

# Burger King Faces False Advertising Lawsuit Filed by Attorney Anthony Russo

*The lawsuit, which alleges Burger King exaggerates Whopper size in ads, is allowed to move forward says US District Judge Roy Altman.*

FLORIDA, UNITED STATES, August 31, 2023 /EINPresswire.com/ -- [Case 1:22-cv-20925-RKA](#)

In a landmark move, prominent [attorney Anthony Russo](#) has filed a lawsuit against global fast-food giant [Burger King](#), alleging false advertising practices. The suit, lodged in the U.S. District Court for the Southern District of Florida, asserts that Burger King misled its customers through advertisements about the size of their signature burger, the Whopper.



Photo of Burger King Sign on a Building

The central contention of the lawsuit revolves around the promotional materials for one of Burger King's flagship products. Attorney Russo claims that these materials grossly misrepresented the actual size of the Whopper, causing customers to be misled about what they were purchasing.

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This lawsuit, and similar lawsuits against fast food companies, are about a lot more than how much beef is in a burger.”

*Attorney Anthony Russo*

“Consumers have the right to know what they are getting when they place an order at a restaurant. When a corporation like Burger King misrepresents what they are selling, it not only dupes the consumer but also creates a

slippery slope for false advertising in other industries. We aim to hold them accountable and ensure that such misleading practices are addressed” said filing attorney, Anthony Russo of The Russo Firm.

Several consumers have come forward as plaintiffs in this case with complaints that they were misled by Burger King’s advertisements. Many of these individuals claim they made purchasing

decisions based on the ads.

According to the filing of the class action lawsuit, Burger King “materially overstates the size of (and the amount of beef contained in) many of its burgers and sandwiches”. It goes on to say that “the Plaintiffs claim that Burger King used to “more fairly advertise the size of the Whopper on its website and store menus.”

But, the lawsuit alleges, in September 2017, “Burger King began to materially overstate the size of its burgers in its advertisements. The Plaintiffs maintain that “[a] side-by-side comparison of Burger King’s former Whopper advertisement to the current Whopper advertisement shows that the burger increased in size by approximately 35% and the amount of beef increased by more than 100%. Although the size of the Whopper and the beef patty increased materially in Burger King’s advertisements, the amount of beef or ingredients contained in the actual Whopper that customers receive did not increase.”

Burger King, with thousands of outlets worldwide, has faced scrutiny in the past but never on this scale. The brand has fought back against this lawsuit, filing a motion to dismiss. However, US District Judge Roy Altman said it should be left to jurors to "tell us what reasonable people think".

The judge did dismiss part of the lawsuit, notably that Burger King misled customers with its television and online advertisements.

A Burger King spokesperson said in a statement after the ruling "The flame-grilled beef patties portrayed in our advertising are the same patties used in the millions of Whopper sandwiches we serve to guests nationwide".

Industry experts believe this legal battle could set a precedent for transparency and truthfulness in advertising within the fast-food sector.

"This isn't just about a single product or a single advertisement," Russo commented. "It's about setting a standard for honesty and integrity in the food industry as a whole. If advertisements are going on seriously misleading consumers, when do we do something about it?"

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