

[Overlawyered](#)

Chronicling the high cost of our legal system

## Californians can't get Dunkin' Donuts coffee online

by [Walter Olson](#) on October 31, 2011

“When consumers in California visit the Dunkin’ Donuts website hoping to order a bag of their favorite java, they are met with the following message: ‘Important Notice: We are temporarily suspending the shipment of orders to California while we work to comply with Proposition 65 with the State of California. We apologize for any inconvenience.’” Acrylamide, a compound naturally present in many roasted or cooked foods, is among the hundreds of substances that must be warned against under Prop 65, which has led, as we [noted in May](#), to a lawsuit against more than 40 coffee companies. [[TechNewsWorld](#)] Author Vivian Wagner quotes me:

“The law empowers private litigants to enforce its terms without having to show that any consumer has been exposed to any material or substantial risk, let alone harmed,” Walter Olson, a senior fellow at the Cato Institute, told the E-Commerce Times. “As a result, entrepreneurial law firms roam the state identifying new, often far-fetched, unwarned-of risks and extracting cash settlements along with promises to warn from hapless defendants.”