

## Nellie's hens are mistreated and eggs aren't free-range, lawsuit says

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The newly filed lawsuit suggests the namesake products of Nellie's Free Range Eggs aren't all they're cracked up to be.

A class-action lawsuit against the company and its parent, Pete and Gerry's Organics LLC, contends that Nellie's is "misrepresenting to the public" how it treats eggs on its cartons and website, according to the complaint filed late Wednesday in the U.S. District Court, Southern District of New York.

The lawsuit, a copy of which was obtained by New York Business Journal, states that Nellie's profits "come at the expense of consumer trust and cruel treatment of laying hens."

Nellie's, which is touted as one of the largest distributors of advertised "free-range" eggs, disputes the accusations.

"At Nellie's family farms, hens are raised with respect and dignity according to Certified Humane's Free Range standard," said Nellie's CEO [Jesse Laflamme](#), in a statement. "We can confidently say that our family farms have a flawless history of upholding our high animal welfare standards and are routinely audited by Certified Humane, as well as Nellie's farm operations personnel."

On the company's website, Nellie's states that it provides eggs from hens that are raised humanely and with adequate access to the outdoors.

The plaintiffs, however, contend that "at these farms, approximately 20,000 hens are crammed together in a single shed." The complaint further states that Nellie's is providing the hens "with just 1.2 square feet of floor space each — barely larger than their bodies — and provides hens with severely limited or no access to the outdoors."

The lawsuit included a photo:

The plaintiffs are represented by law firm Wigdor LLP and the litigation counsel for PETA, People for the Ethical Treatment of Animals.

PETA is based in Norfolk, Virginia.

New Hampshire-based Nellie's sells eggs at large retailers across the United States, including Walmart Inc. (NYSE: WMT) and Whole Foods, which is owned by Amazon.com Inc. (Nasdaq: AMZN). Nellie's also supplies eggs to the Boston Red Sox, as the company carries the designation of being the "official egg" of the Major League Baseball team.

The complaint further contends that Nellie's "condones its suppliers killing all male newborn chicks and sells its hens to slaughterhouses and live markets just 13 months after the hens have been prematurely depleted of calcium."

The statement from Laflamme, in reply, says: "It's disappointing that PETA would choose to make Nellie's Free Range eggs the target of this inaccurate campaign. This lawsuit can only be seen as PETA's latest, thinly-veiled publicity stunt to promote its vegan agenda, which ultimately only serves to hurt consumers that are reaching for a responsibly sourced food product."