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11,482.90	2,555.20	1,204.49
DOW	NASDAQ	S&P 500

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Wiener war reaches court

■ Sara Lee, Kraft Foods argue over hot dog claims.

BY MICHAEL TARM
Associated Press

CHICAGO — The nation's largest hot dog makers argued about the meaning of "100 percent pure beef" and the merits of ketchup Monday in a lawsuit over advertising claims stemming from their years of dog-eat-dog competition.

Attorneys for Sara Lee Corp., which makes Ball Park franks, and Kraft Foods Inc., which makes Oscar Mayer, superimposed giant hot dogs on a courtroom screen as they delivered opening remarks in a case that could clarify how far companies can go when boasting about their products.

"There's never been anything of this scope ... in the entire history of hot dogs," Sara Lee's attorney Richard Leighton said about what the company says is Kraft's false and deceptive ad campaign that claimed Oscar Mayer wieners were the best-tasting franks.

U.S. Magistrate Judge Morton Denlow, who will decide if either company broke false advertising laws, couldn't resist a note of levity as he cast his eyes at the attorneys and proclaimed, "Let the wiener wars begin."

The legal dog fight began when Sara Lee filed a lawsuit in 2009, singling out Oscar Mayer ads that brag its dogs



Associated Press

A store employee holds packages of Oscar Mayer wieners and Ball Park franks in this file photo.

beat Ball Park franks in a national taste test. Leighton argued the tests were deeply flawed and gave as an example that the hot dogs were presented to participants without buns or any condiments, such as ketchup.

"They were served boiled hot dogs on a white paper plate," he told Denlow. As a result, Leighton said, Sara Lee's hot dogs may well have tasted too salty or smoky when consumed sans buns.

Among other flaws, he went on, was a rule barring anyone who ever worked in a factory from taking the test.

"You may be excluding blue-collar workers," he said. "And they're big hot-dog eaters."

Kraft filed a countersuit later in 2009, accusing Sara Lee of running ads for Ball

Parks with the tagline "America's Best Franks" based on an award from ChefsBest, a food-judging organization based in San Francisco.

The other focus of the trial is Kraft's claim that its Oscar Mayer Jumbo Beef Franks are "100 percent pure beef." Sara Lee says the claim is untrue, that it cast aspersions on Ball Park franks and damaged their sales.

But Kraft's attorney, Stephen O'Neil, told the judge the 100 percent beef tag was never intended to suggest there weren't other ingredients — like water, salt and various spices. It was only meant to convey that the meat that was used was all beef, he said.

It was designed to counter lingering impressions that hot dogs contain suspect "mysterious meats," he added.

IN BRIEF

Buffett pushes more taxes on 'mega-rich'

(AP) — Billionaire investor Warren Buffett is calling on the "mega-rich" to pay more in taxes.

Buffett said Monday in a New York Times opinion piece that he would immediately raise rates on households with taxable income of more than \$1 million, and he would add an additional increase for those making \$10 million or more.

He also recommends that the 12 members of Congress charged with devising a deficit-cutting plan leave rates for 99.7 percent of taxpayers unchanged.

"My friends and I have been coddled long enough by a billionaire-friendly Congress," Buffett wrote. "It's time for our government to get serious about shared sacrifice."

U.S. home builders remain pessimistic

WASHINGTON (AP) — Homebuilders are just as pessimistic about the depressed housing market as they were two years ago.

The National Association of Home Builders said Monday that its index of builder sentiment in August was unchanged at 15. The index has been below 20 for all but one month during the past two years.

Any reading below 50 indicates negative sentiment about the housing market. It hasn't reached 50 since April 2006, the peak of the housing boom.