

**April 15, 2026**

**Office of the Attorney General of Georgia  
Georgia Department of Law  
40 Capitol Square, S.W.  
Atlanta, Georgia 30334-1300**

**Re: Request for Georgia Consumer-Protection Review Concerning Public-Facing Sustainability, Equity/DEI, Community-Benefit, and Animal-Welfare Statements by The Coca-Cola Company, fairlife, and Related Food-Sector Actors; Baseline Clarification, Corrective Clarification, and Structured Compliance Pathway**

**Dear Attorney General:**

Fair Start Movement (FairStartMovement.org) and TruthAlliance.global submit this complaint and request consumer-protection review of public-facing marketing, ESG materials, brand pages, investor-facing materials, partnership communications, and other market-facing statements by The Coca-Cola Company, fairlife, and related food-sector actors concerning “impact,” “public benefit,” “sustainability,” “equity/DEI,” and “animal welfare” that plausibly invite reliance while omitting material information necessary to prevent those statements from being misleading.

This Georgia matter is part of a broader multi-jurisdictional approach requiring public-facing claims to meet minimum standards of clarity, attribution, and accountability. It also tracks the broader public-harm scrutiny reflected in San Francisco’s ultra-processed-food action against many of the same food-sector actors. San Francisco provides the structural template: design, targeting, concealment, burden, and corrective relief. This Georgia submission applies that same architecture to a different object. In San Francisco, the focus is product-related public harm. Here, the focus is public-facing claim design and the induced reliance that may follow when baseline conditions are not disclosed clearly enough for informed evaluation.

This submission is narrow, content-neutral, and omission-focused. It does not ask your office to adjudicate motives, values, or whether any outputs exist. It asks whether public-facing representations that function as market-expanding and credibility-bearing signals are being communicated without the baseline disclosures required for audiences to evaluate whether those claims reflect substantiated outcomes, narrower operational improvements, or only theories of change.

**Parties and Georgia Nexus**

The Coca-Cola Company maintains its principal executive offices at One Coca-Cola Plaza, Atlanta, Georgia 30313.

fairlife is a public-facing brand and related commercial presence within Coca-Cola's ecosystem, and the claims at issue are used in commerce and public-facing communications directed into Georgia consumer, institutional, philanthropic, and partnership environments.

Georgia has a direct enforcement nexus because the claims are public, repeated, and directed into Georgia commerce and institutional reliance channels. Georgia also has a clear enforcement lane through the Attorney General's Consumer Protection Division, which publicly states that it protects Georgia consumers and legitimate businesses from unfair and deceptive practices in consumer transactions.

### **Structural Premise**

The issue raised here is not whether the targets have undertaken beneficial initiatives. The issue is whether broad public-facing narratives concerning sustainability, equity, community benefit, impact, and animal welfare have been communicated at the level of outcome while the underlying support, where it exists, operates at the narrower level of process, policy, initiative, selected comparator, or operational metric. Where that occurs, the relevant baseline conditions necessary to interpret the broader claim may not be clear to the audience at the point of reliance.

This is the baseline gap. It arises when outcome-level narratives are communicated publicly while the underlying disclosures measure narrower operational changes or bounded initiatives. The organizations use the term to refer to situations in which a public-facing statement communicates a broad social, environmental, equity, or welfare outcome while the underlying support, if disclosed, may measure a narrower program, a selected comparator, a site-level change, an operational output, or an expected pathway rather than a demonstrated net outcome. In that setting, audiences may be unable to determine whether a broader public-facing claim is supportable as stated, qualified by undisclosed assumptions, materially narrower than it appears, or dependent on exclusions, time horizons, tradeoffs, or uncertainty that have not been disclosed adjacent to the claim itself.

The issue is not whether a company has perfect certainty. The issue is whether stakeholders are given enough information to evaluate the company's own theory of change, its limits, and whether a broad public-facing claim is actually attributable to the underlying corporate action.

### **Core Framework**

Fair Start Movement and FalseClaimsChecker address that problem directly. Public-facing benefit claims cannot be evaluated by intentions or outputs alone. They must be interpreted against the baseline required to determine what the claim means, what it excludes, what populations it counts or omits, what harms remain outside scope, what comparator governs the claim, what time horizon is being used, and whether the claim is describing an operational step, an expected pathway, or a substantiated net result.

This request does not assume that only fully certain or exhaustively proven claims may be communicated. The narrower premise is that where knowledge is incomplete, modeled, bounded, or contingent, that condition should itself be disclosed so stakeholders can evaluate the claim with the relevant limits in view. In that respect, this request favors disclosure of imperfect knowledge over the appearance of certainty without interpretive context.

A company may have a theory of change explaining why an initiative is expected to contribute to a broader social, environmental, or welfare outcome. That is different from demonstrating that the broader outcome has in fact been established, measured, or verified at the level implied by the public-facing statement. Where the public narrative moves from initiative to outcome, the supporting materials should make clear whether the company is describing activity, projected contribution, or substantiated net result.

### **Scope of Claims at Issue**

This request applies to public-facing statements and materials that function as market-facing or credibility-bearing signals, including, but not limited to, sustainability and packaging or recycling representations, equity or DEI language implying outcomes beyond internal policies or programs, animal-welfare commitments and related statements, community-benefit and mission-driven corporate statements used in marketing, ESG materials, brand pages, investor-facing materials, and institutional partnership claims implying verified net benefit, particularly where credibility transfer is part of the statement's function.

These claims often operate at one level of public meaning while their supporting disclosures, if any, operate at another. A company may communicate that it is improving communities, advancing equity, protecting animals, or protecting the planet while the underlying materials measure packaging recovery targets, emissions changes relative to selected baseline years, supplier expectations, programmatic reach, facility-level efficiency improvements, or other bounded operational efforts. That difference does not by itself establish impropriety. It does establish a legitimate basis for review where the broader claim may communicate more than the disclosed interpretive conditions clearly support.

### **Theory of Violation**

This complaint requests review under unfair and deceptive practices, false advertising, and deceptive omission theories where public-facing marketing or ESG-related claims omit material information necessary to prevent the statements from being misleading.

The material omission theory is framed around baseline requirements:

A. Exclusions. What is not counted, what is treated as out of scope, and what harms are omitted.

B. Comparator structure. What baseline, reference point, or selected comparison determines whether the public-facing claim appears favorable.

C. Discounting and time horizon. How future harms or benefits are discounted, deferred, or rendered less visible.

D. Uncertainty and model limits. How uncertainty, attribution limits, dependency assumptions, and sensitivity are handled or omitted.

E. Net-outcome implication. Whether outputs, activities, policies, or commitments are framed in ways that imply broader net outcomes without disclosing the baseline necessary to interpret that implication.

F. Reliance pathway. Whether the representations plausibly influence consumer purchases, investor and shareholder assessment, institutional partnerships, procurement choices, philanthropic signaling, academic collaboration, reputational benefit, or insulation from accountability.

### **Context Relevant to Review**

Several contextual conditions make baseline clarity especially material in the food and beverage sector.

Public-health research has long identified sugar-sweetened beverages and related product environments as relevant to obesity, type 2 diabetes, cardiovascular disease, and associated public-health burdens. Those burdens are not evenly distributed across populations. Where corporate communications imply improvements to community wellbeing, public benefit, or equity, the relationship between product portfolios, exposure patterns, and health burdens may be material to how audiences interpret the claim.

Plastic packaging waste and the environmental consequences of extraction, production, disposal, and recycling systems are also widely recognized challenges. Corporate sustainability initiatives may represent real operational responses to those issues. But broader environmental outcomes depend on infrastructure, collection systems, recycling capacity, leakage rates, substitution effects, and consumer behavior, among other variables. Where sustainability narratives imply broader environmental progress, disclosure of operational boundaries, dependency assumptions, and uncertainty may be necessary to permit fair interpretation.

Corporate sustainability, equity, impact, and welfare narratives also influence downstream institutional activity, including academic partnerships, nonprofit collaboration, procurement choices, investor and shareholder assessment, capital-market perception, philanthropic alignment, employee affiliation, and public-policy discussion. If baseline assumptions or scope limits are not disclosed at the point of the claim, the same narrative may propagate through

subsequent studies, institutional communications, investment decisions, and affiliation signals before methodological limits are examined.

These conditions do not, by themselves, establish motive-based wrongdoing. They do explain why baseline compliance and baseline disclosure may be material when public-facing statements are interpreted by consumers, investors, institutional partners, donors, procurement actors, researchers, and regulators.

### Reliance Pathways and Burden

The reliance pathways here are concrete. Baseline omissions can operate through consumer purchasing decisions, investor and shareholder assessment, capital-market perception, institutional partnerships and procurement choices, philanthropic influence and affiliated fundraising signals, academic collaboration, employee affiliation and retention, public trust, regulatory goodwill, and reputational insulation across downstream stakeholders. These pathways connect public messaging to consumer-protection logic concerning material omission.

The burden of underqualified narratives is also not neutral. Communities with greater representation in research institutions, regulatory agencies, funding bodies, and elite decision systems often have greater capacity to interrogate and challenge broad public-facing claims. Communities with less institutional representation may face greater barriers to testing those claims or correcting flawed narratives. In the United States, those structural differences frequently intersect with race. Communities of color often experience disproportionate diet-related health burdens, greater exposure to environmental hazards, and lower levels of institutional protection. Children are especially vulnerable where narratives of responsibility, equity, or community wellbeing coexist with product environments associated with long-run morbidity, shortened life expectancy, and death. Animal-welfare narratives may invite moral and consumer reliance beyond the narrower conditions actually measured. Climate-facing narratives may communicate broad long-horizon benefit while resting on bounded operational metrics that do not, by themselves, establish the broader implication.

For that reason, race, children, animals, and climate are not side categories in this request. They are part of the reliance and burden analysis itself.

### **Legitimacy, OPOEIV/NCWMTA, and Political Equity**

The organizations state that the baseline gap reflects more than a disclosure issue. In their view, it signals a broader pattern of avoiding the minimum condition required for legitimate authority: one person, one equal and influential vote beginning at birth, under which political authority and entitlement to wealth are conditioned on equitably empowering those subject to them. The organizations refer to this baseline in shorthand as OPOEIV/NCWMTA.

They further state that this pattern is consistent with a broader structural reality in which wealth and institutional credibility have been built without meeting that minimum threshold across intergenerational justice, children's rights, and political equity, resulting in a form of political overshoot in which affected populations do not meaningfully control the outcomes shaping their lives.

In that context, narratives of sustainability, equity, and public benefit risk functioning as substitutes for underlying conditions, including systemic inequity, climate vulnerability, and the continued use of systems that helped produce the climate crisis while concealing responsibility for its foreseeable human consequences. Illegal baselining, as used in this framework, refers to the assumption that children legally deserve whatever resources, relationships, and level of empowerment they are born with, rather than an absolute threshold of political equity and rights-based relations and resources that legitimacy would require.

Where public-facing claims about value, impact, and benefit omit the baseline needed to interpret them, they may create a net impression that cannot be substantiated. The organizations therefore view the baseline gap not only as a disclosure issue, but as a question of whether the conditions for legitimate public reliance are in place.

The organizations state that the appropriate response is to Tell The Truth about those conditions by reintroducing a zero-baseline standard grounded in one person, one equal and influential vote, under which no child is assigned lesser value at birth. Through tools such as FalseClaimsChecker.org, they state that claims can be evaluated against this standard to show the differential between what is claimed and what can be substantiated once baseline conditions are made explicit.

## **Requested Attorney General Actions**

### **A. Intake and assignment**

Please confirm the division assigned for review and the procedural track for consumer-protection evaluation of deceptive omission in public-facing marketing, ESG materials, investor-facing materials, and related commercial statements.

### **B. Document request to counterparties**

Please request that The Coca-Cola Company, fairlife, and any relevant counterparties identify each flagship public-facing claim in the categories above and provide, for each claim, the baseline disclosures necessary to prevent deception by omission, including baseline assumptions required for the claim to mean what it appears to mean, material exclusions, comparator structure, discounting choices, uncertainty treatment and modeling limits, tradeoffs and boundary

conditions that materially change interpretation, and explicit separation of outputs from net outcomes, meaning what the claim does and what it does not mean.

#### C. Corrective clarification lane

Where claims plausibly imply net outcomes without adequate baseline disclosure, please request corrective clarification language and updates to the relevant public-facing materials structured to state the baseline and limits clearly, add “what this does not mean” constraints to prevent induced reliance, and align continued public-facing claims with a verification-ready accounting approach.

#### D. Verification lane

If counterparties insist on continuing to use net-outcome-adjacent language, please require a verification-ready workflow for material claims: submission, review, remediation, retest, and a regulator-readable audit trail.

#### E. Procurement and partnership notice

Where procurement or partnership claims are involved, please consider notifying relevant Georgia public institutions and major Georgia partners of the reliance risks associated with impact claims lacking baseline disclosure and of the disclosure standard required to maintain credibility in institutional partnerships.

#### F. Optional FTC referral

If review identifies repeated national patterns of market-facing impact claims lacking baseline disclosure, please consider compiling a separate FTC referral packet focused on advertising patterns and deceptive omission.

#### G. Charitable-solicitation adjacency

This submission includes charitable-solicitation adjacency only where a claim is used to induce donations or public partnership reliance, including affiliated fundraising, coordinated solicitations, or credibility-transfer partnerships. Where that fact pattern exists, the same baseline-omission analysis applies because the reliance event is the donation or partnership decision.

#### Corrective Remedy Emphasized

The remedy sought is corrective clarification and structured compliance, not punishment for imperfection. The requested pathway includes claim inventory and identification, baseline clarification for flagship public-facing statements, corrective clarification language where broad

claims may imply more than the disclosed support can bear, and a verification-ready governance lane for material claims. This structure is intended to be practical, staged, and reviewable.

Tier 1 is a baseline disclosure protocol.

Tier 2 is corrective clarification language and updates.

Tier 3 is a certification and verification lane with a regulator-readable audit trail.

Tier 4 is a longer-term governance-locked lane, only if voluntarily pursued and only if governance and funding exist.

### **Coalition Signal**

Separately, Bobak Bakhtiari, Hangry Planet, and the Consumer Protection Foundation circulated public support for the Tell the Truth campaign and for adoption of a full-measure harm standard together with preemptive civil injunctions against illegal business models exploiting vulnerable populations. Fair Start Movement and TruthAlliance.global cite this as an indicator that baseline clarity is becoming a practical compliance expectation across sectors.

### **Requested Outcome**

A documented Georgia consumer-protection review and a baseline-clarification, corrective-clarification, and structured-compliance pathway that prevents induced reliance on net-outcome implications that are not substantiated under disclosed assumptions.

**Respectfully submitted,**

**Suriya Khan**

**[suriya@fairstartmovement.org](mailto:suriya@fairstartmovement.org)**

**516-725-3157**

**Fair Start Movement / TruthAlliance.global**

### **Sources**

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