Case 3:20-cv-05151-JD Natural Grocers et al v. Perdue et al Order

U.S. District Court

California Northern District

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Case Name: Natural Grocers et al v. Perdue et al
Case Number: 3:20-cv-05151-JD
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ORDER. 7 C.F.R. §§ 66.1(1)(ii), 66.106 and 66.108 are prospectively vacated with an effective date of January 1, 2028. The only dispute between the parties is the effective dates of prospective vacatur of 7 C.F.R. §§ 66.106 and 66.108, which the government seeks to delay to January 1, 2029 so it may complete the rulemaking process for the replacement regulations. See, e.g., Dkt. No. 78-1 ¶ 11. But the Ninth Circuit noted that that "[a]llowing an inadequate disclosure option to continue throughout the entirety of the administrative process for amending the regulations would itself perpetuate a disruption in consumer access to bioengineering disclosures." Nat. Grocers v. Rollins, 157 F.4th 1143, 1171 (9th Cir. 2025) (emphasis in original) (internal quotations omitted). Consequently, prospective vacatur should not be delayed to effectively resemble remand without vacatur. Signed by Judge James Donato on 08/03/2026. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jdlc3, COURT STAFF) (Filed on 8/3/2026)