Dear Readers,

Please find below the latest Food, Cosmetics, and Nutraceuticals Committee’s FCN Digest. Every other week, the FCN Digest will provide you with significant developments and updates in the food, cosmetics, and nutraceuticals arena. Please feel free to contact us at the listed email addresses with any questions, comments, or contributions that you may have regarding the FCN Digest.

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**FOOD**

Regional Whole Foods Kitchens to be Closed Down.
Whole Foods Market is closing three regional kitchens that prepare ready-to-eat food after FDA inspectors discovered Listeria problems. The three kitchen facilities are in Everett, MA, Landover, MD, and Atlanta, GA. The Everett, MA kitchen alone supplies food to 74 locations. The FDA conducted inspections and cited 20 violations after finding Listeria on food contact surfaces. Whole Foods responded to FDA’s warning letter in June-2016, but the Agency found the response inadequate.


**COSMETICS**

Group Sues FDA Over Formaldehyde in Hair-Straightening Products.
The Environmental Working Group (EWG) sued the FDA in mid-December alleging the Agency’s failure to respond to investigations into formaldehyde-containing products in hair-straightening treatments. In 2011, the EWG filed a citizen petition urging the FDA to investigate the safety of keratin hair straightening treatments, such as the Brazilian Blowout. Although FDA issued a warning that the Brazilian Blowout was adulterated and misbranded, the Agency allegedly did not issue a final response to the letter or taken any actions against cosmetics manufacturers or brands. The lawsuit was filed in the U.S. District for the District of Columbia.


**NUTRACEUTICALS**

National Advertising Division Challenges Certain Claims for Fit Tea Product.
The National Advertising Division (NAD) recommended that Fit Products, LLC, discontinue claims that its FitTea product “boosts energy” or “supports metabolism.” NAD reviewed Fit Product’s claims against the advertising support provided and noted that while green tea may aid in fat oxidation, the effect of green tea and caffeine on weight loss is inconclusive. The company, while disagreeing with NAD’s findings, issued a statement saying, it “accepts and agrees to comply with NAD’s recommendations.”


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