

FQ?

The suit does involve a federal question because it involves 21 USC §432 or the Groovy Food Act. SMJ is satisfied.

Does D's conduct fit within Act - if I said D once, I said a billion times. Merely citing Act does not = analysis.

Further the complaint says the Groovy Food Act was asserted, "as permitted by federal pleading practice. So? (Clearly refers to incorporation by reference, not of valid 342 claim.) Thus, the complaint should not be dismissed.