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WEB-ONLY

Fresh wave of class actions hit restaurants over alleged false nutritional information

Sheri Qualters / Staff reporter
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Nationwide restaurant chains Applebee's, Chili's Grill & Bar, On the Border Mexican Grill & Cantina, and Romano's Macaroni Grill face two new class action lawsuits over allegedly printing false nutrition information on their menus.

The named plaintiff for both suits, a Washington resident who sued the restaurants and their parent companies, claimed in the cases that she dined at Applebee's because it offered a Weight Watchers menu with low-calorie and low-fat food items and the other three restaurants because their menus contained "low-fat, health conscious" items.

The lawsuits also allege that much of the menus' nutrition information is inaccurate and that independent laboratory analysis shows that the fat content for some food items is double or triple the amount listed, for example.

It's "outrageous" for companies to misrepresent nutrition information because so many customers are concerned about their weight or have health-related dietary restrictions, said Daniel Johnson, of Seattle's [Breskin, Johnson & Townsend](#), whose firm filed both cases.

"It has certainly health implications and in some cases medical implications," Johnson said.

[DineEquity](#), Applebee's parent, and [Brinker International](#), the parent company of the three other restaurants, did not respond to requests for comment.

The case against Applebee's and its parent claims the companies violated three California statutes, including: the Consumers Legal Remedies Act, Unfair Competition Law and the False Advertising Statute. [Paskett v. DineEquity Inc.](#), No. 2:08-cv-03620 (C. D. Calif.)

The claims against the other three restaurants and their parent company include: common law breach of contract, unjust enrichment, deceptive trade practices, [Paskett v. Brinker International Inc.](#), 3:08-cv-00942 (N.D. Texas)

Johnson said some of the defendant restaurants started offering healthier menu items after prior lawsuits against fast food restaurants for contributing to the obesity epidemic.

"Restaurants not being sued [now] will be expected to take care if they're going to represent to consumers the content of the food they're offering," Johnson said. "It's obviously an important consideration to consumers."