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.

**Snehal Y. Trivedi, Esq.**
FCN Digest, Co-Author
K&L Gates
snehal.trivedi@klgates.com

**Shawn Hogue, Esq.**
FCN Digest, Co-Author
K&L Gates
shawn.hogue@klgates.com

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**FOOD**

FDA Advises Consumers of Recall of Certain Sabra Hummus Products.
The FDA has posted a safety alert on its website advising consumers of a voluntary recall of certain hummus products by Sabra Dipping Company LLC. The company has recalled products with a “Best Before” date on or before January 23, 2017 because the products may be contaminated with Listeria monocytogenes. During an FDA inspection of the company’s facility in Virginia, 27 swabs of the processing environment revealed strains of the bacteria. Accordingly, Sabra Dipping Company initiated a voluntary recall and urged consumers to throw the product away.


**COSMETICS**

Olaplex Sues L’Oreal Over “Slavish Knockoffs”.
U.S. hair care start-up, Olaplex, has sued L’Oreal alleging patent infringement and false advertising for launching its Matrix Bond Ultim8 Step 1 Amplifier; Redken pH-Bonder #1 Bond Protecting Additive, and L’Oréal Professionnel Smartbond Step 1 Additive products. Olaplex’s product, Bond Multiplier No. 1 rose to success gaining the tag of “liquid gold” in reference to its color and effect on hair. L’Oreal approached Olaplex about a possible acquisition, which Olaplex claims was a guise to gain access to non-public, confidential information about the brand and its technology. In a court filing with the Central District of California, Olaplex claims L’Oreal ceased pursuing the company and instead created “knockoffs” that are the subject of the patent infringement action. http://www.cosmeticsbusiness.com/news/article_page/Olaplex_sues_LOreal_over_slavish_knockoffs/123322 (November 28, 2016).

**NUTRACEUTICALS**

FDA Warning on Supreme Slim 5.7 Containing Hidden Drugs.
The FDA is warning the public not to use Supreme Slim 5.7, a dietary supplement sold for weight loss because it contains phenolphthalein and sildenafil, two undeclared drugs. Sildenafil is the active ingredient used in the prescription drug, Viagra. Since FDA is unable to test and identify all products marketed as dietary supplements, the Agency warns consumers to exercise caution before purchasing any product that contains the abovementioned ingredients.


Prop 65 Warning Required for Aloe and Goldenseal Effective December 4, 2016.
Companies selling products containing “Aloe vera” and “goldenseal root powder” must provide a “clear and reasonable warning” compliant with the requirements of Proposition 65. California’s Proposition 65 is intended to help state citizens make informed decisions about chemicals known to cause cancer, birth defects, or other reproductive harm. Accordingly, the state’s Office of Environmental Health Hazard Assessments (OEHHA) publishes a list of such chemicals. Aloe vera and goldenseal root powder were added to the Prop 65 list last year on December 4, 2015. When a new substance is added to the Prop 65 list, companies that market products containing these ingredients have one year to reformulate their product or provide a “clear and reasonable warning” for such products. Thus, currently marketed products that contain these ingredients may be required to include this warning unless otherwise exempted.
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