SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION

INTERNATIONAL RIGHTS ADVOCATES, INC., 621 Maryland Ave. NE, Washington, D.C. 20002, Plaintiff, v. LINDT & SPRUNGLI (USA) INC., One Fine Chocolate Place, Stratham, NH, 03885; LINDT & SPRUNGLI (NORTH AMERICA) INC., 4717 Grand Avenue, Suite 700, Kansas City, MO, 64112, Defendants.	2026-CAB-003121 Case No. _____ **COMPLAINT** DEMAND FOR JURY TRIAL

PREAMBLE

On behalf of the general public of the District of Columbia, and in the interest of consumers, Plaintiff International Rights Advocates brings this action against Defendants Lindt & Sprüngli (USA) Inc. and Lindt & Sprüngli (North America) Inc. (collectively, "Lindt") concerning their false and deceptive marketing representations about the conditions under which the cocoa they use in their confectionery products are produced in Ghana and Côte d'Ivoire. For over two decades, Lindt has known that its cocoa is produced with child labor. Through initiatives such as the Lindt & Sprüngli Farming Program, Lindt has promised the public that it is working end this abusive practice in its supply chain and moving towards responsibly and sustainably sourced cocoa. But in reality, Lindt continues to profit from child labor while doing little to prevent it. Thus, consumers in the District are misled by Lindt's representations concerning the use of child labor in its supply chain. This Complaint is on behalf of the general public of the District of Columbia, in the interest of consumers. This is not a class action, and no class certification will be sought. Plaintiff alleges

the following based upon personal knowledge, information and belief, and the investigation of Counsel:

INTRODUCTION

1. International Rights Advocates ("IRAdvocates" or "Plaintiff") brings this suit under the District of Columbia Consumer Protection Procedures Act ("CPPA"), D.C. Code §§ 28-3901–3913, against Lindt & Sprüngli (USA) Inc. and Lindt & Sprüngli (North America) Inc. (collectively, "Lindt" or "Defendants"), based on Lindt's deceptive advertisement regarding the use of child labor and the implementation of sustainability programs in its cocoa supply chain.

2. The use of fair and sustainable labor practices in supply chains, and in particular the elimination of illegal child labor, is of growing concern to consumers.[1] Consumers increasingly seek out products made without the use of child labor, forced labor, exploitative working conditions, other human rights abuses, and environmentally damaging practices, especially in industries notorious for such practices.

3. Cocoa farming is one such industry, with a well-publicized history of human trafficking, child slavery, environmental degradation, and other human rights violations.

4. There is no doubt that child labor and other labor abuses remain a serious and pervasive problem in Côte d'Ivoire and Ghana.[2] Children perform hazardous work in cocoa

[1] The concept of "sustainability" is not only about protecting the environment; it also is heavily concerned with eliminating social and economic exploitation to ensure long-term prosperity. *See* G.A. Res. 70/1, at 1 (Sept. 25, 2015), https://docs.un.org/en/A/RES/70/1 (recognizing the "the three dimensions of sustainable development: the economic, social and environmental"). Because child labor "is an egregious form of violence that is contrary to the very concept of decent work . . . [and] harms the health, development and education of children and perpetuates the vicious cycle of poverty and deprivation," it is an inherently unsustainable practice. *See* Off. of the Special Representative of the Sec'y-Gen. on Violence Against Child., Seeing the Sustainable Development Goals and Voluntary National Reviews Through a Child Protection Lens, at 16 (2022), https://violenceagainstchildren.un.org/sites/default/files/2025-09/VNR%20Review%20-%202022.pdf.

[2] *Child Labor and Forced Labor Reports: Côte d'Ivoire*, Bureau of Int'l Lab. Affs., U.S. Dep't of Lab., https://www.dol.gov/agencies/ilab/resources/reports/child-labor/cote-divoire (last visited May 7, 2026); *Child Labor and Forced Labor Reports: Ghana*, Bureau of Int'l Lab. Affs., U.S. Dep't of Lab., https://www.dol.gov/agencies/ilab/resources/reports/child-labor/ghana (last visited May 7, 2026).

farming, including burning and clearing fields, cutting down trees to expand cocoa plantations, spraying pesticides, using sharp tools to break pods, and transporting heavy loads of cocoa pods and water. Plaintiff has directly observed and documented children performing these hazardous activities on numerous research trips to Côte d'Ivoire and Ghana from 1999[3] to the present, as illustrated in the photos below:



Child laborer, 12 years of age, uses a machete to harvest cocoa pods in Côte d'Ivoire.



A representative of IRAdvocates speaks with child laborer, approximately 13 years of age, about the working conditions on a plantation in Côte d'Ivoire. The child explains that he is very hungry.

[3] Plaintiff's Executive Director, Terrence Collingsworth, did early research on child slavery with IRAdvocates' predecessor organization, International Labor Rights Forum.



Child laborers approximately aged 9–14 gather on a cocoa plantation in Côte d'Ivoire.

5. Lindt is among the world's largest and most well-known chocolate companies. It sells a variety of chocolate and confectionery products in which cocoa is a key ingredient. This Complaint will refer to Lindt's cocoa-containing products as "the Products."

6. Lindt claims to offer consumers "Indulgence rooted in responsibility."[4] By purchasing Lindt chocolate, Lindt claims consumers can expect their purchase to "support farming communities to promote children's rights" and "contribute to the economic resilience of farming households" through the Lindt & Sprüngli Farming Program.[5] Furthermore, Lindt represents that its Farming Program takes meaningful action to reduce the risk of child labor in its cocoa supply chain. These representations are false and misleading to consumers.

[4] *Indulgence Rooted in Responsibility*, Lindt & Sprüngli, https://www.lindt-spruengli.com/sustainability (last visited May 7, 2026).
[5] *The Lindt & Sprüngli Farming Program*, Lindt & Sprüngli Farming Program, https://www.farming-program.com/en/ (last visited May 7, 2026).

7. Lindt makes these representations through public advertisements and publicly available plans, reports, and internal codes.

8. Lindt's representations deceive consumers into believing that Lindt is taking meaningful action to address and prevent child labor in its supply chain, while no such actions are occurring.

9. Lindt also perpetuates misleading claims about its sustainability and labor practices through seals and certifications that it prints on some of its Products' packaging. Through these seals and certifications, Lindt postures itself as a benevolent actor fighting against child labor. In reality, Lindt continues to profit enormously from child labor while taking no meaningful action to rid the practice from its supply chain.

10. Consumers who wish to purchase more ethical and sustainable alternatives rely on product packaging, marketing, advertising, and company reports to make informed decisions about what to purchase.

11. Consumers seeking to buy ethically and sustainably sourced products are misled into believing that Lindt is committed to—and making progress towards—eradicating child labor from its supply chain.

12. This is a consumer-protection case concerning Lindt's deceptive claims about sources of the cocoa used in its Products. This case is brought by IRAdvocates, a nonprofit, public interest organization dedicated to holding corporations accountable for human rights abuses in the global supply chain and informing the public, including consumers, about the realities of these abuses.

13. IRAdvocates alleges that Lindt's advertising—which indicates that the company is committed to eradicating child labor from its supply chains and is making great progress in doing so—is false and misleading to District consumers.

PARTIES

14. Plaintiff IRAdvocates is a 501(c)(3) nonprofit organization based in Washington, D.C., that is dedicated to exposing human rights violations in global supply chains and seeking accountability from multinational companies responsible for those violations. IRAdvocates promotes its mission by litigating cases, conducting research, and educating the general public, including consumers, about such abuses and the failures of multinational companies to live up to their promises relating to humane treatment of people in their supply chains. Often, as in this case, IRAdvocates' goal is to influence companies like Lindt to honor and implement the policies and codes of conduct that they have already promised consumers they are applying throughout their supply chains.

15. Defendants each are wholly owned subsidiaries of the Swiss corporation Chocoladefabriken Lindt & Sprüngli AG. Defendant Lindt & Sprüngli (USA) Inc. is incorporated in New York with headquarters in New Hampshire. Defendant Lindt & Sprüngli (North America) Inc. is incorporated in Delaware with headquarters in Missouri. Together, Defendants are among the most prominent chocolate manufacturers and distributors in the United States.

16. As a dominant player in the global cocoa industry, Lindt sources, processes, and trades cocoa from major cocoa-producing regions, including Ghana and Côte d'Ivoire. Lindt advertises and sells premium chocolate Products nationwide, including in the District of Columbia.

STATUTORY FRAMEWORK

17. This action is brought under the District of Columbia Consumer Protection Procedures Act ("CPPA"), D.C. Code §§ 28-3901–13.

18. The CPPA makes it a violation for "any person" to, *inter alia*:

> "[R]epresent that goods or services have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have";
>
> "[R]epresent that goods or services are of a particular standard, quality, grade, style or model, if in fact they are of another";
>
> "[M]isrepresent as to a material fact which has a tendency to mislead";
>
> "[F]ail to state a material fact if such failure tends to mislead";
>
> "[U]se innuendo or ambiguity as to a material fact, which has a tendency to mislead"; or
>
> "[A]dvertise or offer goods or services without the intent to sell them or without the intent to sell them as advertised or offered";

D.C. Code §§ 28-3904(a), (d), (e), (f), (f-1), (h).

19. While the CPPA enumerates a number of specific unlawful trade practices, *see* D.C. Code § 28-3904, the enumeration is not exclusive. A main purpose of the CPPA is to "assure that a just mechanism exists to remedy all improper trade practices." D.C. Code § 28-3901(b)(1); *see also, e.g.*, *Dist. Cablevision Ltd. P'ship v. Bassin*, 828 A.2d 714, 722–23 (D.C. 2003); *Osbourne v. Capital City Mortg. Corp.*, 727 A.2d 322, 325–26 (D.C. 1999); *Atwater v. D.C. Dep't of Consumer & Reg. Affairs*, 566 A.2d 462, 465 (D.C. 1989).

20. A violation may occur regardless of "whether or not any consumer is in fact misled, deceived, or damaged thereby." D.C. Code § 28-3904.

21. 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.*

22. Under the statute, a "merchant" is defined as "a person, whether organized or operating for profit or for a nonprofit purpose, who in the ordinary course of business does or would sell, lease (to), or transfer, either directly or indirectly, consumer goods or services, or a person who in the ordinary course of business does or would supply the goods or services which are or would be the subject matter of a trade practice." *Id.* § 28-3901(a)(3)(A).

23. Defendants Lindt & Sprüngli (USA) Inc. and Lindt & Sprüngli (North America) Inc. are "merchants" because they are corporations that operate for profit by directly selling consumer goods and services to the public in Washington, D.C.

24. Plaintiff IRAdvocates is a nonprofit, public-interest organization statutorily empowered pursuant to D.C. Code § 28-3905(k)(1)(D) to represent the interests of District of Columbia consumers.

25. Per D.C. Code § 28-3905(k)(1)(D)(i), a public interest organization may act on behalf of the general public and bring any action that an individual consumer would be entitled to bring:

> [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.

Subparagraph (A) provides: "A consumer may bring an action seeking relief from the use of a trade practice in violation of a law of the District," and pursuant to D.C. Code § 28-3901(c), placing false and misleading advertising into the D.C. marketplace is a trade practice in violation of the CPPA.

26. A "public interest organization" under the CPPA is defined as "a nonprofit organization that is organized and operating, in whole or in part, for the purpose of promoting the interests or rights of consumers." *Id.* § 28-3901(a)(15).

27. IRAdvocates is a 501(c)(3) nonprofit organization that is organized and operating for the purpose of advocating for human rights and transparency in corporate supply chains—an issue that matters deeply to many consumers. IRAdvocates' operations include combatting consumer fraud and educating consumers about the grim conditions under which many popular goods are sourced and produced. These educational efforts empower consumers to make informed decisions about which products to buy and which companies to support. IRAdvocates, thus, is a public interest organization that may act on behalf of the general public and bring an action that an individual consumer would be entitled to bring. *See id.* §§ 28-3901(a)(15), 3905(k)(1)(D)(i).

28. A public interest organization may act on behalf of the interests of consumers, i.e., the general public of the District of Columbia, so long as the organization has "sufficient nexus to the interests involved of the consumer or class to adequately represent those interests." *Id.* § 28-3905(k)(1)(D)(ii).

29. IRAdvocates' work addresses a wide range of human rights issues through strategic ligation, research, policy advocacy, training, and coalition building. IRAdvocates represents consumers' interests by raising awareness of human rights violations that are commonplace in corporate supply chains. This work includes educating consumers in the District about such exploitative corporate practices. Additionally, since 1998, IRAdvocates has been working to expose child slavery and other abuses of children in cocoa harvesting. In particular, IRAdvocates has conducted extensive research in Côte d'Ivoire and Ghana to expose that the child labor remediation programs Lindt and other cocoa companies claim are helping to eradicate child labor

are ineffective and designed to mislead consumers. IRAdvocates, thus, has a sufficient nexus to D.C. consumers' interests in knowing the truth about the source of their cocoa products and being able to make informed purchasing decisions in compliance with personal ethics.

30. Accordingly, Plaintiff has standing to challenge Lindt's misrepresentations about its Products in the District.

31. This is not a class action, nor an action brought on behalf of any specific consumer. IRAdvocates brings this action on behalf of the general public, i.e., the interests of D.C. consumers generally. No class certification will be requested.

32. This action does not seek damages. Instead, Plaintiff 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," "[r]easonable attorney's fees," and "[a]ny other relief which the court determines proper." *Id.* § 28-3905(k)(2)(D), (B), (F). Plaintiff seeks injunctive relief enjoining Defendants from continuing to engage in the unlawful trade practices set forth in this Complaint. Plaintiff also seeks declaratory relief in the form of an order holding Lindt's conduct to be unlawful in violation of the CPPA and requests its attorneys' fees and costs incurred in bringing this action.

JURISDICTION AND VENUE

33. This Court has personal jurisdiction over the Parties in this case. Plaintiff consents to this Court having personal jurisdiction over it.

34. This Court has personal jurisdiction over Defendants pursuant to D.C. Code § 13-423. Lindt has sufficient minimum contacts with the District of Columbia to establish personal jurisdiction of this Court over it because Lindt purposefully avails itself of the benefits and protections of District of Columbia law.

35. Lindt markets and sells its Products to consumers within the District. D.C. consumers who purchase the Products have access to Lindt's representations about its Products through product packaging, the internet, and other forms of advertising. Lindt's deceptive schemes and acts are directed at persons residing in, located in, or doing business in the District.

36. This case arises out of Lindt's representations made in the District of Columbia, to residents of the District, and with the intent that residents would act upon those representations and purchase the Products within the District. The beneficiaries of this action are D.C. consumers.

37. This Court has subject-matter jurisdiction over this action pursuant to the CPPA, D.C. Code § 28-3901–13.

38. Venue is proper in this Court because the events giving rise to this action take place in the District of Columbia. Lindt markets and sells the Products in the District. Lindt's misleading representations are targeted at and accessible to D.C. consumers who purchase the Products in the District.

BACKGROUND

39. Lindt sources the majority of its cocoa from West Africa—100% of its consumer grade cocoa beans are sourced from Ghana, and it sources cocoa butter from Côte d'Ivoire.[6] Ghana and Côte d'Ivoire are among the world's largest exporters of cocoa beans.[7] Together, the two countries produce nearly half of the world's cocoa supply.[8]

[6] *Where Do Our Cocoa Beans Come From?*, Lindt USA, https://lindtusa.zendesk.com/hc/en-us/articles/19229492339868-Where-do-our-cocoa-beans-come-from (last visited May 7, 2026); *Our Cocoa Bean Origins*, Lindt and Sprüngli Farming Program, https://www.farming-program.com/en/farming-program/our-cocoa-bean-origins (last visited May 7, 2026) (Côte d'Ivoire tab).

[7] *FAOSTAT: Crops and Livestock Products*, Food & Agric. Org. of the United Nations, https://www.fao.org/faostat/en/#data/QCL (last visited May 7, 2026) (filter Countries = Select All, Elements = Production Quantity, Items = Cocoa beans, and Years = 2024; then click Show Data, and sort table by values descending).

[8] *See id.*

40. According to the U.S. Department of Labor, children working in the Ivorian and Ghanaian cocoa industries are subjected to the worst forms of child labor, as defined by International Labour Organization ("ILO") Convention No. 182.[9] ILO Convention No. 182 defines the worst forms of child labor as, inter alia, "[a]ll forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict" and "[w]ork which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."[10]

41. Practices amongst the worst forms of child labor include forced child labor (work performed by children under threat or menace of penalty), burning and clearing fields, cutting down trees to expand cocoa plantations, spraying pesticides, using sharp tools such as machetes to cut down and open pods, and transporting heavy loads of cocoa pods and water.[11] These practices are endemic to the cocoa sectors in Côte d'Ivoire and Ghana.[12]

42. Lindt is aware of the sordid history of the cocoa sector's reliance on exploited child labor. The pervasiveness of child labor and forced child labor in West Africa has been subject to increasing scrutiny since the late 1990s. In 2001, the ILO released a report that confirmed the trafficking of children from neighboring countries to Côte d'Ivoire to work in the agricultural

[9] U.S. Dep't of Lab., Côte d'Ivoire: 2024 Findings on the Worst Forms of Child Labor 1 (2025), https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2024/C%C3%B4te-dIvoire.pdf; U.S. Dep't of Lab., Ghana: 2024 Findings on the Worst Forms of Child Labor 1 (2025); https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2024/Ghana.pdf.
[10] Convention (No. 182) Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, arts. 3(a), (d), June 17, 1999, T.I.A.S. No. 13045, 2133 U.N.T.S. 161.
[11] U.S. Dep't of Lab., Côte d'Ivoire: 2024 Findings on the Worst Forms of Child Labor, *supra* note 9, at 1; U.S. Dep't of Lab., Ghana: 2024 Findings on the Worst Forms of Child Labor, *supra* note 9, at 1.
[12] U.S. Dep't of Lab., Côte d'Ivoire 2024 Findings, *supra* note 9, at 1; U.S. Dep't of Lab., Ghana 2024 Findings, *supra* note 9, at 1.

sector.[13] A 2002 U.S. Department of Labor-funded study estimated that more than 200,000 Ivorian children were performing hazardous work on cocoa farms—100,000 of whom were younger than age 15.[14] The study also estimated that 38,700 Ghanaian children were involved in clearing fields with machetes, 18,000 of whom were younger than age 15.[15] Drawing on this study, the U.S. Department of State reported in 2004 that 5,000 to 10,000 children may have been trafficked to work in the Ivorian cocoa sector, and that there were approximately 109,000 child laborers in Côte d'Ivoire on cocoa farms engaged in the worst forms of child labor.[16]

43. Further studies funded by the U.S. Department of Labor revealed child labor and the worst forms of child labor to be occurring on cocoa farms in Côte d'Ivoire and Ghana at a much greater magnitude.[17] The most recent data was collected in the 2018–19 growing season by the National Opinion Research Center ("NORC") at the University of Chicago.

[13] Int'l Lab. Org., Combating Trafficking in Children for Labour Exploitation in West and Central Africa 10 tbl.2, 12 (2001), https://www.ilo.org/publications/combating-trafficking-children-labour-exploitation-west-and-central-africa.
[14] *See* Int'l Inst. of Tropical Agric., Child Labor in the Cocoa Sector of West Africa: A Synthesis of Findings in Cameroon, Côte d'Ivoire, Ghana, and Nigeria 15 tbl.4 (2002), https://www.cocoainitiative.org/knowledge-hub/resources/child-labor-cocoa-sector-west-africa.
[15] *See id.*
[16] U.S. Dep't of State, Country Reports on Human Rights Practices for 2004, at 176 (2005), https://www.govinfo.gov/content/pkg/CPRT-109JPRT99700/pdf/CPRT-109JPRT99700.pdf.
[17] *See, e.g.*, Payson Ctr. for Int'l Dev., Tulane Univ. Sch. of Pub. Health, First Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana (2007), https://www.dol.gov/sites/dolgov/files/ILAB/research_file_attachment/FINAL%20FIRST%20ANNUAL%20REPORT.pdf ; Payson Ctr. for Int'l Dev., Tulane Univ. Sch. of Pub. Health, Second Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana (2008), https://www.dol.gov/sites/dolgov/files/ILAB/research_file_attachment/FINAL%20Second%20Annual%20Report.pdf ; Payson Ctr. for Int'l Dev., Tulane Univ. Sch. of Pub. Health, Third Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana (2009), https://www.dol.gov/sites/dolgov/files/ILAB/research_file_attachment/Third%20Annual%20Report.pdf ; Payson Ctr. for Int'l Dev., Tulane Univ. Sch. of Pub. Health, Final Report: Survey Research on Child Labor in West African Cocoa Growing Areas (2015), https://www.dol.gov/sites/dolgov/files/ILAB/research_file_attachment/Tulane%20University%20-%20Survey%20Research%20Cocoa%20Sector%20-%2030%20July%202015.pdf.

44. The NORC study concluded that 1.56 million child laborers were involved in cocoa production and harvesting in Côte d'Ivoire and Ghana during the 2018–19 growing season.[18] Of these 1.56 million children, 790,000 worked in Côte d'Ivoire and 770,000 worked in Ghana.[19] The World Cocoa Foundation—of which Lindt is a member—has recognized the deeply troubling nature of these numbers.[20]

45. NORC also found that about 1.48 million child laborers were engaged in hazardous labor in Côte d'Ivoire and Ghana during the 2018–19 growing season.[21] The most common types of hazardous labor included the use of sharp tools (1.2 million children), carrying heavy loads (990,000 children), and agrochemical exposure (840,000 children).[22] Other forms of hazardous labor surveyed include land clearing (650,000 children), working at night (80,000 children), and working long hours (22,800 children).[23]

46. Between the 2008–09 and 2018–19 growing seasons, the prevalence rate[24] of child labor in cocoa increased from 31% to 45%—14 percentage points.[25] The prevalence rate of hazardous child labor in cocoa increased from 30% to 43%—13 percentage points—in that same period.[26] Thus, the study concluded that "despite the efforts made by the governments, Industry, and other key stakeholders in combating child labor and hazardous child labor during the past 10 years, the child labor and hazardous child labor prevalence rates did not go down."[27]

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[18] Nat'l Op. Rsch. Ctr., Assessing Progress in Reducing Child Labor in Cocoa Production in Cocoa Growing Areas of Côte d'Ivoire and Ghana 10 (2020), https://www.norc.org/content/dam/norc-org/pdfs/NORC%202020%20Cocoa%20Report_English.pdf.
[19] *Id.*
[20] *Empowering Communities*, World Cocoa Found. (Oct. 19, 2020), archived at https://web.archive.org/web/20230704115508/https://www.worldcocoafoundation.org/focus-areas/empowered-communities/.
[21] Nat'l Op. Rsch. Ctr., *supra* note 18, at 10.
[22] *Id.* at 48 tbl.6.
[23] *Id.*
[24] The prevalence rate is defined as the "proportion of children age 5-17 in child labor" who are involved "in cocoa production among agricultural households in cocoa growing areas of Côte d'Ivoire and Ghana." *Id.* at 12.
[25] *Id.*
[26] *Id.*
[27] *Id.*

47. Additionally, the U.S. Department of Labor has described the harrowing conditions of human trafficking and forced child labor within the Ivorian cocoa industry:

> Some children are sold by their parents to traffickers, some are kidnapped, and others migrate willingly but fall victim to traffickers who sell them to recruiters or farmers, where they end up in conditions of bonded labor. Some farmers buy the children and refuse to let them leave the farm until the debt of their purchase has been worked off. The children are frequently not paid for their work; some of their wages are paid to the recruiter or trafficker. These children are held against their will on isolated farms, are locked in their living quarters at night, and are threatened and beaten if they attempt to escape. They are punished by their employers with physical abuse. They are forced to work long hours, including overtime, and are required to work even when they are sick. Some children are denied sufficient food by their traffickers and employers. Some children are forced to perform dangerous tasks, including carrying heavy loads, using machetes and sharp tools, and applying pesticides and fertilizers.[28]

48. The world's major chocolate companies have been promising to fix the problem for more than two decades despite child labor in the cocoa industry only worsening over time.

49. In 1999, labor rights and consumer groups facilitated the introduction of legislation that would ban the importation of cocoa harvested by child labor. Facing mandatory consequences for use of child labor, the cocoa industry staunchly opposed and successfully lobbied against this bill by agreeing to the Harkin-Engel Protocol.

50. The 2001 Harkin-Engel Protocol was a voluntary initiative that gave the companies who signed it until 2005 to phase out the worst forms of child labor in their supply chains in Côte d'Ivoire and Ghana. Though the Protocol was aimed at eliminating the worst forms of child labor in the cocoa sector, what instead ensued was years of corporate public relations campaigns through which major chocolate companies promised consumers they were sourcing cocoa more sustainably and working towards eradicating child labor, while in reality no such progress was being made.

[28] *List of Goods Produced by Child Labor or Forced Labor*, Bur. of Int'l Lab. Affs., U.S. Dep't of Lab., https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print (last visited May 7, 2026).

51. Though Lindt was not among the original signatories of the Harkin-Engel Protocol, Lindt aligned with the industry's sustainability trend beginning in 2008 when it launched the Lindt & Sprüngli Farming Program in order to "create decent and resilient livelihoods for cocoa farmers and their families, and encourage more sustainable farming practices."[29] Lindt claims the Farming Program "aim[s] to achieve this by facilitating higher productivity of farms, diversified household incomes, preservation of biodiversity and natural ecosystems, reduced risk of child labor, and improved infrastructure in communities."[30] Despite this carefully orchestrated public relations campaign that has spanned nearly two decades, Lindt has done virtually nothing to actually improve the situation for farmers and children on the ground.

52. This Complaint describes how Lindt continues to mislead the public by falsely representing that it is (1) committed to responsibly and sustainably sourcing cocoa, and (2) taking meaningful action fight child labor in its cocoa supply chain. In reality, Lindt continues to profit immensely off of the child labor in its supply chain while directly contributing to the extreme farmer poverty that necessitates the use of child labor in West African cocoa farming in the first place.

FACT ALLEGATIONS

I. Lindt Represents to Consumers That It Is Committed to and Making Progress in Reducing Child Labor Risks in Its Cocoa Supply Chain.

A. Lindt Advertises That It Is Committed to Respecting Human Rights, Reducing Child Labor Risks, and Improving Farmers' Livelihoods in Its Cocoa Supply Chain.

53. Lindt publicly maintains a variety of official consumer-facing policies and standards that underscore the company's purported commitment to respecting human rights and

[29] Lindt & Sprüngli, The Lindt & Sprüngli Farming Program: Partnering with Cocoa Farmers and their Communities 2 (2022), https://www.lindt-spruengli.com/amfile/file/download/id/7009/file/Farming-Program-Brochure-2022-EN.pdf.
[30] *Id.*

upholding corporate social responsibility throughout its supply chain. A major part of this purported commitment is a commitment to fighting the child labor that is endemic in its cocoa supply chain.

54. In its Human Rights Policy, for instance, Lindt explains that "[c]onducting business in an ethical, legal, and environmentally and socially responsible manner is an integral part of Lindt & Sprüngli's Guiding Principles. . . . We cannot realize this commitment and contribute to a sustainable tomorrow without acting with respect for human rights in every aspect of our business."[31]

55. Lindt claims its human rights commitment is guided by various international conventions and standards, including the United Nations Guiding Principles on Business and Human Rights, the International Bill of Human Rights, and the ILO Declaration on Fundamental Principles and Rights and Work, and other core International Labour Standards, all of which reinforce the right of the child to be free from child labor.[32]

56. Lindt further recognizes child labor as a human rights issue that is "particularly relevant to [its] business, industry and supply chains."[33]

57. In its Supplier Code of Conduct, Lindt says it "expect[s] [its] Suppliers to commit to respect human rights and to comply with applicable local laws and regulations [and] uphold the commitments of [its] Human Rights Policy," and that its "goal is to work with [its] Suppliers to assure full compliance with these requirements."[34]

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[31] Lindt & Sprüngli, Human Rights Policy 2 (2023), https://www.lindt-spruengli.com/amfile/file/download/id/6733/file/Human-Rights-Policy-2022-E.pdf; *see also* Lindt & Sprüngli, Business Code of Conduct 2 (2022) ("Lindt & Sprüngli is committed to respecting human rights."), https://www.lindt-spruengli.com/amfile/file/download/id/6718/file/Business-Code-of-Conduct-2022.pdf.

[32] Lindt & Sprüngli, Human Rights Policy, *supra* note 31, at 2.

[33] *Id.* at 3.

[34] Lindt & Sprüngli, Supplier Code of Conduct and Compliance Declaration 2 (2022), https://www.lindt-spruengli.com/amfile/file/download/id/6751/file/Supplier-Code-of-Conduct-2022-E.pdf.

58. "Child Labor Avoidance" is a key provision of the Supplier Code of Conduct. Pursuant to the Code, "Suppliers shall not, under any circumstances, use child labor as defined by ILO and United Nations Convention and/or national law, whichever is more stringent."[35]

59. Lindt's Modern Slavery Statement "provides information on the efforts, action plans and progress to identify and address the risks of modern slavery in the operations and supply chains of Lindt & Sprüngli."[36] In that Statement, Lindt repeatedly emphasizes to consumers that it is committed to respecting human rights and describes how it implements that commitment throughout its supply chains.[37] That purportedly includes "implementing a due diligence process aimed at preventing, mitigating, or ceasing adverse human rights and environmental impacts throughout the organization and our supply chain, including all forms of modern slavery, forced labor and child labor."[38]

60. Lindt recognizes that the "[n]egative social impacts [of sourcing raw materials] can encompass human rights violations, low incomes for farmers, gender inequality, and poor labor conditions, including instances of child labor," and that such issues are "particularly prevalent" in the cocoa industry.[39] Lindt also recognizes that "[t]he risk of child labor is particularly high in West African countries."[40]

61. In light of these facts, Lindt claims to implement a "responsible sourcing approach" to "help minimize potential negative social or environmental impacts."[41]

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[35] *Id.* at 3.
[36] Lindt & Sprüngli, Modern Slavery Statement 2024, at 2 (2025), https://www.lindt-spruengli.com/amfile/file/download/id/9581/file/Modern-Slavery-Statement-2024.pdf.
[37] *E.g.*, *id.* at 2, 6, 8, 9, 10.
[38] *Id.* at 2.
[39] *Id.* at 10.
[40] *Id.* at 6.
[41] *Id.* at 9, 10.

62. Lindt assures consumers: "Cocoa is our most important raw material, and we are committed to sourcing it responsibly."[42]

63. Lindt makes further assurance that it "strongly condemns all forms of child labor and systematically investigates suspected cases of child labor."[43]

64. A "building block" of Lindt's "responsible sourcing approach" is the Lindt & Sprüngli Farming Program, implemented by cocoa suppliers in several countries, including Ghana and Côte d'Ivoire, "with the objective to increase the resilience of farming households, reduce the risk of child labor, and conserve biodiversity and natural ecosystems."[44]

B. Lindt Advertises the Lindt and Sprüngli Farming Program as Reducing the Risk of Child Labor and Improving Farmer Livelihoods in Its Cocoa Supply Chain.

65. In 2008, Lindt launched the Lindt & Sprüngli Farming Program in order to "address social and environmental impacts in [its] cocoa supply chain."[45] Lindt claims that "[t]hrough the Lindt & Sprüngli Farming Program, we aim to contribute to the economic resilience of farming households, address child labor risks and support farming communities to promote children's rights."[46]

66. Lindt advertises that "[t]he goal of our Farming Program is to create decent and resilient livelihoods for cocoa farmers and their families, and encourage more sustainable farming practices. We aim to achieve this by facilitating higher productivity of farms, diversified household

[42] Lindt & Sprüngli, The Lindt & Sprüngli Farming Program: Partnering with Cocoa Farmers and their Communities, *supra* note 29, at 3.
[43] *Frequently Asked Questions*, Lindt & Sprüngli Farming Program, https://www.farming-program.com/en/frequently-asked-questions (last visited May 7, 2026) (under "What is the position of Lindt & Sprüngli on child labor and what does the company do to prevent it in its supply chain?").
[44] Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36 at 10.
[45] *The Lindt & Sprüngli Farming Program*, *supra* note 5.
[46] *Invest in Livelihoods of Farming Families*, The Lindt & Sprüngli Farming Program, https://www.farming-program.com/en/farming-program/invest-in-livelihoods-of-farming-families (last visited May 7, 2026).

incomes, preservation of biodiversity and natural ecosystems, reduced risk of child labor, and improved infrastructure in communities."[47]

67. Lindt claims that it achieved sourcing 100% of its cocoa beans through the Farming Program in 2020, and has since expanded the Program to cocoa butter and cocoa powder.[48] Additionally, Lindt reports that it achieved its goal of "sourc[ing] 100% of cocoa products—beans, butter, powder, and chocolate mass—through the Lindt & Sprüngli Farming Program or other Responsible Sourcing Standards by 2025."[49] On top of this, Lindt reports that as of 2026, "all of our cocoa volumes, including beans, butter, and powder, are now sourced as Rainforest Alliance Certified. Our Farming Program continues to advance, aiming to increase the resilience of farming households, reduce the risk of child labor, and conserve biodiversity and natural ecosystems."[50]

68. Lindt recognizes that "[c]hild labor remains a critical issue in the cocoa sector" that is "driven by a multitude of factors, including farming households' poverty, lack of awareness and access to education, and the high labor costs of cocoa production. . . . The most common type of child labor in cocoa is hazardous work, including the use of sharp tools, the carrying of heavy loads, and exposure to agrochemicals."[51]

69. Lindt advertises its Child Labor Monitoring and Remediation Systems ("CLMRS") as its "foundational due diligence tool to address child labor risks" for families registered in the Lindt & Sprüngli Farming Program.[52] Lindt claims that its CLMRS "aims to identify children in,

[47] Lindt & Sprüngli, The Lindt & Sprüngli Farming Program: Partnering with Cocoa Farmers and their Communities, *supra* note 29, at 2.
[48] *The Lindt & Sprüngli Farming Program*, *supra* note 5.
[49] Lindt & Sprüngli, Integrated Annual Report 2025, at 35, 62 (2026), https://www.lindt-spruengli.com/amfile/file/download/id/10512/file/Integrated-Annual-Report-2025.pdf.
[50] *Id.* at 6.
[51] Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36, at 12.
[52] *Invest in Livelihoods of Farming Families*, *supra* note 46.

or at risk of child labor, to provide ongoing guidance, and to support improving their situation and to follow their progress over time."[53]

70. Lindt defines CLMRS as follows:

> A CLMRS is a means of targeting prevention, mitigation, and remediation assistance to children involved in, or at risk of, child labor, as well as to their families and communities. At Lindt & Sprüngli, the implementation of the CLMRS as part of the Farming Program is defined by its CLMRS Implementation Guidance, which we share with our suppliers. The CLMRS offers a framework for child labor risk assessments, preventive interventions for protecting children's rights, child labor identification, child labor remediation, and activity tracking and reporting.[54]

71. Lindt claims that its CLMRS Guidance, which suppliers in high-risk countries are required to follow, includes the following five steps: (1) assessing farming household and community risks, (2) implementing preventive interventions, (3) monitoring farming households, (4) providing remediation to children identified in child labor, and (5) reporting data and progress.[55]

72. According to Lindt, "[s]ince the start of implementation in 2022, supplier awareness has increased through training and capacity building of field staff. Furthermore, the risk assessment required as part of the CLMRS enabled unannounced visits to target high-risk households. As a result, we have observed better identification of child labor and respective remediation actions. This demonstrates the enhanced effectiveness of the system adopted by suppliers. The more efficient and effective our identification system, the better we can work with suppliers on remediation and prevention."[56]

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[53] *Id.*
[54] *Glossary*, Lindt & Sprüngli, https://www.farming-program.com/en/glossary (last visited May 1, 2026).
[55] Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36, at 13.
[56] Lindt & Sprüngli, Sustainability Report 2023, at 34 (2024), https://reports.lindt-spruengli.com/sustainability-report-2023/_assets/downloads/entire-lindt-sr23.pdf.

73. Lindt represents that it plays an active role in overseeing and ensuring the efficacy of the CLMRS programs implemented by its suppliers. "We support the implementation of a Child Labor Monitoring and Remediation System (CLMRS) by: overseeing our suppliers' implementation of the CLMRS; collaborating with technical partners to help manage data quality and oversee implementation on the ground; and supporting suppliers to set-up field teams with sufficient capacity and expertise for improved identification, prevention and remediation of child labor."[57] Lindt further claims that "[i]f the CLMRS approach is deemed unsuitable, alternative systems or strategies to address child labor are developed and implemented, according to the local context."[58] Such representations serve to assure consumers that its CLMRS program is not merely perfunctory, as it is continuously subject to Lindt's own rigorous supervision and continuous evaluation.

74. Lindt claims to implement CLMRS in "high-risk countries," which include Ghana and Côte d'Ivoire.[59] Lindt reported in 2024 that it had 89,500 farming households in Ghana and Côte d'Ivoire registered in the Farming Program and covered by CLRMS.[60]

75. Lindt claims that it now sources "100% of our cocoa volume from child labor risk countries as covered by a Child Labor Monitoring and Remediation System (CLMRS) or another due diligence system" and aims to maintain this through 2030.[61] For farmers not covered by Lindt's own Farming Program's CLMRS, Lindt says it "rel[ies] on the requirements of, and verification through, the Rainforest Alliance certification."[62]

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[57] Lindt & Sprüngli, Lindt & Sprüngli Farming Program 2026–2030, at 7 (2026) https://www.lindt-spruengli.com/amfile/file/download/id/10509/file/Farming-Program-2026-2030.pdf.
[58] *Id.*
[59] *Invest in Livelihoods of Farming Families*, *supra* note 46.
[60] Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36, at 14.
[61] *Invest in Livelihoods of Farming Families*, *supra* note 46.
[62] *Id.*

76. Rainforest Alliance certification requires complying with the organization's Sustainable Agriculture Standard Farm Requirements. The Rainforest Alliance standards themselves purport to require participating farms to have systems for monitoring and remediating child labor.[63]

77. Moreover, recognizing that "child labor is a systemic issue [that] cannot be solved on a broader scale solely by engaging individual households and supporting individual children," Lindt claims to "complement the CLMRS with prevention strategies at a community level, collective action and with efforts to strengthen public child protection systems. These efforts aim to address root causes of child labor, while aligning with and supporting public child protection systems."[64]

78. With respect to the root causes of child labor, Lindt recognizes that farmer poverty is a direct contributing cause. In addition to CLMRS, Lindt says that "[w]ith the Farming Program we also aim to address child labor risks by increasing the resilience of farming households."[65]

79. Indeed, "contribut[ing] to the economic resilience of farming households" is another purported aim of the Lindt & Sprüngli Farming Program: "Poverty among cocoa households is one of the underlying root causes of the cocoa sector's challenges. At Lindt & Sprüngli, we believe that cocoa farmers deserve to earn an income that is sufficient to support a decent standard of living."[66]

80. Lindt elaborates on this point on its FAQ Page:

> Cocoa farmers worldwide are essential for the sustainability and long-term success of our business. However, many cocoa farmers struggle to build

[63] Rainforest All., Rainforest Alliance Sustainable Agriculture Standard: Farm Requirements 50–54 (2026), https://knowledge.rainforest-alliance.org/docs/rainforest-alliance-sustainable-agriculture-standard-farm-requirements.
[64] *Invest in Livelihoods of Farming Families*, *supra* note 46.
[65] Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36, at 14.
[66] *Invest in Livelihoods of Farming Families*, *supra* note 46.

> resilient livelihoods from growing cocoa. Especially in West Africa, many live below the poverty line and child labor remains a persistent challenge. These issues are complex and systemic—but we believe that bundled interventions, long-term relationships, and collective action can drive meaningful change. The Lindt & Sprüngli Farming Program strives to contribute to building resilient livelihoods for farmers, their families, and farming communities. Our goal is to improve the income situation of the farmers in our cocoa value chain, as poverty among cocoa households is one of the underlying root causes of the cocoa sector's challenges.[67]

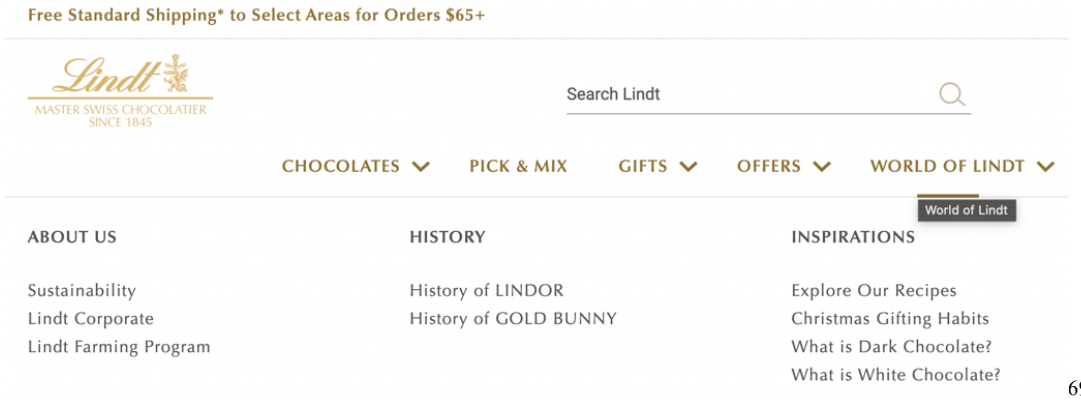
81. Lindt prominently highlights these features of the Lindt and Sprüngli Farming Program in its advertising of its sustainability action plan for 2030. Its commitments for 2030 include aiming to "invest in our cocoa Farming Program"; "implement a Living Income Program to support cocoa farmers in West Africa"; "maintain cocoa volume from child labor risk countries as covered by a Child Labor Monitoring and Remediation System (CLMRS) or other due diligence system that is being rolled out or is implemented, with Mass Balance included"; "support program communities with a community development program designed to reduce child labor risks"; and "respect[] human rights through implementing a due diligence process aimed at preventing, mitigating, or ceasing our adverse human rights and environmental impacts throughout the organization and our supply chain."[68]

II. Lindt's Product Packaging and Online Advertising Represents to Consumers That Its Products are Responsibly and Sustainably Sourced.

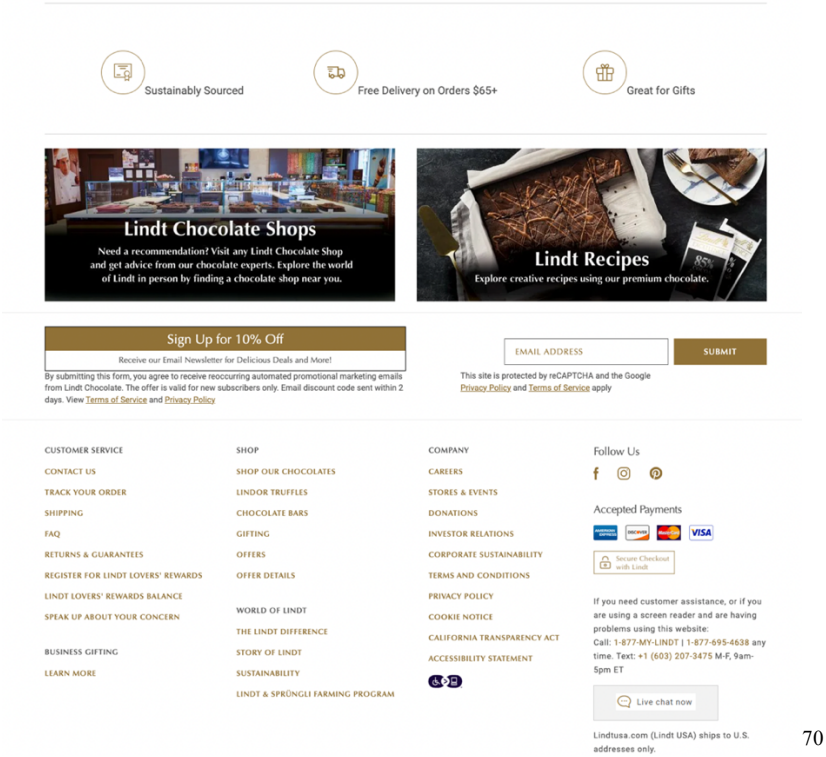
82. Lindt advertises the Lindt and Sprüngli Farming Program and its purported commitment to sustainability by placing the Farming Program seal on the physical packaging of the Products and by directing consumers to "Lindt Sustainability" on its website.

[67] *Frequently Asked Questions*, *supra* note 43 (under "To which extent is Lindt & Sprüngli engaged in improving conditions for farmers in cocoa producing countries?").
[68] Lindt & Sprüngli, 2030 Sustainability Plan: Indulgence Rooted in Responsibility 3 (2026), https://www.lindt-spruengli.com/amfile/file/download/id/10207/file/2030-Sustainability-Plan.pdf.

83. On the website, consumers will find no shortage of statements expressing Lindt's commitment to "sustainably" and "responsibly" sourcing its cocoa, as well as direction to the Lindt & Sprüngli Farming Program website, where consumers can read in detail the company's claims regarding the Farming Program, RA certification, and CLMRS:

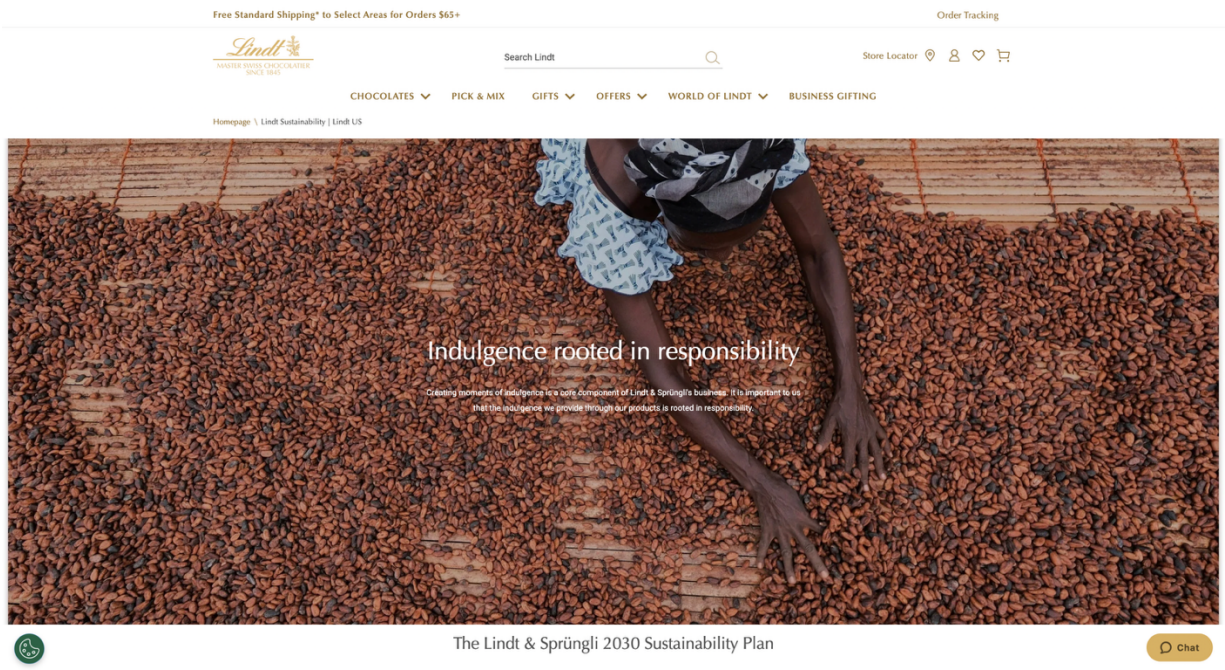


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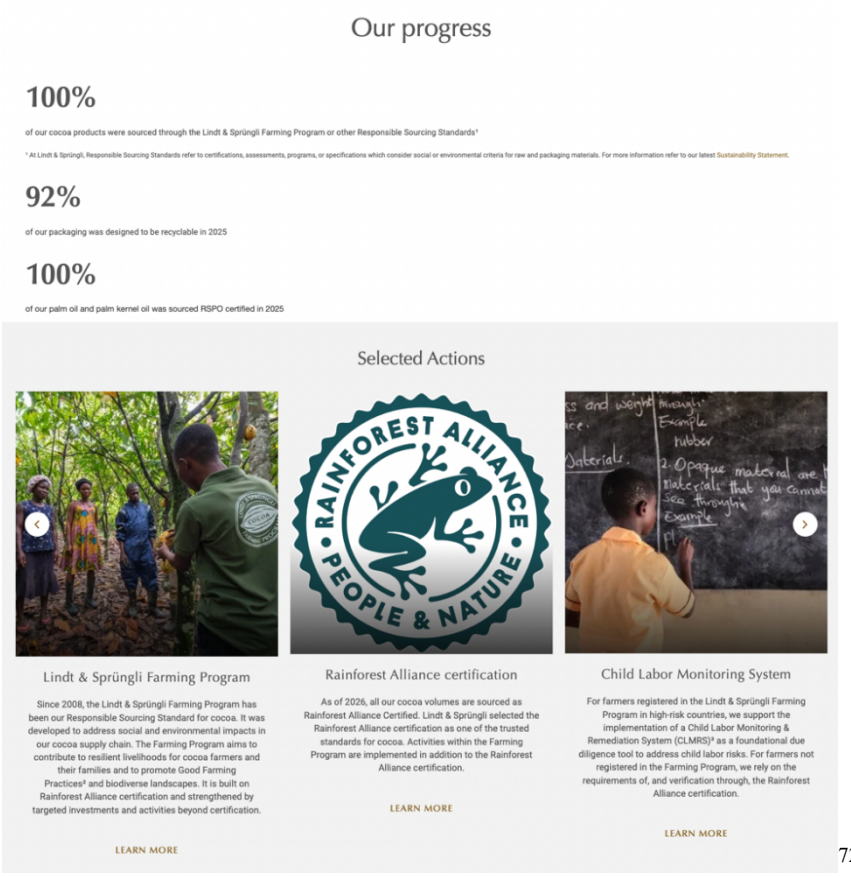


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[69] Lindt USA, https://www.lindtusa.com/ (last visited May 7, 2026).
[70] *Id.*



[71]



[72]

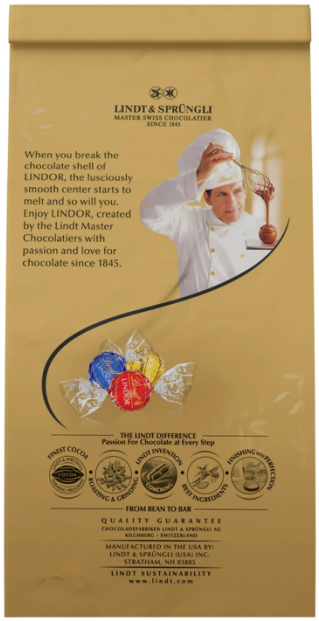
[71] *Indulgence Rooted in Responsibility*, Lindt USA, https://www.lindtusa.com/our-commitment-to-sustainable-chocolate (last visited May 7, 2026).
[72] *Id.*

84. A wide variety of Products with such representations on their packaging are available for purchase in the District at various retailers, such as Walmart and Target. Below are just some examples of labeling that is found on Products sold in the District of Columbia:









[73]

[73] *Lindt Lindor Assorted Chocolate Candy Truffles, 5.1 oz, Bag*, Walmart, https://www.walmart.com/ip/Lindt-Lindor-Assorted-Chocolate-Candy-Truffles-5-1-oz-Bag/10312255 (last visited May 7, 2026).



74



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[74] *Lindt LINDOR Assorted Dark Chocolate Candy Truffles, 12.7 oz. Bag*, Walmart, https://www.walmart.com/ip/Lindt-LINDOR-Assorted-Dark-Chocolate-Candy-Truffles-12-7-oz-Bag/14826709731 (last visited May 7, 2026).

[75] *Lindt LINDOR White Chocolate Assorted Truffles With Allergen Info, 8.5 oz Bag*, Walmart, https://www.walmart.com/ip/Lindt-LINDOR-White-Chocolate-Assorted-Chocolate-Candy-Truffles-8-5-oz-Bag/8861467519 (last visited May 7, 2026).



76



77

[76] *Lindt Lindor White Chocolate Candy Truffles, 8.5 oz. Bag*, Walmart, https://www.walmart.com/ip/Lindt-Lindor-White-Chocolate-Candy-Truffles-8-5-oz-Bag/44805020 (last visited May 7, 2026).

[77] *Lindt Mini Pralines Assorted Chocolates 3.4 oz Gift Box*, Walmart, https://www.walmart.com/ip/Lindt-Mini-Pralines-Assorted-Chocolate-Candy-Pralines-3-4-oz-Box/1755382386 (last visited May 7, 2026).





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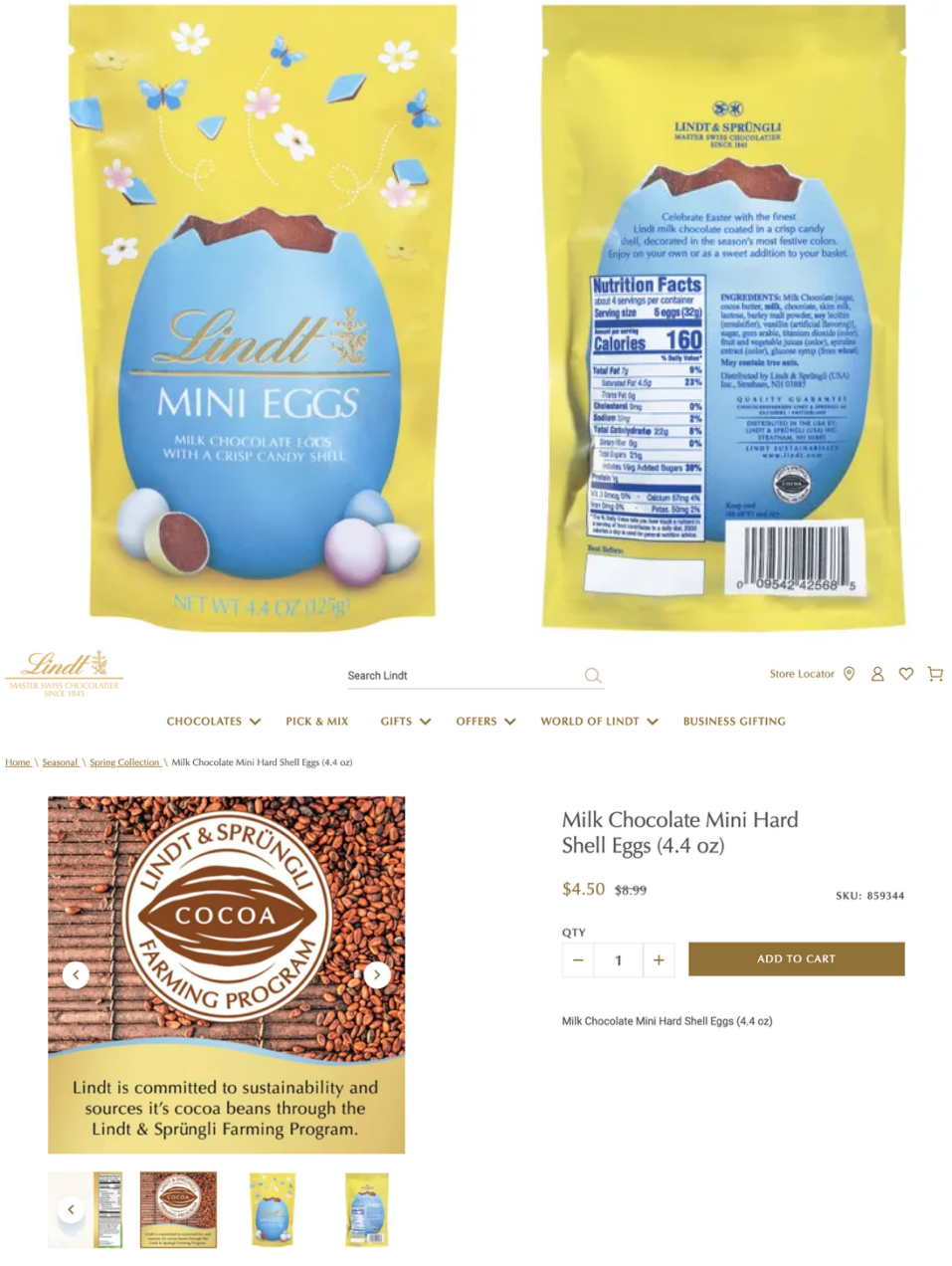




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[78] *Lindt Classic Recipe Milk Chocolate Candy Bar - 4.4 oz.*, Target, https://www.target.com/p/lindt-classic-recipe-milk-chocolate-candy-bar-4-4-oz/-/A-12942861 (last visited May 7, 2026).
[79] *Lindt Excellence 85% Cocoa Dark Chocolate Candy Bar - 3.5 oz.*, Target, https://www.target.com/p/lindt-excellence-85-cocoa-dark-chocolate-candy-bar-3-5-oz/-/A-12945476 (last visited May 7, 2026).

85. District consumers may also purchase the Products directly from Lindt's website, as well as the websites of brands owned by Lindt, where representations regarding the Farming Program and Lindt Sustainability are prominently displayed. For example:

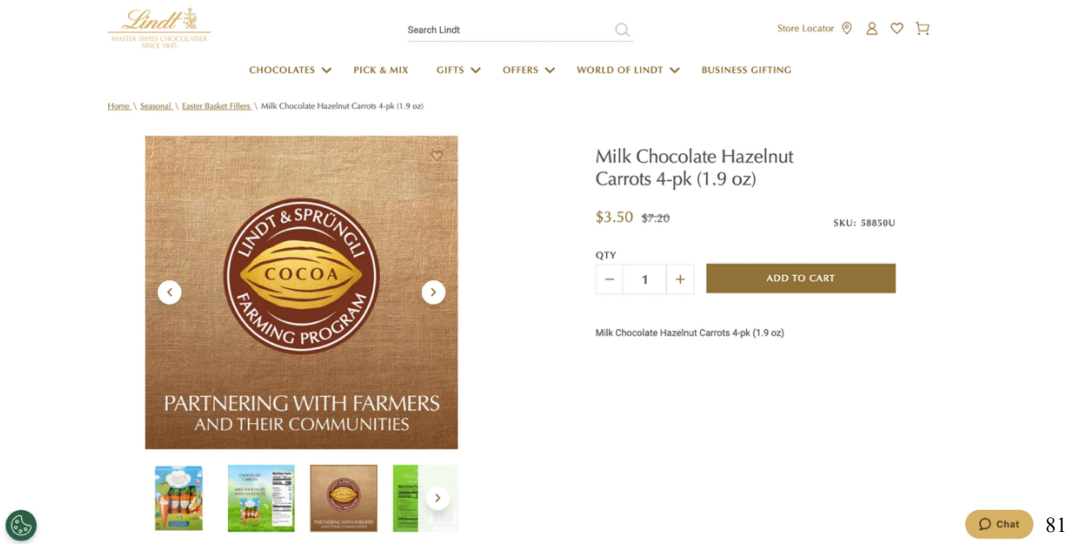


[80]

[80] *Milk Chocolate Mini Hard Shell Eggs (4.4 oz)*, Lindt USA, https://www.lindtusa.com/mini-hard-shell-eggs-859344 (last visited May 7, 2026).



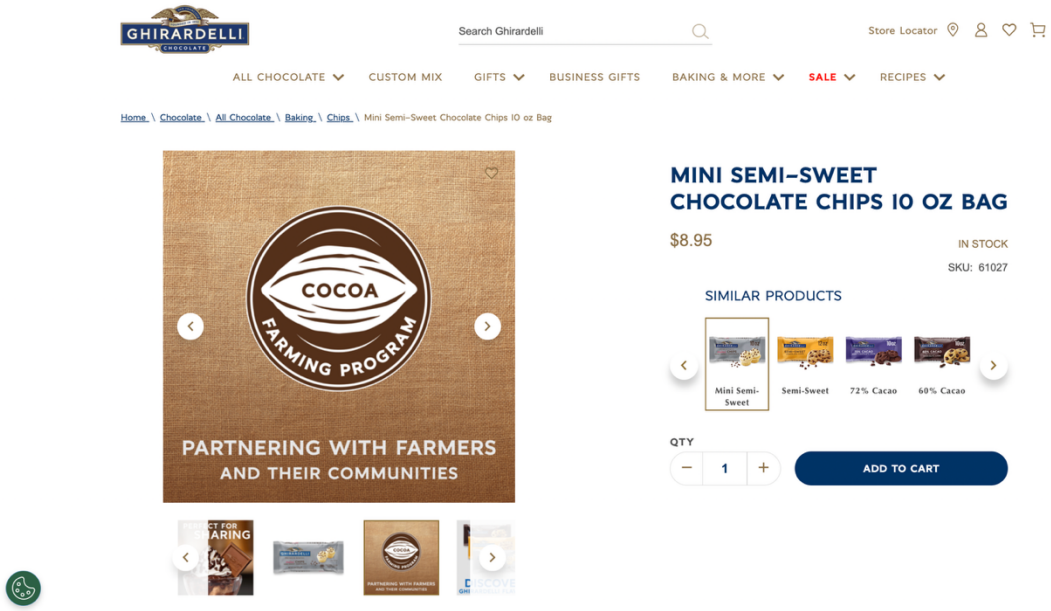






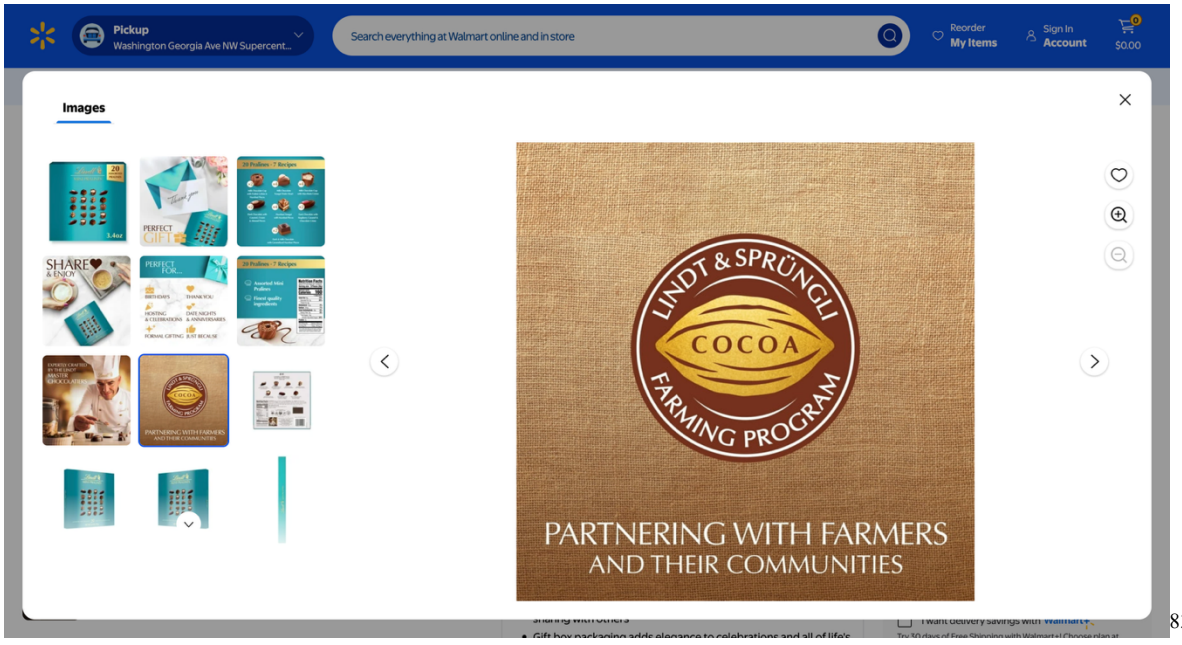


[81] *Milk Chocolate Hazelnut Carrots 4-pk (1.9 oz)*, Lindt USA, https://www.lindtusa.com/chocolate-carrots-4-pk-58850u (last visited May 7, 2026).



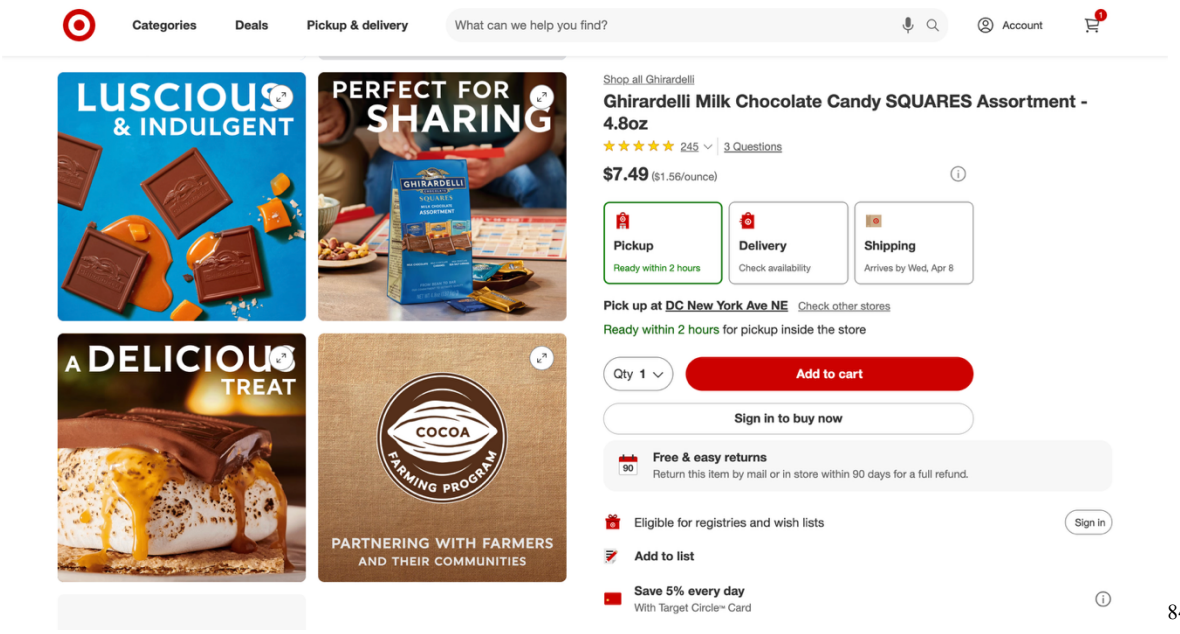
[82]

86. Lindt also prominently advertises the Farming Program and its commitment to sustainability on the websites of third-party retailers:



[83]

[82] *Mini Semi-Sweet Chocolate Chips 10 oz Bag*, Ghiradelli, https://www.ghirardelli.com/mini-semisweet-chocolate-premium-baking-chips-61027 (last visited May 7, 2026).
[83] *Lindt Mini Pralines Assorted Chocolates 3.4 oz Gift Box*, *supra* note 77.



84



85

[84] *Ghirardelli Milk Chocolate Candy SQUARES Assortment - 4.8oz*, Target, https://www.target.com/p/ghirardelli-milk-chocolate-assortment-candy-squares-medium-bag-4-8oz/-/A-93440994 (last visited May 7, 2026).
[85] *Lindt Lindor Assorted Chocolate Candy Truffles, 5.1 oz, Bag*, *supra* note 73.

87. The seals and representations on the Products' packaging—as well as the point-of-sale advertising on Lindt's online store and third-party online stores—clearly communicate to consumers not only that the Products therein have been produced responsibly and sustainably, but also that Lindt as a company is committed meaningfully to improving the conditions under which its cocoa is produced.

III. Lindt's Representations Regarding Its Commitments and Actions with Respect to Child Labor and the Responsible Sourcing of Its Products Are False and Misleading to Consumers.

A. IRAdvocates' Investigations Have Revealed That the Lindt & Sprüngli Farming Program's CLMRS in Fact Provide No Meaningful Monitoring or Remediation of Child Laborers.

88. In Fall 2023, IRAdvocates conducted an on-the-ground investigation into child labor practices in Ghana, accompanied by a crew from CBS News. The investigation was led by a confidential Whistleblower who, at the time, was employed by Touton SA ("Touton"), which has its own authorized Local Buying Company ("LBC") that purchases cocoa directly from farmers on behalf of international cocoa companies, including Lindt.[86] In his role as an agent for Touton, the Whistleblower acted as an intermediary responsible for carrying out instructions for sustainability programs and CLRMS from the international cocoa companies across numerous farms.

89. Prior to working for Touton, the Whistleblower had worked in similar capacities for ECOM Agrotrade Ltd ("ECOM") and Olam International Ltd, other major suppliers with LBCs that procure cocoa and implement sustainability programming on behalf of Lindt.[87] During his employment with ECOM, the Whistleblower served seven years as a Lindt Sustainability Officer.

[86] Lindt & Sprüngli, Lindt & Sprüngli Cocoa Supply Chain Disclosure 2 (2025), https://www.lindt-spruengli.com/amfile/file/download/id/8805/file/Lindt-&-Spr%C3%BCngli-Cocoa-Supply-Chain-Disclosure.pdf
[87] *Id.*

In this role, he was responsible for implementing CLRMS and other sustainability initiatives under the Lindt & Sprüngli Farming Program.

90. Relying on the Whistleblower's deep understanding of the industry, IRAdvocates and CBS News were directed to multiple plantations whose buyer-seller relationships and sustainability programming were facilitated by the very same LBCs that Lindt uses to procure its own cocoa supply, including Touton and ECOM.

91. At these plantations, IRAdvocates observed and documented the presence of children engaged in hazardous labor, including working with dangerous chemicals and machetes, in violation of Ghanaian law and international standards. In fact, IRAdvocates found that the majority of laborers on plantations were children. The children on these farms were forced to miss school and work long hours—often from dawn until dusk—on a near-daily basis, due to economic necessity.

92. The Whistleblower confirmed that such use of child labor is ubiquitous throughout the industry, including on farms that are registered as participating in the Lindt & Sprüngli Farming Program. In fact, based on his years of professional experience in implementing sustainability programs on behalf of several multinational cocoa companies, including Lindt, the Whistleblower estimated that the circumstances relating to child labor and farmer poverty on Lindt-sourcing farms were the gravest of all.

93. In Fall 2025, IRAdvocates, in partnership with the Whistleblower, conducted a follow-up investigation, which confirmed the continued prevalence of child labor on Ghanaian cocoa farms, including Lindt and Rainforest Alliance sourcing farms.

94. IRAdvocates' investigation revealed not only that child labor is prevalent on farms that source to Lindt, but also that Lindt's CLRMS is effectively unenforced—which the

Whistleblower confirmed is standard practice in the industry. Lindt's suppliers do not actually monitor farms for child labor or attempt to remediate child laborers. Nor do they provide the farmers with proper training to adhere to the sustainability requirements of the Lindt & Sprüngli Farming Program.

95. Instead, the suppliers responsible for carrying out the Lindt and Sprüngli Farming Program will perfunctorily deliver school-related items to children without explaining what the items have to do with remediation from child labor. These deliveries do not happen consistently or with any regularity.

96. IRAdvocates interviewed several children that harvest cocoa for Lindt who were documented in an internal Lindt list as being enrolled in school as a rehabilitation measure. In reality, these children are rarely able to attend school and no one from Lindt or Lindt's suppliers has ensured they are in school. The only support they received from Lindt was the delivery of backpacks, notebooks, and school kits 2–3 years prior to IRAdvocates' investigation. Neither the children nor their parents knew why they received these items, and despite Lindt's agents knowing that the children regularly perform hazardous labor on the farm, no one associated with Lindt has ever followed up to check on the status of these children.

97. Not only do Lindt's suppliers fail to carry out actual monitoring and remediation activities, but they also wholly fabricate the contents of the internal rehabilitation lists in order to meet quotas. The Whistleblower himself stated that he and his colleagues as a matter of practice fabricated rehabilitation lists on Lindt's behalf because the cocoa companies demanded large remediation numbers. According to the Whistleblower, these companies never attempted to verify if the lists were legitimate. Examples of fabrications in the rehabilitation lists include documenting

interviews with children that never took place, documenting children as receiving remediation that they never received, and documenting children who do not even exist as being rehabilitated.

98. In addition to the fraudulent rehabilitation lists, the Whistleblower confirmed it is standard practice for Lindt Sustainability Officers to falsely document in training logs that farmers received trainings on child labor.

99. These fraudulent lists and logs not only show the specific examples of deceptive claims by Lindt regarding its rehabilitation programs—it is direct evidence that the Lindt and Sprüngli Farming Program is simply in place to mislead the public for profit.

100. The investigation uncovered gross misconduct that a reasonable consumer would not expect from a company that "strongly condemns all forms of child labor and systematically investigates suspected cases of child labor."[88]

101. A reasonable consumer would not expect a company "committed to respecting human rights"[89] and "[c]onducting business in an ethical, legal, and environmentally and socially responsible manner"[90] to use widespread child labor in its cocoa supply chain.

102. A reasonable consumer especially would not expect a company claiming to implement "due diligence"[91] to rely on fake child rehabilitation programs as its basis for telling the public that it implements a "responsible sourcing approach."[92]

103. The Lindt & Sprüngli Farming Program's actions—and inaction—on the ground demonstrates that Lindt does not in fact "aim[] to identify children in, or at risk of child labor, to

[88] *See Frequently Asked Questions*, *supra* note 43 (under "What is the position of Lindt & Sprüngli on child labor and what does the company do to prevent it in its supply chain?").
[89] *See* Lindt & Sprüngli, Business Code of Conduct, *supra* note 31, at 2.
[90] *See* Lindt & Sprüngli, Human Rights Policy, *supra* note 31, at 2.
[91] *See* Lindt & Sprüngli, 2030 Sustainability Plan: Indulgence Rooted in Responsibility, *supra* note 68, at 3.
[92] *See id.* at 10.

provide ongoing guidance, and to support improving their situation and to follow their progress over time."[93]

104. The Lindt & Sprüngli Farming Program's CLRMS does not "target[] prevention, mitigation, and remediation assistance to children involved in, or at risk of, child labor, as well as to their families and communities."[94]

105. To the extent that Lindt does share with suppliers a CLRMS Implementation Guidance that "offers a framework for child labor risk assessments, preventive interventions for protecting children's rights, child labor identification, child labor remediation, and activity tracking and reporting," such Guidance is not being implemented.[95]

106. A reasonable consumer would not expect Lindt's CLMRS, as its "foundational due diligence tool to address child labor risks" for families registered in the Lindt & Sprüngli Farming Program, to be this poorly run and ineffectual.[96]

B. IRAdvocates' Investigations Have Revealed that Lindt's Agents Systematically Underpay Farmers for Cocoa Through a Fraudulent Weighing Scheme.

107. In addition to uncovering Lindt's fraudulent CLRMS, IRAdvocates' investigation in Ghana revealed that Touton, ECOM, and Cargill—all of which purchase cocoa on Lindt's behalf—systematically use rigged scales to weigh the farmers' cocoa. Since farmers are paid by weight, this practice of under-weighing farmers' cocoa further cuts farmers' meager income.

108. In general, the scales will be set to under-weigh the cocoa by between seven and ten kilos per bag. IRAdvocates confirmed during the investigation that the scale at one of Lindt's collection centers was off by about 8 kilos.

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[93] *See Invest in Livelihoods of Farming Families*, *supra* note 46.
[94] *See Glossary*, *supra* note 54.
[95] *See id.*
[96] *See Invest in Livelihoods of Farming Families*, *supra* note 46.

109. Additionally, an extra two kilos are often deducted under the false justification that cocoa dries and loses weight, even though this claim is not true.

110. As a result, Lindt's agents typically pay for around 62 kilos per bag of cocoa, despite each bag actually weighing around 72 kilos.

111. The Whistleblower has direct knowledge of this deceptive underpayment scheme and confirmed that it is a standard practice employed by buying agents acting on behalf of Lindt and other major chocolate companies in Ghana.

112. Ghana sets a minimum price for cocoa through its government-regulated system to protect farmers from market volatility and exploitative pricing by large buyers. The Ghana Cocoa Board ("COCOBOD"), a government agency, determines the Guaranteed Minimum Producer Price annually.[97]

113. At approximately seven to ten kilos deducted per bag, Lindt fails to meet Ghana's Guaranteed Minimum Producer Price as set by COCOBOD, effectively exploiting the farmers. This systematic underpayment ensures that cocoa farmers remain trapped in poverty, making them reliant on child labor to meet production demands and sustain their livelihoods.

114. When farmers sell cocoa to Lindt, they are subjected to this deliberate under-weighing scheme, losing approximately seven to ten kilograms per bag due to fraudulent weighing practices that are a consistent feature of Lindt's purchasing operations.

115. This discovery shows that Lindt is not only failing to follow through on promises to address farmers' low incomes and poverty—which are among the root causes of child labor—

[97] Note that even the minimum farmgate price set by COCOBOD keeps prices artificially low and is nowhere near enough to allow farmers to reliably keep food on the table, let alone hire adult workers. However, it is crucial to note that this is a ***minimum*** price. Companies like Lindt have the ability to, and do, pay farmers more through premiums. Unfortunately, the premiums currently offered are still far too low to keep farmers out of poverty and enable their children to stay out of the farms and in the schools.

but upon information and belief, is intentionally and as a matter of practice cheating the farmers it claims to be helping.

116. Systematically cheating cocoa farmers out of money owed to them does not help "address child labor risks by increasing the resilience of farming households."[98] A company that "believe[s] that cocoa farmers deserve to earn an income that is sufficient to support a decent standard of living" would not engage in such conduct.[99]

117. A reasonable consumer would not expect a company that claims it "strives to contribute to building resilient livelihoods for farmers, their families, and farming communities" and that "[o]ur goal is to improve the income situation of the farmers in our cocoa value chain" would operate through buying agents that cheat impoverished farmers out of critical income they need to support their families.[100]

C. Rainforest Alliance Certification Does Not Guarantee Responsibly or Sustainably Sourced Cocoa.

118. Lindt claims it uses 100% responsibly sourced cocoa because any cocoa not covered by the Farming Program's CLMRS is subject to Rainforest Alliance due diligence standards.[101] Additionally, Lindt has announced that, as of 2026, all of its cocoa is Rainforest Alliance certified, and it will start phasing out Farming Program seals on the Products and replace them with Rainforest Alliance seals.[102]

119. But despite Lindt's representations, Rainforest Alliance certification does not indicate that cocoa was sourced sustainably or responsibly. Sourcing that utilizes child labor is neither responsible nor sustainable. It is also neither responsible nor sustainable to source cocoa

[98] *See* Lindt & Sprüngli, Modern Slavery Statement 2024, *supra* note 36, at 14.
[99] *See Invest in Livelihoods of Farming Families*, *supra* note 46.
[100] *Frequently Asked Questions*, *supra* note 43 (under "To which extent is Lindt & Sprüngli engaged in improving conditions for farmers in cocoa producing countries?").
[101] *Invest in Livelihoods of Farming Families*, *supra* note 46.
[102] *Frequently Asked Questions*, *supra* note 43 (under "Does Lindt & Sprüngli chocolate have external certification?").

from high risk countries, such as Ghana or Côte d'Ivoire, without an effective mechanism in place to monitor or remediate child labor.

120. Rainforest Alliance certification is ineffective at preventing child labor. Only about 10% of Rainforest Alliance farms are actually evaluated for child labor each year.[103] Audits are announced ahead of time, which allows farms to temporarily cease using child labor for the duration of the audit.[104]

121. Independent investigations by the NGO Corporate Accountability Lab in 2020 and 2021 confirmed this by identifying multiple Rainforest Alliance-certified farms utilizing child labor.[105] One farmer whose cooperative is Rainforest Alliance-certified explained: "They tell us that children are not supposed to work but they are the ones who help me feed the family. Children work in the plantations because the cooperatives and companies treat us so badly that we need to make children work on the plantations."[106] Clearly, Rainforest Alliance certification did not improve the life of this farmer, his family, or his children.

122. Additionally, during its own investigation in 2025, IRAdvocates interviewed several children who regularly perform hazardous labor on a farm that was supposed to be in compliance with Rainforest Alliance standards. Nobody from Rainforest Alliance had ever even visited the farm, despite the farm having the certification for several years.

123. Rainforest Alliance does not even require a minimum farmgate[107] price to guarantee at least a certain level of income for farmers. Instead, Rainforest Alliance requires buyers

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[103] Peter Whoriskey & Rachel Siegel, *Cocoa's Child Laborers*, Wash. Post (June 5, 2019), https://www.washingtonpost.com/graphics/2019/business/hershey-nestle-mars-chocolate-child-labor-west-africa/.
[104] *Id.*
[105] *CAL Finds Evidence of Child Labor on Rainforest Alliance Certified Farms*, Corp. Accountability Lab (Oct. 25, 2021), https://corpaccountabilitylab.org/calblog/2021/10/25/cal-finds-evidence-of-child-labor-on-rainforest-alliance-certified-farms.
[106] *Id.*
[107] "Farmgate price" refers to the price of an agricultural product when purchased directly from the producer.

to pay a $70 premium on each metric ton of cocoa.[108] This is not enough for Ghanaian farmers to earn a living income and hire adults to work the farms instead of their children.

124. For these reasons, Lindt's claim that Rainforest Alliance certification makes its Products sustainably or responsibly sourced is false and misleading. A reasonable consumer would not expect products with a sustainability certification to have been produced with child labor or by drastically underpaying farmers.

D. Lindt Is Not Committed to Reducing Child Labor Risk in Its Supply Chain.

125. Although it has been almost two decades since Lindt first launched the Lindt & Sprüngli Farming Program in 2008, there is little to show for it, as child labor is as prevalent as ever and shows no signs of abating.

126. Lindt claims that it has achieved 100% responsibly sourced cocoa and aims to "maintain" this through 2030.[109] But as this Complaint has established, a reasonable consumer would not understand cocoa sourced through the Lindt & Sprüngli Farming Program or through Rainforest Alliance to be responsible or sustainable given the widespread use of child labor on farms participating in these programs and the complete lack of meaningful oversight or remediation activities. Furthermore, so long as Lindt refuses to pay its farmers a price for their cocoa that constitutes a living income, child labor will persist in its supply chain. Yet, Lindt's agents are not even willing to pay farmers the full amount they are entitled to receive under Ghanaian law.

127. On top of this, even the claim that 100% of Lindt's beans are sourced either through the Lindt & Sprüngli Farming Program or another "responsible sourcing" or "due diligence"

[108] *Does Rainforest Alliance Certification Guarantee a Minimum Price for Certified Crops?*, Rainforest All. (June 25, 2021), https://www.rainforest-alliance.org/business/certification/does-rainforest-alliance-certified-guarantee-minimum-price/.
[109] *Invest in Livelihoods of Farming Families*, *supra* note 46.

standard is patently false.[110] As a recently released investigatory documentary has exposed, it is standard practice in Ghana for the LBCs' purchasing clerks to mix conventional beans[111] with certified beans, while labeling them all as certified.[112] According to an industry insider, "On paper, Lindt's beans are 100% traceable. In reality, it's very different though. It's only around 30% of the certified beans that come from registered farms."[113]

128. A company that boasts about its "due diligence" and "responsible sourcing approach," yet is content to "maintain" its current approach under the above circumstances cannot be regarded as "committed" to reducing child labor risks in its supply chain in any meaningful way.

IV. Lindt's Representations Regarding Its Commitments and Actions with Respect to Child Labor and the Responsible Sourcing of Its Products Are Material to Consumers.

129. Lindt knows that consumers care about whether the products they purchase are sustainably sourced and free of labor exploitation. Lindt also knows that consumers care about the ethics of the company they purchase a product from. For this reason, Lindt and companies like it make many representations about both the sourcing of their products and their corporate values.

130. Because consumers care about their products being free of labor exploitation, representations regarding child labor, forced labor, labor conditions, and fair compensation are material to consumers.

131. Because consumers care about the ethics of the company they purchase a product from, representations regarding a company's values and intentions in carrying out those values are also material to consumers.

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[110] *See id.*; Lindt & Sprüngli, Integrated Annual Report 2025, *supra* note 49, at 35, 62.
[111] "Conventional beans" refers to cocoa beans sourced from unregistered farms that are not subject to any sustainability certification requirements. "Certified beans" refers to cocoa beans sourced from farms that are registered in a sustainability program—including the Lindt & Sprüngli Farming Program, Rainforest Alliance, and various programs run by other cocoa companies—and therefore are supposed to meet certain standards with respect to child labor and other sustainability matters.
[112] Reclaiming Cocoa (Staldi Productions 2025), https://www.reclaimingcocoa.ch/.
[113] *Id.* at 22:09.

132. According to a survey by Mintel, 56% of Americans would stop purchasing from companies they believe are unethical, and 35% would do so even if there are no substitutes for the brand.[114] Additionally, 63% "feel that ethical issues are becoming more important" with respect to spending habits.[115]

133. A joint survey by Food Marketing Institute, Grocery Manufacturers Association, and Deloitte Consulting LLP of 5,000 consumers showed that significant segments of the national consumer base prioritize "more transparency from food producers and retailers," "accountability and transparency through the entire food supply chain," and "fair treatment of workers."[116]

134. A survey by OpenText found that "81 percent" of consumer respondents said that "purchasing ethically sourced and/or produced products matters,"[117] and a study from McKinsey and NielsenIQ found that consumers are willing to pay more for an ethical product based on the product marketing and packaging.[118]

135. With respect to child labor, 77% of consumers would no longer purchase from brands they knew were using child labor, even if the consumers had often bought from these brands in the past.[119] Fifty-five percent of consumers say they would pay more for items they know are not made with child labor.[120]

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[114] *56% of Americans Stop Buying From Brands They Believe Are Unethical*, Mintel (Nov. 18, 2015), https://www.mintel.com/press-centre/56-of-americans-stop-buying-from-brands-they-believe-are-unethical/.
[115] *Id.*
[116] *Consumer Survey Shows Changing Definition of Food Safety*, Food Safety News (Feb. 4, 2016), https://www.foodsafetynews.com/2016/02/123246/.
[117] Steve Banker, *Do* Consumers *Care About Ethical Sourcing?*, Forbes (Oct 5, 2021), https://www.forbes.com/sites/stevebanker/2021/10/05/do-consumers-care-about-ethical-sourcing/?sh=4c6fe92c5f50.
[118] *Consumers Care About Sustainability—and Back It Up With Their Wallets*, McKinsey & Co. (Feb. 6, 2023), https://www.mckinsey.com/industries/consumer-packaged-goods/our-insights/consumers-care-about-sustainability-and-back-it-up-with-their-wallets.
[119] *Majority (55%) of Americans Willing to Pay More for Clothing Not Made Using Child Labor*, Ipsos (July 18, 2013), https://www.ipsos.com/en-us/majority-55-americans-willing-pay-more-clothing-not-made-using-child-labor.
[120] *Id.*

CAUSES OF ACTION

Violations of the District of Columbia Consumers Protection Procedures Act
Against all Lindt Defendants

136. IRAdvocates incorporates by reference all of the allegations of the preceding paragraphs of this Complaint.

137. IRAdvocates is a nonprofit, public interest organization that brings these claims on behalf of the general public and District consumers. *See* D.C. Code § 28-3905(k)(1)(D)(i).

138. Through § 28-3905(k)(1)(D)(i), the D.C. CPPA explicitly allows for public-interest organizational standing even beyond that which is afforded pursuant to § 28-3905(k)(1)(C) and allows a public interest organization to stand in the shoes of a consumer to seek relief from any violation of the CPPA.

139. Lindt is a "person" and a "merchant" that provides "goods" within the meaning of the CPPA. *See id.* § 28-3901(a), (1), (3), (7).

140. Lindt has advertised and marketed, and continues to advertise and market, its cocoa Products as being sourced from supply chains that meet certain labor conditions and standards, when in fact, investigations reveal that Lindt's supply chains are reliant on child labor and that many of the represented monitoring, remediation, and economic empowerment programs are either nonexistent or ineffective, and that remediation documents have been falsified. Lindt has further misled consumers to believe that that it is committed to and making progress on eradicating child labor from its supply chains, when in fact that is not the case.

141. Lindt has violated the CPPA by "represent[ing] that goods . . . have a source . . . [or] . . . characteristics . . . that they do not have"; "represent[ing] that goods . . . are of a particular standard, quality, grade, style, or model, if in fact they are of another"; "misrepresent[ing] as to a material fact which has a tendency to mislead"; "fail[ing] to state a

material fact if such failure tends to mislead"; "us[ing] innuendo or ambiguity as to a material fact, which has a tendency to mislead"; and "advertis[ing] . . . goods . . . without the intent to sell them as advertised." *See id.* § 28-3904(a), (d), (e), (f), (f-1), (h).

JURY TRIAL DEMAND

142. Plaintiff IRAdvocates hereby demands a jury trial.

PRAYER FOR RELIEF

143. ***Wherefore***, Plaintiff IRAdvocates prays for judgment against Defendants Lindt & Sprüngli (USA) Inc. and Lindt & Sprüngli (North America) Inc., and requests the following relief:

144. A declaration that Defendants' conduct is in violation of the CPPA;

145. An order enjoining Defendants' conduct found to be in violation of the CPPA; and

146. An order granting Plaintiff IRAdvocates' costs and disbursements, including reasonable attorneys' fees and expert fees, and prejudgment interest at the maximum rate allowable by law.

Respectfully submitted this 8th day of May 2026,

/s/ Terrence P. Collingsworth
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