Food, Cosmetics, and Nutraceuticals Committee’s FCN Digest

October 7, 2016

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

Dole Consumers Get Ninth Circuit Win in ‘All Natural’ Class Action.

A 3-judge panel on the Ninth Circuit sided with a consumer who alleged that the “all natural fruit” label on Dole’s frozen berry and other products is misleading to consumers. As part of a class action suit, the consumer argued that the use of artificial citric acid and ascorbic acid as preservatives violated cited FDA’s informal policy regarding natural foods. Dole countered that the fruit products were not misbranded as “all natural” because citric and ascorbic acids were naturally included in food products. https://topclassactions.com/lawsuit-settlements/lawsuit-news/346272-dole-consumers-ninth-circuit-win-natural-class-action/ (October 6, 2016).

COSMETICS

CVS Pharmacy Withdraws Homeopathic Baby Teething Products Over Health Fears.

At the end of September, FDA announced that some baby teething products containing benzocaine may pose a risk to children. Products such as Anbesol, Hurricaine, Orajel, Baby Orajel, and Orabase should not be used in children younger than 2 years old. The FDA noted that the use of benzocaine gels may lead to a rare but serious condition called methemoglobinemia, a disorder that causes reduced oxygen to circulate in the blood. Following FDA’s announcement, CVS Pharmacy voluntarily withdrew baby teething products including, Baby Orajel products, Hyland’s Baby teething products and two of its own brand products including, CVS Homeopathic Infant’s Teething Tablet and Liquid. http://www.fda.gov/forconsumers/consumerupdates/ucm385817.htm (September 30, 2016). http://www.cosmeticsbusiness.com/news/article_page/CVS_Pharmacy_withdraws_homeopathic_baby_teething_products_over_health_fears/121718 (October 3, 2016).

NUTRACEUTICALS

Herbal and Dietary Supplements Tied to Liver Damage.

According to data reviewed by researchers, one in five cases of chemical-induced liver damage comes from herbal or dietary supplements. To assess the scope of liver injuries caused by supplement, researchers conducted a study reviewing injuries reported over eight years including data from several previously published studies. The study found that many cases were tied to several products marketed under various labels including, Herbalife and Hydroxycut. One limitation of the study was that product labels may not provide a complete list of ingredients and therefore, it was difficult for researchers to assess which supplements were linked to liver damage. Ultimately, while the overall risk of liver injury from dietary supplements is still rare, the accessibility of supplements over prescription drug products poses some risk. http://www.foxnews.com/health/2016/10/06/herbal-and-dietary-supplements-tied-to-liver-damage.html (October 6, 2016).

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