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Protecting Health and the Environment with Science, Policy, and Action

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Lawsuit Challenges Sustainability Claims of World's Largest Berry Company, Driscoll's

WASHINGTON, DC, August 20, 2026—National environmental and health groups last week sued [Driscoll's](#), the fresh berry company, for allegedly misleading consumers about its hazardous practices and claims that its production practices and materials are “in harmony with the environment.”

The case, [*Beyond Pesticides, Organic Consumers Association, and Toxin Free USA v. Driscoll's Inc.*](#), was filed in DC Superior Court (Case No. 2026-CAB-005727) on August 14, 2026. As consumers and increasing numbers of companies seek to proactively align with practices that protect health and the environment, deceptive product descriptions in the marketplace undermine basic right-to-know and informed purchasing.

The groups filing the complaint advocate for a holistic approach to land management in which practices and inputs are in sync with nature, thereby seeking to mitigate current and growing existential threats to health, biodiversity, and climate. The complaint states that Driscoll's stated commitment to “environmental stewardship” and “sustainability initiatives” is belied by its actions.

Foundational to Driscoll's production practices, according to the complaint, is containerized production where fruit-producing plants are planted in confined plastic pots placed on top of plastic-lined ground, with hoods to shield the crops from extreme weather, then mostly packaged in plastic. Plaintiffs' testing of Driscoll's blueberries found microplastic particles of polyethylene. Plastic contamination is recognized as a serious environmental and public health threat and is the subject of a United Nations [resolution](#) (2022) to end plastic pollution. Health advocates say that eliminating plastics is important not only because of the direct effects of plastic pollution on [human health](#) and the [environment](#), but also because they provide a vehicle for antibiotics, [pesticides](#), and other toxic chemicals to enter organisms and the ecosystem, often with [enhanced toxicity](#).

“In its marketing, Driscoll's sounds like a company that's stepping up to meet standards that tackle agriculture's most important health and environmental challenges,” said **Alexis Baden-Mayer, Esq., research director, Organic Consumers Association**. “Its practices should match its

rhetoric. That's what its customers, especially those who buy organic, expect," Ms. Baden-Mayer continued.

The complaint alleges that Driscoll's supplier farms [have used pesticides](#) and chemicals that enter the local water supply, harming local communities' need for healthy, uncontaminated water. Farmworkers and farmworker communities are disproportionately affected by off-target pesticide exposure, which has been [well-documented](#). The complaint cites "impaired" waterways and depleted water sources that do not "meet a reasonable consumer's understanding of the word sustainable."

"Driscoll's is not 'in harmony with the communities' where its farms operate. A company cannot claim to respect its neighbors while applying carcinogenic pesticides beside schools and defending the practice simply because it is legal. Legal does not mean right. Exposing children to toxic pesticides may be permitted by law, but it is profoundly wrong—and morally indefensible," said **Diana Reeves, Toxin Free USA executive director**.

"Consumers are seeking to abate current existential threats to health, biodiversity, and climate with their purchasing decisions and do not want to be misled by Driscoll's false claims that its practices, which use polluting plastics and pesticides, are sustainable," said **Jay Feldman, executive director of Beyond Pesticides**. "Washington, DC's consumer law offers protection from the company's deceptive misrepresentations," Mr. Feldman continued.

The complaint states that Driscoll's marketing violates multiple provisions of the District of Columbia's *Consumer Protection Procedures Act* ("CPPA"), D.C. Code §§ 28-3901, *et seq*, and plaintiffs have brought the complaint on behalf of themselves, the general public of the District of Columbia, and District of Columbia consumers, seeking an injunction that will end the unfair or deceptive marketing at issue. The plaintiffs are represented by [Richman Law & Policy](#) in Irvington, New York.

See complaint [here](#); the printable version of the press release is available at <https://beyondpesticides.org/driscolls-litigation-press-release>