

“Would You Like a Bit More? A Transatlantic View on Allegedly Misleading Food Presentations,” *Transatlantic Law Journal*

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By: Debbie Berman, Kate T. Spelman

In their article for the *Transatlantic Law Journal*, Partners Debbie Berman and Kate Spelman, Associate Julia Hirata, and Benedikt Burger, counsel at the German law firm of Gleiss Lutz, compare US and German litigation of similar food products to illustrate different outcomes on strikingly similar issues. The authors delve into questions about how much protection consumers need when it comes to advertising food products and how much common sense should weigh in when consumers bring claims to court.

With photos of snack food from real cases about allegedly misleading ads, the authors analyze legal standards in the United States and Germany. Ultimately, they conclude that “German courts tend to find legal claims for deceptive practices more likely than US courts, which set a higher bar for proving consumer harm.”

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