fair
20 and efficient adjudication of this controversy because:

21 a. Class-wide damages are essential to induce Defendant to comply with
22 California and Federal Law.

23 b. Individual lawsuits would be impractical given the number of class
24 members and the relatively small individual damages, while a class action
25 ensures centralized accountability for Defendant's actions and provides
26 relief to those it has wronged.

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1 c. Because of the relatively small size of Class Members’ claims, it is likely
2 that only a few Class Members could afford to seek legal redress for
3 Defendant’s misconduct

4 d. Class action treatment is manageable because it will permit a large
5 number of similarly situated persons to prosecute their common claims
6 in a single forum simultaneously, efficiently, and without the
7 unnecessary duplication of effort and expense that numerous individual
8 actions would endanger.

9 **PLAINTIFFS FIRST CAUSE OF ACTION**

10 **(Violation of California Health and Safety Code § 112895(b))**

11 (On Behalf of Himself and the California Subclass)

12 49. Plaintiff realleges and incorporate by reference the allegations contained in the
13 preceding paragraphs of this complaint as if fully set forth herein.

14 50. Beginning at an exact date unknown to Plaintiff, but within four (4) years
15 preceding the filing of this Class Action Complaint, Defendant made untrue, false,
16 deceptive, and/or misleading statements in connection with the labeling and marketing
17 of the Mislabeled Product.

18 51. Defendant made representations and statements (by omission and commission)
19 that led reasonable customers to believe that they were purchasing a true olive oil blend.
20 Defendant deceptively failed to inform Plaintiff, and those similarly situated, that the
21 Mislabeled Product contained no olive oil, consisting entirely of canola oil and soybean
22 oil, and committed a triple violation of California Health and Safety Code Section
23 112895(b) by (1) failing to label it as “mixed vegetable oil,” (2) omitting accurate blend
24 proportions, and (3) misrepresenting a product with no detectable olive oil.

25 52. Plaintiff and those similarly situated relied to their detriment on Defendant’s
26 false, misleading, and deceptive labeling and marketing practices. Had they been
27 informed of the truth and not deceived, they would not have purchased or consumed
28 the Mislabeled Product.

1 53. Defendant’s actions are likely to mislead the public, reflecting a serious lapse in
2 responsibility.

3 54. Defendant engaged in these deceptive labeling, marketing, and sales practices to
4 increase its profits, making decisions in California, its principal place of business. This
5 conduct violates California Health and Safety Code Section 112895(b).

6 55. These practices, undertaken for Defendant’s financial benefit, create an unfair
7 advantage over competitors and cause harm to the public, a matter that requires
8 resolution.

9 56. Plaintiff seeks, on behalf of those similarly situated, full restitution of monies to
10 recover losses incurred due to Defendant’s actions, plus interest.

11 57. Plaintiff seeks an injunction to prevent Defendant from continuing these
12 deceptive labeling, marketing, and sales practices, with the misconduct occurring
13 within four (4) years preceding this filing.

14 58. Plaintiff and those similarly situated seek a declaration that these practices
15 violate the law and injunctive relief to stop Defendant’s ongoing deception. Without
16 this, Defendant will continue to cause injury and loss, necessitating repeated legal
17 action by affected consumers who deserve better protection under California Health
18 and Safety Code Section 112895(b).

19 59. As a direct result, Plaintiff and the Class have suffered injury and lost money
20 due to Defendant’s misleading labeling, in an amount to be proven at trial, exceeding
21 the jurisdictional minimum.

22 **PLAINTIFF’S SECOND CAUSE OF ACTION**

23 **(False Advertising in Violation of California Business & Professions Code §**
24 **17500 et seq.)**

25 (On Behalf of Himself and the California Subclass)

26 60. Plaintiff realleges and incorporates by reference all preceding paragraphs as
27 though fully set forth herein.

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1 61.Beginning at an exact date unknown to Plaintiff, but within four (4) years
2 preceding the filing of this Class Action Complaint, Defendant made untrue, false,
3 deceptive, and/or misleading statements in connection with the advertising and
4 marketing of the Mislabeled Product.

5 62.Defendant made representations that led reasonable customers to believe they
6 were purchasing a true olive oil blend. It failed to disclose that the Mislabeled Product
7 contained no olive oil, consisting entirely of canola oil and soybean oil, violating
8 California Health and Safety Code Section 112895(b) by (1) not labeling it as “mixed
9 vegetable oil,” (2) omitting accurate blend proportions, and (3) misrepresenting the
10 absence of olive oil.

11 63.Plaintiff and those similarly situated relied on Defendant’s deceptive advertising,
12 and had they known the truth, they would not have purchased or consumed the
13 Mislabeled Product.

14 64.Defendant’s actions are likely to mislead the public, indicating a serious breach
15 of duty.

16 65.Defendant engaged in these deceptive advertising practices to boost its profits,
17 with decisions made in California, violating California Business and Professions Code
18 Section 17500, et seq.

19 66.These practices, driven by Defendant’s financial interests, create an unfair
20 advantage and harm the public, necessitating action.

21 67.Plaintiff seeks full restitution on behalf of those similarly situated to recover
22 losses from Defendant’s deception, plus interest.

23 68.Plaintiff seeks an injunction to stop Defendant’s ongoing deceptive advertising
24 practices, with the misconduct occurring within four (4) years preceding this filing.

25 69.Plaintiff and the Class seek a declaration that these practices violate the law and
26 injunctive relief to prevent future deception by Defendant. Without this, ongoing harm
27 will continue, requiring repeated legal recourse by affected consumers under California
28 Business and Professions Code Section 17500, et seq.

1 70.As a result, Plaintiff and the Class have suffered injury and lost money due to
2 Defendant 's misleading advertising, in an amount to be proven at trial, exceeding the
3 jurisdictional minimum.

4 **PLAINTIFF'S THIRD CAUSE OF ACTION**

5 **(Unfair Competition in Violation of California Business & Professions Code**
6 **Section 17200 et seq.)**

7 (On Behalf of Himself and the California Subclass)

8 71.Plaintiff realleges and incorporates by reference all preceding paragraphs as
9 though fully set forth herein.

10 72.Defendant's misleading labeling, advertising, marketing, and sales practices
11 constitute unfair, unlawful, and fraudulent business practices under California Business
12 and Professions Code Section 17200, et seq.

13 73.Defendant 's actions in designing deceptive labeling and marketing, have injured
14 Plaintiff and class members by overcharging for a product believed to be a true olive
15 oil blend, confirmed by laboratory testing as of January 2026 to contain no olive oil.

16 74.Plaintiff seeks full restitution on behalf of those similarly situated to recover
17 losses from Defendant's unfair practices, plus interest.

18 75.Plaintiff seeks an injunction to prevent Defendant from continuing these unfair,
19 unlawful, and fraudulent business practices, with the misconduct occurring within four
20 (4) years preceding this filing.

21 76.Plaintiff and the Class seek a declaration that these practices violate the law and
22 injunctive relief to stop Defendant's ongoing deception. Without this, continued harm
23 will persist, requiring repeated legal action by affected consumers under California
24 Business and Professions Code Section 17200, et seq.

25 77.As a result, Plaintiff and the Class have suffered injury and lost money due to
26 Defendant's unfair practices, in an amount to be proven at trial, exceeding the
27 jurisdictional minimum.

28 **PLAINTIFF'S FOURTH CAUSE OF ACTION**

1 **(Fraud and Deceit)**

2 (On Behalf of Himself and the Nationwide Class)

3 78.Plaintiff realleges and incorporates by reference all preceding paragraphs as
4 though fully set forth herein.

5 79.Defendant knowingly and intentionally misrepresented the Mislabeled Product
6 by labeling it as “Mediterranean Style Blend,” when laboratory testing conducted as
7 of January 2026 confirms it contains no olive oil and consists entirely of canola oil
8 and soybean oil, in violation of California Health and Safety Code § 112895(b).

9 80.Defendant made these misrepresentations on the front label of the product
10 packaging where it advertised the product as a “Mediterranean Style Blend” of canola
11 oil and olive oil. These statements were made to consumers, including Plaintiffs, at
12 the point of sale and in online product listings throughout the applicable class period.
13 Plaintiff purchased the product in reliance on these representations within the four
14 years preceding the filing of this Complaint.

15 81.Plaintiff and Class members reasonably relied on Defendant’s
16 misrepresentations and omissions, believing the product contained olive oil, and
17 suffered economic injury as a result.

18 82.Defendant’s fraudulent conduct was willful, knowing, and intentional.
19 Defendant was aware that the product contained no olive oil at the time it labeled and
20 sold it as a “Canola & Extra Virgin Olive Oil” and nevertheless continued to market
21 and distribute it with the intent to deceive consumers and increase profits.
22 Defendant’s actions were undertaken with conscious disregard for consumer rights
23 and safety, warranting punitive and exemplary damages.

24 83.As a result, Plaintiff and the Class have suffered injury and lost money due to
25 Defendant’s fraud, in an amount to be proven at trial, exceeding the jurisdictional
26 minimum.

27 84.As a direct and proximate result of Defendant’s fraudulent misrepresentations
28 and omissions, Plaintiff and the Class paid more for the product than it was worth,

1 were deprived of the benefit of their bargain, and suffered measurable economic
2 damages.

3 85. Defendant continues to label, market, and sell the same or substantially similar
4 product with the same false representations. Absent injunctive relief, Plaintiff and the
5 Class will continue to face the risk of future deception and harm.

6 **PLAINTIFF'S FIFTH CAUSE OF ACTION**

7 **Breach of Implied Warranty of Merchantability (California Commercial Code**
8 **Section 2314)**

9 (On Behalf of Himself and the Nationwide Class)

10 86. Plaintiff realleges and incorporates by reference all preceding paragraphs as
11 though fully set forth herein.

12 87. Defendant, as manufacturer, distributor, and retailer, impliedly warranted that
13 the Mislabeled Product was merchantable and fit as a true olive oil blend for culinary
14 use.

15 88. The Mislabeled Product was not merchantable, as laboratory testing conducted
16 as of January 2026 confirms it contains no olive oil, consisting entirely of canola oil
17 and soybean oil, failing to meet consumer expectations and causing financial harm.

18 89. Plaintiff and class members relied on the implied warranty of a true olive oil
19 blend, but the product's canola oil and soybean oil composition, confirmed by testing,
20 renders it unfit, resulting in economic loss.

21 90. As a result of Defendant's breach, Plaintiffs and the Class have suffered injury
22 and lost money, in an amount to be proven at trial, exceeding the jurisdictional
23 minimum.

24 **PLAINTIFF'S SIXTH CAUSE OF ACTION**

25 **Unjust Enrichment**

26 (On Behalf of Himself and the Nationwide Class)

27 91. Plaintiff realleges and incorporate by reference all preceding paragraphs as
28 though fully set forth herein.

1 92. Defendant has been unjustly enriched by selling the Mislabeled Product, which
2 consumers overpaid for believing it was a true olive oil blend, when laboratory testing
3 conducted as of January 2026 confirms it contains no olive oil.

4 93. Defendant has no right to retain these profits, and it would be unjust to allow it
5 to benefit from this deception.

6 94. Plaintiff and the Class are entitled to restitution of the amounts paid, less the fair
7 market value if properly labeled as canola oil and soybean oil, in an amount to be
8 proven at trial, exceeding the jurisdictional minimum.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- 11 1. For an order certifying this action as a class action pursuant to
12 Federal Rules of Civil Procedure 23(b)(2) and 23(b)(3)
- 13 2. For an order appointing Plaintiff as representatives of the Classes
14 and appointing their counsel as class counsel;
- 15 3. For full restitution of all monies acquired by Defendants from
16 Plaintiff and class members through the sale of the Mislabeled
17 Product, in an amount to be determined at trial;
- 18 4. For disgorgement of all profits obtained by Defendants from the
19 sale of the Mislabeled Product, in an amount to be determined at
20 trial;
- 21 5. For compensatory damages, including damages for breach of
22 implied warranty of merchantability, in an amount to be determined
23 at trial;
- 24 6. For punitive damages against Defendant for its willful, malicious,
25 and oppressive conduct, in an amount to be determined at trial;
- 26 7. For prejudgment interest on all monetary awards at the legal rate
27 pursuant to California Civil Code Section 3287(a);
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Dated: May 28, 2026

Respectfully submitted,

SWIGART LAW GROUP, APC

/s/ Joshua B. Swigart

Joshua B. Swigart

Katherine A. Tuohy

THE LAW OFFICES OF QUINTIN
SHAMMAM

/s/ Quintin G. Shammam

Quintin G. Shammam

THE LAW OFFICE OF JOSEPH
M. ATTIQ

/s/ Joseph M. Attiq

Joseph M. Attiq

Attorney for Plaintiffs

JS 44 (Rev. 08/18)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS</p> <p>Duraid Hallak, an individual, on behalf of themselves and all others similarly situated</p> <p>(b) County of Residence of First Listed Plaintiff <u>San Diego</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys <i>(Firm Name, Address, and Telephone Number)</i> Joshua Swigart, Swigart Law Group, APC 2221 Camino del Rio South, Ste. 308 San Diego, CA 92108, 866-219-3343</p>	<p>DEFENDANTS</p> <p>OVERSEAS FOODS DISTRIBUTION, LLC</p> <p>County of Residence of First Listed Defendant <u>Los Angeles</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i> Unk</p> <p style="text-align: center; font-size: 1.2em;">'26CV3268 H MMP</p>
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<p>II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <p><i>(For Diversity Cases Only)</i></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT *(Place an "X" in One Box Only)* [Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p>PERSONAL INJURY</p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p>PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	
<p>REAL PROPERTY</p> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p>CIVIL RIGHTS</p> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<p>PRISONER PETITIONS</p> <p>Habeas Corpus:</p> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <p>Other:</p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<p>LABOR</p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<p>PROPERTY RIGHTS</p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark	<p>SOCIAL SECURITY</p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<p>FEDERAL TAX SUITS</p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District *(specify)*
 6 Multidistrict Litigation - Transfer
 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity):*
28 U.S.C. § 1332(d)

Brief description of cause:
Product mislabeled as Olive-Oil

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 10,000,000.00

CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY *(See instructions):*

JUDGE _____ DOCKET NUMBER _____

DATE 05/28/2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Joshua B. Swigart

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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