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## Legal Victory for “Vegan Butter”

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On August 10, 2021, the Northern District Court of California ruled that California regulators cannot prevent [Miyoko's Kitchen](#), a vegan dairy-alternative company, from using terms like “butter,” “lactose free,” “cruelty free,” and “revolutionizing dairy with plants” on its labels.

By way of background, in December 2019, Miyoko's Kitchen received a letter of complaint from the California Department of Food and Agriculture that ordered the company to stop calling its products “butter” or claiming they are “cruelty and animal free.” The vegan dairy company then [sued the state](#) in February 2020, alleging the state is violating its First Amendment rights.

As part of its defense, California presented a 2018 study that found 26% of consumers misidentified plant-based cheese products, but U.S. District Judge Richard Seeborg noted that 19% of its participants were also confused by animal-based cheeses.

The court ruled in favor of the California Department of Food and Agriculture with respect to the “hormone free” claim, stating that Miyoko's cannot make this claim because its products contain plant hormones. Overall, the case represents a victory for the dairy-alternative industry, which faces challenges on nomenclature and claims in many states.

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