

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

<p>PLASTIC POLLUTION COALITION, A PROJECT OF EARTH ISLAND INSTITUTE, 4401A Connecticut Avenue NW #143, Washington, DC 20008,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>JUST GOODS, INC., 1460 Broadway, New York, NY 10036,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. _____</p> <p>COMPLAINT</p> <p>DEMAND FOR JURY TRIAL</p>
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PREAMBLE

Plaintiff Plastic Pollution Coalition, a project of Earth Island Institute, brings this action against Defendant Just Goods, Inc. concerning the false and deceptive marketing of Just Water-branded water. Despite the packaged water being advertised as sustainable, especially as compared to traditional bottled water, the packaging is not easily recyclable, nor as sustainable as Just Water’s representations lead consumers to believe, and the “natural,” “pure” water itself is contaminated with harmful microplastics. This Complaint is brought under the District of Columbia Consumer Protection Procedures Act by Plaintiff on behalf of the general public of the District of Columbia, and District of Columbia consumers.

INTRODUCTION

1. Bottled water is the top packaged drink consumed by Americans.¹

¹ See *Bottled Water Consumption Shift*, Int’l Bottled Water Association (“IBWA”) (2024), <https://bottledwater.org/bottled-water-consumption-shift/>. In fact, water consumption in the United States has generally rose. See Popmenu Inc., *Water is Becoming a Preferred Drink as 50% of Consumers Dine Out for December Holidays*, Popmenu Study Finds, PR Newswire (Dec. 18, 2024), <https://www.prnewswire.com/news-releases/water->

2. Most bottled water containers are made from petroleum-based plastic. This is an issue because plastic bottles contribute to plastic pollution, contain chemicals that are harmful to human health, and have negative consequences for the environment.

3. A 2019 study commissioned by World Wildlife Fund International estimated that the average person could be consuming upwards of 5 grams of plastic every week, which is equivalent to roughly the weight of an entire credit card, including more than 1,769 particles of plastic ingested from water alone.

4. More recently, in February 2025, researchers estimated that there are five bottle caps worth of plastic in human brains, an increase of “nearly 50 percent more in microplastics than brain samples from 2016.”²

5. More than 10 billion metric tons of plastic have been produced globally to date, and plastic production has increased by more than 18,300 percent since the 1950s³ and more than 400 million metric tons of new plastic are produced globally each year, and that number is increasing year after year.⁴

6. In light of this plastic pollution crisis and the negative health effects associated with plastic, many consumers seek to avoid purchasing single-use plastic in favor of alternative forms of packaging.

7. Defendant Just Goods, Inc. (“Just Water”) represents itself to consumers as a sustainable alternative to traditional bottled water.

is-becoming-a-preferred-drink-as-50-of-consumers-dine-out-for-december-holidays-popmenu-study-finds-302334463.html.

² *What Are Microplastics Doing to Our Bodies? This Lab is Racing to Find Out*, The New York Times (Apr. 8, 2025) <https://www.nytimes.com/2025/04/08/well/microplastics-health.html>.

³ *The Truth Behind Trash: The Scale and Impact of the International Trade in Plastic Waste*, Environmental Investigation Agency (Sept. 2021), <https://eia-international.org/report/the-truth-behind-trash-the-scale-and-impact-of-the-international-trade-in-plastic-waste/>.

⁴ *Drowning in Plastics: Marine Litter and Plastic Waste Vital Graphics*, United Nations (Oct. 2021), <https://www.unep.org/resources/report/drowning-plastics-marine-litter-and-plastic-waste-vital-graphics>.

8. Just Water was founded because of actor Jaden Smith’s “concern over the plastic water bottles littering the oceans and the planet.”⁵

9. Just Water collaborates with Tetra Pak,⁶ a Swedish-Swiss company focused on “food processing and packaging solutions,”⁷ for the packaging of its Just Water products (the “Products”).⁸

10. Just Water describes the Product packaging as follows: the carton itself is “54% paper”; the remainder consists of “plant-based plastic,” with a “protective layer” of aluminum.⁹

11. Regarding its packaging designs, Tetra Pak states that “[b]y increasing the fibre content and reducing the plastics and aluminum, our packaging becomes more attractive to recyclers and easier to recycle.”¹⁰

12. As explained in *infra* § I, Just Water’s marketing is centered on the superior sustainability of its packaging, especially when compared to traditional plastic bottled water brands.¹¹

13. As explained in *infra* § II, these Sustainability Representations are material to consumers.

14. As explained in *infra* § III, Just Water’s Sustainability Representations mislead D.C. consumers. In sum, the Products contain microplastics, and the Products’ Tetra Pak

⁵ Melissa Locker, *Jaden Smith’s Just Water just hit \$100 million valuation*, Fast Co. (Sept. 4, 2019), <https://www.fastcompany.com/90398045/jaden-smiths-just-water-just-hit-100-million-valuation>.

⁶ *The Anatomy Of A Plant-Based Just Carton*, Just Water (May 19, 2022), https://justwater.com/blogs/news/the-anatomy-of-a-plant-based-just-carton?_pos=1&_sid=aaf2f9224&_ss=r.

⁷ *Who we are*, Tetra Pak (May 8, 2025), <https://www.tetrapak.com/en-us/about-tetra-pak/who-we-are>.

⁸ The Products include the Just Water bottles in 11.2 ounces, 16.9 ounces, and 1 liter. *Spring Water*, Just, <https://justwater.com/products/spring-water-11-12-pack> (last visited July 24, 2025). Discovery may reveal additional products or representations that fall within the scope of this Complaint. Plaintiff reserves the right to amend its Complaint to add any such additional products and/or representations.

⁹ *The Anatomy Of A Plant-Based Just Carton*, *supra* note 6.

¹⁰ *Circularity & recycling*, Tetra Pak, <https://www.tetrapak.com/en-us/sustainability/focus-areas/circularity-and-recycling>.

¹¹ Hereinafter, the Sustainability Representations.

packaging is not as sustainable as Just Water leads consumers to believe.

15. This is a consumer protection action brought by the Plastic Pollution Coalition (“PPC” or “Plaintiff”), a project of Earth Island Institute (“Earth Island”), a nonprofit public interest organization. PPC does not seek money damages; instead, PPC seeks an order declaring that Just Water’s representations about its Products are unlawful under the Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901–13, as well as an injunction that will end the deceptive advertising and marketing at issue.

16. This is not a class action and PPC will not seek class certification.

17. By misrepresenting the nature and quality of its Products and the nature of its underlying business practices, Just Water is able to capture the growing market of D.C. consumers who are concerned about plastic and seek to support business with practices that are friendly to the environment and human health.

18. Just Water’s false and misleading representations and material omissions violate the CPPA.

19. Because Just Water’s marketing and advertising tend to mislead and are deceptive about the true nature and quality of its Products and business, PPC brings this deceptive advertising case on behalf of itself and the general public pursuant to the CPPA.

JURISDICTION AND VENUE

20. This Court has personal jurisdiction over the Parties in this case. Plaintiff PPC, by filing this Complaint, consents to this Court having personal jurisdiction over it.

21. This Court has personal jurisdiction over Defendant Just Water pursuant to D.C. Code Section 13-423(a)(1) because the claims herein arise from Just Water “transacting . . . business in the District of Columbia.” Just Water has sufficient minimum contacts with the District

of Columbia to establish personal jurisdiction of this Court over it because, *inter alia*, Just Water is engaged in deceptive schemes and acts directed at persons residing in, located in, or doing business in the District of Columbia, or otherwise purposefully avails itself of the laws of this District through its marketing and sales of its Products in this District.

22. The beneficiaries of this action are District of Columbia consumers, and this case concerns representations made in the District of Columbia, to residents of the District of Columbia, and with the intent that residents would act upon those representations and purchase Products within the District of Columbia.

23. The District has a strong interest in protecting its consumers through enforcement of the CPPA. The general public of the District has a corresponding interest in the vigorous enforcement of laws established to protect District consumers.

24. PPC, which has agreed to represent the interest of those consumers, has an interest in vindicating its rights conferred by the CPPA and related to misrepresentations made to those consumers. PPC has an interest in prosecuting its case within the District, which is where the alleged injuries occurred and where the relevant Products were advertised for purchase and/or purchased.

25. This Court has subject matter jurisdiction over this action pursuant to D.C. Code §§ 28-3905(k)(1)(B), (k)(1)(C), (k)(1)(D), and (k)(2).

26. Venue is proper in this Court pursuant to D.C. Code Section 28-3905(k)(2) and because Just Water directs its marketing at consumers within the District of Columbia, sells its Just Water Products in the District, and has caused injury in the District. PPC seeks to represent consumers and the general public of the District.

27. Pursuant to D.C. Code Section 28-3905(k)(2), this action shall be brought in the Superior Court of the District of Columbia.

28. This action seeks injunctive and declaratory relief but no money damages. Following the principles of non-aggregation set forth in *Snyder v. Harris*, 394 U.S. 332, 335 (1969), federal jurisdiction is not present, and this action is not subject to removal in federal court. *See, e.g., Inst. For Truth in Mktg. v. Total Health Network Corp.*, 321 F. Supp. 3d 344, 350 (D.D.C. 2018); *Organic Consumers Ass'n v. R.C. Bigelow, Inc.*, 314 F. Supp. 3d 344, 350 (D.D.C. 2018); *Animal Legal Defense Fund v. Hormel Foods Corp.*, 249 F. Supp. 3d 53, 59 (D.D.C. 2017).

PARTIES

29. Plaintiff PPC, a project of Earth Island Institute—a nonprofit, public interest organization within the meaning of the CPPA (*see* D.C. Code Section 28-3901(a)(15))—is a nonprofit communications and advocacy organization that collaborates with an expansive global alliance of organizations, businesses, and individuals to create a more just, equitable, regenerative world free of plastic pollution and its toxic impacts. Several PPC organization allies are located in the D.C. area, including Environmental Working Group, Oceana, Greenpeace, Potomac Riverkeeper Network, National Audubon Society, PR3, and American Rivers, among others.

30. PPC is statutorily empowered pursuant to D.C. Code Section 28-3905(k)(1)(C) and (D) to represent the interests of District of Columbia consumers, and to bring this action on their behalf.

31. PPC is based in Washington, DC, and performs its work throughout the United States, including in the District of Columbia.

32. PPC is a project of Earth Island Institute, a nonprofit organization dedicated to informing the public about salient environmental harms and has since worked, *inter alia*, to

protect marine life, to confront plastic pollution, to preserve forests, to help Indigenous leaders protect their sacred sites, and to restore wetlands.

33. PPC advocates for a transition away from single-use plastic and educates consumers, including those within the District of Columbia, on the environmental and health impacts of single-use plastic across its entire lifecycle as well as alternatives to single-use plastic. PPC's efforts help consumers make informed choices when they shop and works with its coalition members and partners to advance and scale real systemic solutions to plastic pollution—including reuse, refill, repair, share, and regenerative solutions. PPC's website, public education, research, network building, and mobilization activities provide an important service to consumers, community activists, policymakers, and the public at large.

34. PPC has a strong interest in truth-in-advertising regarding environmental concerns, which align with the organization's mission of consumer advocacy and education.

35. PPC, through its work and otherwise, has a sufficient nexus to consumers of Defendant's Products to adequately represent their interests.

36. Just Water is headquartered in New York and incorporated in Delaware.

37. Just Water markets, sells, and distributes the Products in the District of Columbia.

38. Upon information and belief, Just Water has caused harm to the general public of the District of Columbia.

39. PPC is acting on behalf of itself and for the benefit of D.C. consumers pursuant to D.C. Code §§ 28-3905(k)(1)(C) and (D).

**STATUTORY BACKGROUND GIVING RISE
TO PLAINTIFF'S CLAIM FOR RELIEF**

40. This action is brought under the District of Columbia Consumer Protection Procedures Act, D.C. Code Section 28-3901–13.

41. It is unlawful under the CPPA for “any person” to:
- “represent that goods or services have a source, . . . characteristics, . . . [or] benefits . . . that they do not have,” D.C. Code § 28-3904(a);
 - “represent that goods or services are of a particular standard, quality, grade, style, or model, if in fact they are of another,” *id.* § 28-3904(d);
 - “misrepresent as to a material fact which has a tendency to mislead,” *id.* § 28-3904(e);
 - “fail to state a material fact if such failure tends to mislead,” *id.* § 28-3904(f);
 - “use innuendo or ambiguity as to a material fact, which has a tendency to mislead,” *id.* § 28-3904(f-1) (ambiguity and innuendo clause);
 - “advertise or offer goods or services . . . without the intent to sell them or without the intent to sell them as advertised or offered, *id.* § 28-3904(h); and
 - “sell consumer goods in a condition or manner not consistent with that warranted . . . by operation or requirement of federal law,” *id.* § 28-3904(x).

42. A violation of the CPPA occurs when a person “engages in an unfair or deceptive trade practice,” regardless of “whether or not any consumer is in fact misled, deceived or damaged thereby.” *Id.* § 28-3904.

43. The CPPA “establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.” *Id.* § 28-3901(c). It “shall be construed and applied liberally to promote its purpose.” *Id.*

44. Under the CPPA, a “nonprofit organization may, on behalf of itself or any of its members, or on such behalf and on behalf of the general public, bring an action seeking relief from

use of a trade practice in violation of a law of the District, including a violation involving consumer goods or services that the organization purchased or received in order to test or evaluate qualities pertaining to use for personal, household, or family purposes.” D.C. Code § 28-3905(k)(1)(C).

45. Additionally, a “public interest organization may, on behalf of the interests of a consumer or a class of consumers, bring an action seeking relief from the use by any person of a trade practice in violation of a law of the District if the consumer or class could bring an action,” so long as the organization has a “sufficient nexus to the interests involved of the consumer or class to adequately represent those interests.” D.C. Code § 28-3905(k)(1)(D).

46. As set forth in this Complaint, *see supra* ¶¶ 29-35, Plaintiff PPC’s mission includes educating consumers and engaging in advocacy related to environmental and human health issues. PPC has previously represented D.C. consumers in similar actions under the CPPA and has sufficient nexus to D.C. consumers to represent their interests.

47. D.C. consumers generally are consumers who would be entitled to bring this action under the CPPA.

48. PPC may, therefore, bring this action on behalf of D.C. consumers.

49. This is not a class action, or an action brought on behalf of any specific consumer. This is an action brought by PPC on behalf of itself, D.C. consumers, and the general public of D.C. No class certification will be requested. An action for injunctive and/or declaratory relief brought pursuant to Sections 28-3905(k)(1)(C) and (D) on behalf of D.C. consumers is not a class action, does not require class certification, and is not subject to the Class Action Fairness Act. *See Animal Legal Def. Fund v. Hormel Foods Corp.*, 258 A.3d 174, 190 (D.C. 2021).

50. CPPA claims challenging the use of certain advertising terms “as false and misleading” are “not preempted by federal law.” *Toxin Free USA v. J.M Smucker Co.*, 2019 D.C. Super. LEXIS 15, at *14 (Nov. 6, 2019) (Pan, J.).

51. This action does not seek damages. Instead, PPC seeks to end the unlawful conduct directed at D.C. consumers. Remedies available under the CPPA include “[a]n injunction against the use of the unlawful trade practice.” D.C. Code § 28-3905(k)(2)(D). PPC also seeks declaratory relief in the form of an order holding Just Water’s conduct to be unlawful.

**FACT ALLEGATIONS GIVING RISE
TO PLAINTIFF’S CLAIM FOR RELIEF**

52. Just Water markets the Just Water Products throughout the District of Columbia through its Product packaging, website, social media, and third-party retailer websites, all of which are accessible to consumers within the District.

I. Just Water Presents Itself as a Sustainable Packaged Water Company.

53. Just Water’s entire brand image is centered around environmental sustainability.¹²



54. On its packaging, Just Water represents that it is “100% Spring Water” “in a plant-based carton.” The back and side of the carton give further details on the carton’s sustainability, including listing environmentally based certifications.¹³

¹² *Just Water*, <https://justwater.com/> (last visited July 24, 2025). Plaintiff notes that selling a single-use water product in countries with accessible, clean, and safe tap water is inherently antithetical to environmental principles.

¹³ See, e.g., *Spring Water -- 1 Liter | 12 Pack*, Just Water, <https://justwater.com/collections/all-products/products/spring-water-1l-12-pack#> (last visited July 24, 2025).



55. Just Water represents that its “materials are certified by the Forest Stewardship Council® – a global, not-for-profit organization dedicated to the promotion of responsible forest management worldwide.”¹⁴

56. Just Water also states that “[t]hrough our packaging partner TetraPak, we work with The Rainforest Alliance—an international NGO that works to conserve biodiversity and ensure sustainable livelihoods by transforming land use, business practices, and consumer behavior.”¹⁵

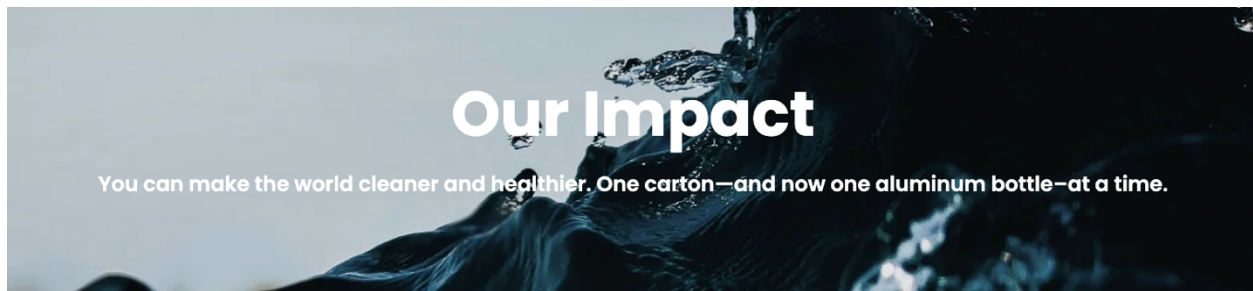
¹⁴ *Responsible Forestry. Yes, It's A Thing!*, Just Water (Apr. 9, 2021), https://justwater.com/blogs/news/responsible-forestry?_pos=1&_sid=28aa3966f&_ss=r.

¹⁵ *Id.* Note that Just Water itself is not Rainforest Alliance certified. Find the Frog, Rainforest Alliance, https://www.rainforest-alliance.org/find-certified/?fwp_search=Just%20Water (last visited July 24, 2025) (search engine on Rainforest Alliance website).

57. Just Water also prominently displays the fact that it is B Corp certified.¹⁶ B Corp certifies businesses based on “social and environmental impact.”¹⁷

58. Just Water’s website has a page where it informs consumers of its “impact.”¹⁸

59. On its “Our Impact” page, Just Water again promises consumers that by purchasing its Products, they “can make the world cleaner and healthier. One carton—and now one aluminum bottle—at a time.”¹⁹



60. On the same page, Just Water reiterates that its Products are more sustainable than plastic water bottles and reminds consumers of its B Corp status.²⁰

88% of the materials used to make our cartons start out as plants—trees for the paper, sugarcane for the cap and shoulder. Plants pull carbon out of the air as they grow and they can be replanted. They’re renewable! And it’s because of the plants that the carton creates up to 74% less carbon emissions than similarly-sized plastic bottles.

JUST is a B Corp. What does that mean? Well, it means that we’ve committed ourselves to using our business for good. And we’re not just saying that; we’re bound to it legally. JUST is a legal benefit corporation. As such, we’re required to account for the impact our business has on our workers, customers, suppliers, community, and the environment. We prove that we do that by going through the rigorous B Corp certification process and reporting our results.

¹⁶ See, e.g. *supra* ¶ 54; see also *2022 In Review: A Look Back At Our Impact*, Just Water (Dec. 28, 2022), https://justwater.com/blogs/news/2022-in-review-a-look-back-at-our-impact?_pos=1&_sid=3e34bd56b&_ss=r.

¹⁷ *About B Corp Certification*, B Corp., <https://www.bcorporation.net/en-us/certification/> (last visited July 24, 2025).

¹⁸ *Our Impact*, Just Water, <https://justwater.com/pages/impact> (last visited July 24, 2025).

¹⁹ *Id.*

²⁰ *Id.*

61. Just Water also again represents that it is a “[s]ustainable and responsible” company.²¹

62. Just Water’s website also has a blog webpage dedicated to “Sustainability.”²²

63. On this page, Just Water makes many representations about its environmental impact, along with assuring consumers that its Products are sustainably superior to traditional plastic water bottles.

64. One blog post states that the company was “disappointed in a marketplace dominated by unsustainable bottled water in plastic packaging that, more often than not, isn’t recycled properly.”²³ As a result of this disappointment, Just Water uses plant-based plastic which is then promoted as a sustainable alternative.

65. Below is an example of how Just Water promotes plant-based plastic to consumers and compares it to traditional petroleum-based plastics.²⁴

How is Plastic Usually Made?

Bad news: plastic is generally made from petroleum (oil). Yes, the same stuff we put in our cars. Petroleum is a fossil fuel that has quite a few drawbacks (you’ve probably heard of global warming). Using fossil fuels for energy or plastic releases carbon dioxide (CO₂) into the air. This CO₂ contributes to the greenhouse effect, which increases global warming – not to mention the lack of biodegradability in plastic, and the fact that most can’t or don’t recycle it properly.

66. Just Water, though, goes further than just criticizing the environmental impact of petroleum-based plastics. Just Water also acknowledges the health concerns associated with petroleum-based plastics.

²¹ *Id.*

²² *Just Water, Blog,* https://justwater.com/blogs/news/tagged/sustainability?srltid=AfmBOopiO8VQy8iZjWEk9LU1SRhG_kS6NK-CVVSZGMq_RG18MePzzNAe.

²³ *What Is Plant-Based Plastic?*, Just Water (July 19, 2021), <https://justwater.com/blogs/news/what-is-plant-based-plastic>.

²⁴ *Id.*

67. For example, in one blog post, Just Water informs consumers about the growing concerns over microplastics in bottled water.²⁵ Just Water states that “[d]ue to the diminutive nature of these pervasive contaminants, Microplastics can easily penetrate human tissue, including vital organs, disrupting important cellular processes when exposed to these harmful chemicals.”²⁶

The Growing Concern Over Bottled Water

Beyond the current findings, [a study published](#) in the *Proceedings of the National Academy of Sciences* has revealed alarming levels of microplastics in bottled water, with an average of 240,000 plastic particles per liter. This is 10 to 100 times higher than previous estimates, raising serious concerns about the potential health risks posed by these invisible pollutants. Due to the diminutive nature of these pervasive contaminants, Microplastics can [easily penetrate human tissue](#), including vital organs, disrupting important cellular processes when exposed to these harmful chemicals. When paired with the bacterial contaminants found in the recalled plastic bottled water, it’s clear there is legitimate cause for concern within the packaged water space.

68. In response to stated health concerns, Just Water assures consumers that they have “ensured the plant-based and aluminum packaging used to house our intentionally sourced spring water uses as minimal plastic as possible, made from plant-based recyclable material, and lab-tested for quality, safety, & of course, taste.”²⁷

69. Just Water also represents that “the need for public access to safer packaged water alternatives tops the list of consumer safety measures & the desperate need for tighter regulations within the bottled water space. At JUST, we have taken extensive measures from the get-go to ensure our customers can safely consume our water without any potential health risks. Beyond our brand ethos to protect & preserve our planet by reducing the unnecessary use of plastic when producing our products, these measures simultaneously achieved a concurrent goal to provide the

²⁵ *Bottle Battle: Mass Recall Of Plastic Packaged Water*, Just Water (May 30, 2024), https://justwater.com/blogs/news/bottle-battle-mass-recall-of-plastic-packaged-water?srsltid=AfmBOoqjPNIb2i4bIFaEqBrui0weQelwIou8AxtXH_n1khNFRAvoWkNV.

²⁶ *Id.*

²⁷ *Id.*

highest quality & safest source of water to our customers. If we wouldn't drink it ourselves, we wouldn't offer it."²⁸

70. Just Water also has a blog post dedicated to the pervasive problem of microplastics²⁹ and nanoplastics.³⁰

71. Regarding recent studies on microplastic, this blog post states “[i]f avoiding plastic packaged water was once somewhat of an afterthought, it now will likely have a significant influence on what we choose to purchase and consume. Researchers have discovered that bottled water harbors hundreds of thousands more tiny plastic bits than previously estimated – some so small they can invade your body's cells.”³¹

72. Just Water further explains to consumers that microplastics and nanoplastics “saturate our most crucial physiological structures, including the placenta and the cells of unborn babies, they transport harmful chemicals that can ultimately disrupt vital cellular processes.”³²

73. Just Water then states that it has “championed the mission to reduce the use and consumption of single use plastic, offering plant-based cartons and infinitely recyclable aluminum bottled water as a better alternative to plastic packaged water, which have previously dominated the market. Beyond our packaging, our goal has always been to be more than just a water company, but also an impetus for change. Offering pure, consciously sourced spring water in

²⁸ *Id.*

²⁹ *Microplastics, Massive Problem: The Danger Plastic Bottled Water's Pose*, Just Water (Jan. 17, 2024), <https://justwater.com/blogs/news/microplastics-massive-problem-the-danger-plastic-bottled-water-s-pose>.

³⁰ Nanoplastics are typically described as a subset of microplastics. The main difference is that while a microplastic refers to “pieces of plastic which are smaller than 0.5mm in diameter,” nanoplastics specifically refer to plastic pieces that are “100 nanometres or less.” The reason for this distinction is that the smaller size of nanoplastics make them more “toxicologically active” than microplastics bigger than 100 nanometres. *See Microplastics vs Nanoplastics: What's the Difference?*, Plastic Solutions, <https://www.pollutionsolutions-online.com/news/waste-management/21/breaking-news/microplastics-vs-nanoplastics-whats-the-difference/57165> (last visited July 24, 2025).

³¹ *Microplastics, Massive Problem: The Danger Plastic Bottled Water's Pose*, *supra* note 29.

³² *Id.*

environmentally friendly packaging is the route we've chosen to do better, with the hopes to inspire others to do the same."³³

74. Just Water concludes its blog post by stating that “[b]ottled water’s nanoplastic problem is real and potentially dangerous. It’s time to shift the paradigm around the accessibility of plastic bottled water and champion for safer, nontoxic options, *for the sake of our health and planet.*”³⁴

75. As explained in *supra* ¶ 10, the Products’ packaging consists of paper, plant-based plastic, and aluminum. Despite this mix of materials, Just Water represents that the Products’ packaging is recyclable generally and explains that the Products must go through a recycling process called “hydropulping.”³⁵

76. Just Water implies that hydropulping is a sustainable recycling process.³⁶

Recycling cartons starts with a process called hydropulping, where the layers of the cartons are separated and culled in order to convert them into other materials. This happens in a machine called a hydropulper, which separates paper from other materials like plastic and aluminum and accumulates as a usable paper fiber pulp. The pulp then gets made into paper and cardboard that’s just as usable and high-quality as the original paper. The plastic and aluminum, meanwhile, are also recovered for use in energy fuels, pallets, and building products. Bonus: hydropulping water used in the hydropulping process is usually reused over and over again throughout the process.

77. Just Water ends that blog post stating that “[w]ith both social and economic incentives at work in the form of devoted advocacy, energy, and resources, recycling access could reach 99% in the not far off future — like in the European Union, where carton recycling is between 95-100%.”³⁷

³³ *Id.*

³⁴ *Id.* (emphasis added).

³⁵ *How A Carton Gets Recycled*, Just Water (March 12, 2021), <https://justwater.com/blogs/news/how-a-water-bottle-carton-gets-recycled>.

³⁶ *Id.*

³⁷ *Id.*

78. Just Water also publicizes the “Life Cycle Analysis” of its Products.³⁸

79. Just Water says that “[t]he goal of our Life Cycle Analysis is to provide information about the environmental impacts across the life cycle of making JUST water’s packaging compared to other forms of packaging. It’s a scientific method for making deeper evaluations of the environmental benefits and tradeoffs for the entire ‘life’ of the JUST water system, from raw material extraction to disposition at the end of its useful life or recycling.”³⁹

80. Phase 8 of the Products’ Life Cycle Analysis is recycling.⁴⁰

81. On its Frequently Asked Questions (“FAQs”) page, Just Water explains that “the cap, shoulder, and the outer layer are made from a bio-plastic that originates as sugarcane.”⁴¹ The rest of the packaging is made of paper, aluminum, and “traditional plastic.”⁴²

JUST Packaging Info

What is the carton made from? ▲

The JUST carton is plant-based. What does that mean? Eighty-eight percent of the material that goes into it starts out as plants: the paper is made from trees grown in FSC-managed forests; and the cap, shoulder, and the outer layer are made from a bio-plastic that originates as sugarcane. The remaining 12% of the carton is traditional plastic and aluminum, both of which are needed to ensure safety and quality.

³⁸ *Creating A Product With A Lower Impact*, Just Water (May 10, 2021), <https://justwater.com/blogs/news/creating-a-product-with-a-lower-impact>.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.* See also Lisa Zimmermann, et al., *Are bioplastics and plant-based materials safer than conventional plastics? In vitro toxicity and chemical composition*, 145 *Env’t Int’l* 106066 (Dec. 2020), <https://doi.org/10.1016/j.envint.2020.106066> (“Our results indicate that the majority (67%) of bioplastics and plant-based products contain toxic chemicals. . . [and] demonstrates that bio-based and/or biodegradable materials available on the market are just as toxic as conventional plastics with regards to the chemicals they contain.”)

⁴² *Creating A Product With A Lower Impact*, *supra* note 38.

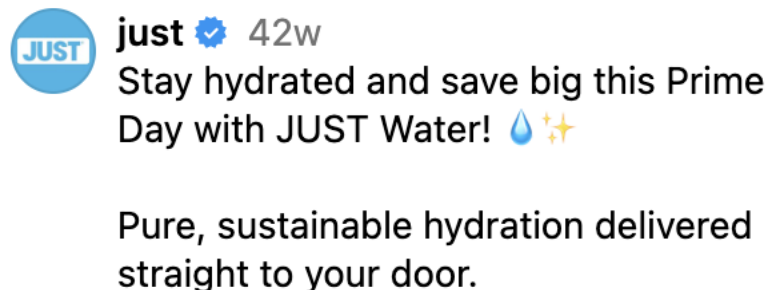
82. Just Water uses its FAQs webpage to again remind consumers that the “carton is recyclable,” but then states that “carton recycling is available in 62%+ of the United States” and puts the onus on consumers to find a recycling location near them that accepts cartons.⁴³

Is the JUST Water carton recyclable? Is recycling available where I live? ▲

The JUST water carton is recyclable anywhere carton recycling is available. Currently carton recycling is available in 62%+ of the United States and that number is rapidly growing. Access has grown by nearly 300% in the US since 2008. Canada has nearly universal access to carton recycling (96% of households). To find a location near you: [Click Here](#)

83. Beyond its packaging and website, Just Water also frequently posts environmental content on its Instagram page.⁴⁴

84. Also on Instagram, Just Water describes itself as “[p]ure, sustainable hydration.”⁴⁵



85. Just Water also uses Instagram to advertise its Products as “natural.”⁴⁶

⁴³ *Id.*

⁴⁴ See Just Water (@just), Instagram, <https://www.instagram.com/p/DIw4Vb8RXq4/> (last visited July 24, 2025); Just Water (@just), Instagram, <https://www.instagram.com/p/C6EzigsuEvJ/> (last visited July 24, 2025).

⁴⁵ Just Water (@just), Instagram, <https://www.instagram.com/p/C9f0apERXu7/> (last visited July 24, 2025).

⁴⁶ Just Water (@just), Instagram, <https://www.instagram.com/p/DA11XQeyoC5/> (last visited July 24, 2025).



just 🌊 JUST Hydration, hour by hour 🕒

From morning to night, we've got you covered: 9 AM: JUST Natural Spring Water 16oz to start the day right 🌅 12 PM: JUST Natural Spring Water 12oz can to keep it cool and sustainable 🌿 3 PM: Lemon BUBBLES for a midday fizz pick-me-up 🍋 7 PM: HuckleBlueberry BUBBLES to end the day on a sweet, sparkling note 🍷

What's YOUR hydration routine? Tell us your faves below! 📌

30w

86. Just Water's YouTube page posts videos about how its Products are sustainable and how consumers purchasing the Products are helping the environment.⁴⁷

87. Just Water also published a YouTube video that represents that the Products' Tetra Pak carton is sustainable, including putting the phrase "100% Recyclable, 100% Good" in the video's description.⁴⁸

88. Finally, Just Water also has its own Amazon storefront.⁴⁹

89. On its Amazon page, Just Water describes the Products as "Eco-Friendly," "natural," and "pure."⁵⁰

90. All in all, Just Water consistently markets itself with Sustainability Representations as described *supra*.

II. Just Water's Representations are Material to Consumers.

91. Just Water's Sustainability Representations are material to consumers.

92. Consumers care about sustainability.

⁴⁷ See Just Water, JUST 60 Million Carton Milestone, YouTube (Dec. 30, 2020), <https://www.youtube.com/watch?v=3-UrOmE1Z2I..>

⁴⁸ Just Water, JUST x TetraPak, YouTube (Oct. 18, 2019), https://www.youtube.com/watch?v=wZyIKm_7-Tc.

⁴⁹ Just Water, Amazon, https://www.amazon.com/stores/JUST+WATER/page/DAD1B0F4-FAA6-462F-98A6-048B501EAE69?store_ref=SLP_FW_D9DD6D42-7AA6-4860-B968-2E9CBB9E21C2 (last visited July 24, 2025).

⁵⁰ JUST Water - 100% Spring Water, Naturally Alkaline, 8.0 pH - Plant-Based, BPA Free, Sustainable and Fully Recyclable Boxed Water Bottle - Eco-Friendly - 1L / 33.8 Fl Oz (Pack of 6), Amazon, https://www.amazon.com/JUST-Water-Premium-Eco-Friendly-Plant-Based/dp/B084ZVBL6V?ref_=ast_sto_dp&th=1 (last visited July 24, 2025).

93. A survey of 9,000 of consumers across North America, South America, and Europe published in 2023 found that the majority of consumers look for information about recyclability or sustainability on product packaging.⁵¹ The same survey also found that 79% of consumers are looking for products in sustainable packaging and 82% are likely to purchase a product based on recyclable packaging claims.⁵²

94. A 2021 Amcor survey of 12,000 consumers across six countries, including United States consumers, found that 78% of consumers want to recycle more and find recyclability to be the “most important sustainability attribute for packaging.”⁵³

95. A 2020 McKinsey survey of United States consumers found that “43[%] of consumers . . . say environmental impact is an extremely or very important packaging characteristic when making purchasing decisions.”⁵⁴

96. The same McKinsey survey found that most consumers are willing to pay more for sustainable packaging, that 4% to 7% of consumers are willing to pay a premium well above 10%.⁵⁵

97. A 2019 study conducted by Coleman Parkes Research on behalf of Accenture surveyed 1,500 consumers in seventeen cities throughout the United States and found that 47% of

⁵¹ *Buying Green Report*, Trivium Packaging at 3, 9, 15 (2023), <https://www.triviumpackaging.com/media/pe5hfxsp/2023buyinggreenreport.pdf>.

⁵² *Id.*

⁵³ *Amcor Research Shows Consumers Worldwide Want to Recycle More*, Amcor (Nov. 18, 2021), https://assets.ctfassets.net/f7tuyt85vtoa/54D8C8vexCrVfqVAkGKxKg/00acce8b67123329e01edceef839517/Amcor_-_2021_Sustainability_Report_Press_Release.pdf.

⁵⁴ David Feber et al., *Sustainability in Packaging: US Survey Insights* (Apr. 26, 2023), <https://www.mckinsey.com/industries/packaging-and-paper/our-insights/sustainability-in-packaging-us-survey-insights>.

⁵⁵ *Id.*

consumers surveyed expressed a desire to conduct business with retailers that are environmentally conscious.⁵⁶

98. The desire for sustainable products is especially pronounced among younger consumers; a study from the International Trademark Association from 2018 found that 57% of internet users ages 18 to 23 were seeking environmentally sustainable products.⁵⁷

99. Consumers generally care deeply about environmental issues and are more likely to purchase products that they perceive to be sustainable.⁵⁸

100. Further evincing that sustainability representations are material to consumers, the Federal Trade Commission (“FTC”) has determined that unqualified general environmental benefit claims such as “sustainable” “imply certain specific environmental benefits.”⁵⁹ For that reason, the FTC has warned companies not to use unqualified claims such as “sustainable” due to its determination that “it is highly unlikely that they can substantiate all reasonable interpretations of these claims.”⁶⁰

101. Consumers are also paying more attention to the ingredients found in food and beverage products, driven by concerns about artificial ingredients and chemicals and their potential harms to human health.⁶¹

⁵⁶ Lucy Koch, *Sustainability Is Factoring into 2019 Holiday Purchases*, eMarketer (Oct. 14, 2019), https://www.emarketer.com/content/sustainability-is-factoring-into-2019-holiday-purchases?_ga=2.170357734.731468461.1617378067-462530432.1615825431.

⁵⁷ *Id.*

⁵⁸ *The Sustainability Imperative*, Nielsen (Oct. 12, 2015), <https://nielseniq.com/global/en/insights/analysis/2015/the-sustainability-imperative-2/> (consumer survey finding that the majority of consumers seek to support sustainable business practices with their purchases and are more likely to buy products “from a company known for being environmentally friendly”).

⁵⁹ *FTC Sends Warning Letters to Companies Regarding Diamond Ad Disclosures*, Federal Trade Commission (Apr. 2, 2019), <https://www.ftc.gov/news-events/news/press-releases/2019/04/ftc-sends-warning-letters-companies-regarding-diamond-ad-disclosures>; *see also* FTC Green Guides, 16 C.F.R. § 260.4(b) (2012).

⁶⁰ *Id.*

⁶¹ Will Cowling, *Consumers Want Colors and Flavors They Deem Green and Clean*, Food & Beverage Insider (Oct. 21, 2020), <https://www.supplysidefbj.com/market-trends-analysis/consumers-want-colors-and-flavors-they-deem-green-and-clean>.

102. Consumers also seek “natural” products and are often willing to pay more for these products.⁶²

103. Many consumers also drink pre-packaged water for health reasons.⁶³

104. In sum, Just Water’s Sustainability Representations are material to consumers who are increasingly concerned about the environment.

105. Further, Just Water’s marketing statements attract consumers who want to drink “pure” water for health reasons.

III. Just Water Misleads D.C. Consumers.

106. Just Water’s Sustainability Representations are misleading in many ways.

107. First, consumers would not expect Products marketed as more sustainable than traditional bottled water products to have the same issues as those products, namely, microplastics exposure.

108. Just Water’s additional representations that the Products are “pure” and “natural” render the presence of microplastics even more misleading.

109. Second, because Just Water gives the impression that it has a low impact on the environment due to the materials used to make the Products’ packaging, consumers are led to believe that the Tetra Pak packaging is more sustainable than it actually is.

110. Just Water also gives consumers the false impression that recycling is the solution to waste and pollution.

⁶² Allison Rittman, *Consumers Seek Trust and Reliability in “Natural” Labels*, Prepared Foods (June 13, 2023), <https://www.preparedfoods.com/articles/128258-consumers-seek-trust-and-reliability-in-natural-labels>.

⁶³ IBWA, *USA survey: 87% of Americans say they have a positive opinion of bottled water as a beverage choice*, Petnology (Oct. 16, 2024), <https://www.petnology.com/online/news-detail/usa-survey-87-of-americans-say-they-have-a-positive-opinion-of-bottled-water-as-a-beverage-choice>.

A. Just Water Contains Microplastics.

111. In October 2024, PPC purchased a sample of the Products at a CVS store located at 4309 Connecticut Ave NW, Washington, DC 20008.

112. Pursuant to D.C. Code § 28-3905(k)(1)(C), PPC sent the Product sample to Parverio Labs in New York to facilitate testing of the Products for the presence of microplastics.

113. Microplastics have become increasingly pervasive, with recent studies finding microplastics in every human placenta and testicle studied,⁶⁴ as well as in every blood sample taken.⁶⁵

114. Microplastics and nanoplastics also have been linked to neurological and cardiovascular issues.⁶⁶

115. Additionally, many animals, especially marine life, ingest plastic materials that enter the natural environment, wreaking havoc on their digestive systems and overall health. Plastic, when ingested, can cause wildlife to choke, sustain internal injuries, suffer from starvation, and experience reproductive issues, all of which can lead to death.⁶⁷

⁶⁴ Damian Carrington, *Microplastics found in every human testicle in study*, The Guardian (May 20, 2024, 10:34 AM), <https://www.theguardian.com/environment/article/2024/may/20/microplastics-human-testicles-study-spermcounts>; Michael Haederle, *Microplastics in Every Human Placenta, New UNM Health Sciences Research Discovers*, UNM Health Sciences Newsroom (Feb. 20, 2024), <https://hsc.unm.edu/news/2024/02/hsc-newsroom-postmicroplastics.html>.

⁶⁵ *Microplastics Found in Human Hearts*, Plastic Pollution Coalition (Aug. 18, 2023), <https://www.plasticpollutioncoalition.org/blog/2023/8/18/microplastics-found-in-human-hearts>.

⁶⁶ See Vicki Contie, *Nanoplastics may help set the stage for Parkinson's risk*, NIH (Dec. 12, 2023), <https://www.nih.gov/news-events/nih-research-matters/nanoplastics-may-help-set-stage-parkinson-s-risk>; *A new study investigates the impact of microplastics in the brain*, George & Anne Ryan Inst. for Neuroscience (Aug. 4, 2023), <https://ryaninstitute.uri.edu/microplastics/>; Dr. Raffaele Marfella, et al., *Microplastics and Nanoplastics in Atherosclerosis and Cardiovascular Events*, 390 The New England J. of Medicine 900-910 (Mar. 6, 2024), https://www.nejm.org/doi/full/10.1056/NEJMoa2309822?query=featured_home.

⁶⁷ *Ocean Plastics Pollution*, Center for Biological Diversity, https://www.plasticoceans.org/donate/?gad_source=1&gbraid=0AAAAADMyyUO9tLFcEJKNvoZlpus2ufjy4 (last visited July 22, 2025).

116. Microplastics are not naturally occurring; they are synthetic materials with high polymer content that enter bottled water through the manufacturing process, leach into the water from the plastic bottle, or through the motion of twisting a bottle cap on and off.⁶⁸

117. Microplastics have been shown to leach hazardous chemicals, and have been linked to cancer, weakened immune systems, endocrine and reproductive problems, nervous system problems, hearing loss, and metabolic disturbances, among other harmful health effects.⁶⁹ Microplastics, due to their high surface-to-volume ratio as compared to larger plastics, promote the leaching of chemicals found in plastic into drinking water.⁷⁰

118. These hazardous substances are particularly harmful to “pregnant people . . . and in babies, children, and youth whose hormone systems are also extremely active to guide healthy growth and development.”⁷¹

119. The independent laboratory that PPC commissioned for testing the Products found microplastics in the Products at levels 2.77x the level of microplastic particles in the control (laboratory grade isopropyl alcohol).⁷²

120. These test results render Just Water’s representations misleading.

121. Just Water warns consumers about microplastic exposure caused by consuming water from traditional plastic bottles. *See supra* ¶¶ 70-74.

⁶⁸ JR Cullpepper, *What’s in Your Water Bottle? Concerns About Microplastics in Caps*, EWG (Oct. 3, 2023), <https://www.ewg.org/news-insights/news/2023/10/whats-your-water-bottle-concerns-about-microplastics-caps>.

⁶⁹ Yage Li, et al., *Leaching of chemicals from microplastics: A review of chemical types, leaching mechanisms and influencing factors*, *Sci. Total Env’t* (Oct. 15, 2023), <https://pubmed.ncbi.nlm.nih.gov/37820817/>.

⁷⁰ Martin Wagner et al., *State of the Science on Plastic Chemicals*, *PlastChem* at 65, https://rds.org.co/apc-aa-files/205ec78c9cca6d1850bdca24e20e50bf/13_plastchem_state_of_the_science_on_plastic_chemicals_report_comp_ressed.pdf (last visited July 18, 2024).

⁷¹ *From Womb to World, Plastics Harm Babies: How to Protect Their Health*, Plastic Pollution Coalition (May 12, 2024), <https://www.plasticpollutioncoalition.org/blog/2024/5/12/from-womb-to-world-plastics-harm-babies>.

⁷² Test results on file with Plaintiff’s counsel.

122. Consumers would not expect Products that promote themselves as a way to avoid microplastics to contain microplastics.

123. Just Water’s marketing as a superior alternative to other packaged water companies is especially egregious when most of its consumer-facing marketing focuses on highlighting the Products’ Tetra Pak carton, which consumers are told are composed of paper, “plant-based plastic,” and aluminum. *Supra* ¶ 10.

124. Only tucked away on its FAQ page does Just Water explicitly tell consumers that the Products actually contain traditional plastic, *see supra* ¶ 81, the same kind it rails against, *see supra* ¶ 74.

125. Just Water also emphasizes its commitment to health and safety. *See supra* ¶¶ 59, 66, 68, 69, 74.

126. Consumers would not expect a company concerned about the health harms of microplastics to sell Products that contain microplastics.

127. In addition, consumers would not expect Products described as “natural” to contain a man-made substance such as microplastics. *See supra* ¶ 85.

128. Consumers are also further misled by Just Water’s “pure” descriptions. The word “pure” means “unmixed with any other matter” and “free from what vitiates, weakens, or pollutes.”⁷³ *See supra* ¶ 73. Here, the Products are literally contaminated with a pollutant—microplastics.

129. In essence, Just Water is not *just* water. It’s water *and microplastics*.

130. Finally, consumers purchase the Products due to Just Water’s Sustainability Representations. *See supra* § II. Microplastics, though, are unsustainable due to the havoc they

⁷³ *Pure*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/pure> (last visited July 22, 2025).

wreak on the environment. *See, e.g., supra* ¶ 115. Thus, consumers seeing and believing Just Water’s Sustainability Representations would not expect the presence of an environmentally harmful substance.

B. Just Water Overstates the Environmental Impact of Their Packaging.

131. Consumers care about sustainable packaging. *See supra* § II.

132. Just Water’s Sustainability Representations orbit around its Tetra Pak carton. The packaging of the Products is the literal selling point for this premium water brand.

133. The environmental impact of the Products’ packaging, however, is vastly overstated by Just Water. Additionally, Just Water’s positioning of recycling as a solution to pollution issues implies that the Products are easily recyclable when they are not. All in all, Just Water’s Sustainability Representations concerning the Products’ packaging mislead consumers about the Products’ true environmental impact.

134. To start, the packaging is made up of three different materials: paper, plastic, and aluminum. *See supra* ¶ 10.

135. The mixed materials present a recycling challenge, which Just Water reconciles by promoting hydropulping. *See supra* ¶¶ 75, 76.

136. In reality, “many recycling [centers] are not equipped” with the machinery necessary to recycle Tetra Pak cartons like Just Water’s packaging.⁷⁴ So, Just Water’s proposition that recycling the Products is a solution to the pollution crisis is misleading since recycling the Products is not widely accessible or feasible.

⁷⁴ *The Very Questionable Sustainability of Tetra Pak*, 50 Shades Greener (July 1, 2024), <https://www.fiftyshadesgreener.ie/blog/the-very-questionable-sustainability-of-tetra-pak>

137. Another issue is that Tetra Pak cartons “cannot be made into a carton again and instead leads to a mix of recycling and down-cycling.”⁷⁵

138. What this means is that if a Tetra Pak carton does end up going through the separation process, there will be remaining materials that “can only be downcycled into single use items and so will shortly end up in the landfill.”⁷⁶ This contribution to landfills stands in stark contrast to Just Water’s representation that the Products help make the “world cleaner.” *See supra* ¶ 59.

139. Another problem is that the aluminum used in Tetra Pak “cannot be extracted,” which means it gets downcycled as opposed to being infinitely recycled the way pure aluminum cans are.⁷⁷

140. This barrier to recycling aluminum in Tetra Pak cartons renders Just Water’s Sustainably Representations misleading because Just Water explicitly informs consumers that its Products use “infinitely recyclable aluminum.” *See supra* ¶ 73.

141. The complications of recycling Tetra Pak cartons means that the “cartons must often be hauled hundreds of miles to be reprocessed. San Francisco, for instance, ships its used cardboard containers via truck to a facility in Mexico, which results in higher energy costs and emissions.”⁷⁸

142. The costs of recycling Tetra Pak cartons is prohibitive, which is another reason why this type of packaging often ends up in landfills.⁷⁹

⁷⁵ *Id.*

⁷⁶ *Id.* “Down-cycle” refers to “the process of transforming unused or post-consumer products into goods of lower quality or functionality as the original.” *See* Ryan Deer, *What’s the Difference Between Upcycling and Downcycling?* RoadRunner (June 21, 2024), <https://www.roadrunnerwm.com/blog/difference-between-upcycling-and-downcycling>.

⁷⁷ *Id.*

⁷⁸ Ike Brannon, *Tetra Pak Recycling: The Complicated Economics Of Drink Containers*, Forbes (May 10, 2021), <https://www.forbes.com/sites/ikebrannon/2021/05/10/tetra-pak-recycling-the-complicated-economics-of-drink-containers/>.

⁷⁹ *Id.*

143. Despite Just Water telling consumers that “recycling access could reach 99% in the not far off future,” the viability of recycling Tetra Pak cartons is a work in progress, and far from certain. In contrast to the Sustainability Representations, *only a quarter of Tetra Pak cartons are recycled globally.*⁸⁰

144. Reasonable consumers would not expect such low recycling rates for the Products’ packaging based on the Sustainability Representations.

145. In fact, despite Just Water’s comparisons to traditional plastic bottled water, *see supra* ¶ 65, the recycling rates for such bottles is, according to certain sources, is “significantly higher than the current rate for cartons.”⁸¹

146. Overall, the Sustainability Representations mislead consumers into thinking that the Products are more sustainable than they actually are. Mainly, reasonable consumers seeing and relying on the Sustainability Representations would not expect the Products to be made of materials with low recycling rates and/or recycling rates lower than traditional plastic water bottles. Reasonable consumers would also not expect the Products to be made of materials that not only face recycling barriers, but that in some instances, may end up in a landfill or contribute to higher emissions.

CAUSE OF ACTION

Violations of The District of Columbia Consumer Protection Procedures Act

147. Pursuant to D.C. Code Sections 28-3905(k)(1) and 28-3905(k)(2), Plaintiff PPC brings this Count against Just Water on behalf of itself, its members, and the general public of the

⁸⁰ Terry Slavin, et al., *Tetra Pak trials removing aluminium layer in bid to crack recyclability challenge*, Reuters (Aug. 15, 2023), <https://www.reuters.com/sustainability/climate-energy/tetra-pak-trials-removing-aluminium-layer-bid-crack-recyclability-challenge-2023-08-15/>.

⁸¹ Adele Peters, *Boxed water isn’t the environmental solution they want you to think it is*, Fast Company (Nov. 13, 2019), <https://www.fastcompany.com/90421638/boxed-water-isnt-the-environmental-solution-they-want-you-to-think-it-is>.

District of Columbia, for Just Water's violations of the CPPA, D.C. Code §§ 28-3901–13.

148. Plaintiff incorporates by reference all the allegations in the preceding paragraphs of this Complaint.

149. Just Water markets the Products with the Sustainability Representations, despite the presence of unsustainable microplastics and the recycling issues with the Products' materials.

150. Just Water's advertising misrepresents, tends to mislead, and omits facts regarding the characteristics, standard, quality, and grade of its business practices and the Products and services it sells.

151. Just Water's goods, services, and business practices lack the characteristics, benefits, standards, qualities, or grades that Just Water states and implies in its advertisements.

152. Just Water knowingly did not sell its goods and services as advertised.

153. The facts, as alleged above, demonstrate that Just Water has violated the CPPA. Specifically, Just Water has violated D.C. Code Section 28-3904, which makes it an unlawful trade practice to:

- (a) represent that goods or services have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have; . . .
- (d) represent that goods or services are of particular standard, quality, grade, style, or model, if in fact they are of another;
- (e) misrepresent as to a material fact which has a tendency to mislead; . . .
- (f) fail to state a material fact if such failure tends to mislead;
- (f-1) [u]se innuendo or ambiguity as to a material fact, which has a tendency to mislead; . . . [or]

- (h) advertise or offer goods or services without the intent to sell them or without the intent to sell them as advertised or offered.

154. The CPPA makes such conduct an unlawful trade practice “whether or not any consumer is in fact misled, deceived or damaged thereby.” D.C. Code § 28-3904.

155. PPC need not show proof of deception to succeed on its CPPA claim; nevertheless, upon information and belief, D.C. consumers in fact have been, and are being, deceived.

156. PPC has a sufficient nexus to consumers of Just Water’s Products and services to adequately represent the interests of those consumers.

157. Because Just Water misrepresents the characteristics and benefits of the Just Water Products it provides; misrepresents the standard, quality, and grade of the Products; and advertises its Products and services without the intent to provide them as advertised, Just Water’s marketing of its services violates D.C. Code Sections 28-3904(a), (d), (e), (f), (f-1), and (h).

158. Just Water is a “person” within the meaning of D.C. Code Section 28-3901(a)(1), a merchant under Section 28-3901(a)(3), and provides “goods and services” within the meaning of Section 28-3901(a)(7).

159. Any consumer has the right to bring an action for redress of Just Water’s unlawful behavior, *see* D.C. Code § 28-3905(k)(1)(A), and the statute does not limit consumer plaintiffs according to whether they purchased the product at issue. Nevertheless, as alleged in this Complaint, the Products are marketed and sold in the District, and consumers within the District have obtained these Products under the misrepresentations made by Just Water. Therefore, a variety of purchasing and non-purchasing consumers could bring an action against Just Water based on the misrepresentations, misleading statements, and material omissions listed in this Complaint.

160. Pursuant to D.C. Code Section 28-3905(k)(1)(D)(i), “a public interest organization may, on behalf of the interests of a consumer or a class of consumers, bring an action seeking relief from the use by any person of a trade practice in violation of a law of the District if the consumer or class could bring an action under subparagraph (A) of this paragraph for relief from such use by such person of such trade practice.”

161. The only limitation on this power of a public interest organization to act on behalf of consumers is that the public interest organization must have “sufficient nexus to the interests involved of the consumer or class to adequately represent those interests.” D.C. Code § 28-3905(k)(1)(D)(ii). As set forth in this Complaint, *see supra* ¶¶ 29-35, Plaintiff PPC’s mission includes educating consumers and engaging in advocacy related to environmental and human health issues. In addition, PPC has retained the undersigned competent counsel, who have significant experience in litigating under the CPPA, to pursue this action.

162. Through Section 28-3905(k)(1)(C), the CPPA explicitly allows nonprofit organizations acting on behalf of the general public to establish “tester” standing.

163. PPC is a “person” within the meaning of D.C. Code Section 28-3901(a)(1) and a “public interest organization” within the meaning of D.C. Code Section 28-3901(a)(15).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff PPC respectfully prays for judgment against Defendant Just Water and requests the following relief:

- A. A declaration that Just Water’s marketing of its Products is in violation of the CPPA;
- B. An order enjoining Just Water’s conduct found to be in violation of the CPPA;
- C. An order granting any equitable relief, including restitution and/or disgorgement of

Defendant's profits acquired by means of its unlawful trade practices pursuant to D.C. Code 28 3905(k)(2)(E) –(F);

D. Plaintiff's costs and disbursements, including reasonable attorneys' fees and expert fees, and prejudgment interest at the maximum rate allowable by law; and

E. Such other and further relief as the Court may deem just and proper.

DATED: July 25, 2025

Respectfully submitted,



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