

Company Pays \$153,000 for False Claim on MSG

By DARYL KELLEY
TIMES STAFF WRITER

A Costa Mesa company that falsely claimed that its Golden Ramen noodle products did not contain an additive suspected of causing allergic reactions has agreed to pay \$153,000 to settle a civil complaint filed by the Ventura County district attorney's office.

As part of the agreement filed in Ventura County Superior Court, Union Foods also agreed never to claim again that its products are free of monosodium glutamate, or MSG, Dist. Atty. Michael Bradbury said.

"This is a classic case of false advertising," Bradbury said in a news release. "It is widely known that many consumers do not want to ingest MSG."

The food additive is suspected of causing allergic reactions as severe as arthritis, depression and asthma, but scientists are divided on the issue, according to Deputy Dist. Atty. Linda S. Groberg, who handled the case.

A spokesman for Union Foods, which had sold Golden Ramen noodles nationwide, said the company stopped distributing the products last year after the state Department of Health Services ordered the recall of more than 730,000 mislabeled packages.

The case stemmed from routine testing in March, 1989, by Ventura County's Department of Weights and Measures. Separately, a Garden Grove woman complained in June, 1989, about suffering an allergic reaction to the product.

Groberg said that Golden Ramen noodles were sold in packages that featured a blue-and-gold logo on the front that said, "Contains No MSG." But among the ingredients listed on the back of the box was hydrolyzed vegetable protein, and

tests showed that MSG is a naturally occurring substance of the protein, she added.

"They may argue that they thought the products didn't have MSG in them, but we thought they should have done some studies before they made that claim," Groberg said. "This is a significant penalty. We believe the conduct warrants it, whether it was negligent or intentional."

The company did not admit any liability in settling the lawsuit. The agreement was forged after a group of Korean investors bought the company. The new owners could not be reached for comment.

"It was important to have no admission of liability. It meant a lot to the new Korean owners who took English at its literal meaning," said Richard Swartz, a Los Angeles lawyer for the company.

Swartz said the new owners quickly agreed to a settlement because they understood that they were legally responsible for the actions of the previous management.

The Golden Ramen product line has been discontinued, he said.

Sixteen months ago, the unidentified Garden Grove woman complained about the product.

"She said she had a runny nose, itching and irritation—a typical allergic reaction," said Ozzie Schmidt, a supervising inspector at the state Department of Health Services office in Santa Ana. In June, 1989, his agency confirmed her suspicions that the noodles contained MSG.

The state quickly impounded 209,000 packages in a warehouse and ordered the company to recall 525,000 other packages that had been distributed to stores, Schmidt said.

Times staff writer James S. Graneill contributed to this report.