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**

**Federal Court Orders Alabama Seafood Company to Cease Production Due to Food Safety Violations.**

On Tuesday, July 5, 2016, the U.S. District Court for the Southern District of Alabama entered a consent decree of permanent injunction between the United States and BEK Catering LLC, operator of Floppers Foods. Floppers Foods is based in Daphne, Alabama and sells ready-to-eat seafood products. The consent decree was sought after the U.S. FDA documented serious violations of the seafood Hazard Analysis and Critical Control Point (HACCP) and of Current Good Manufacturing Practice regulations for foods. The consent decree prohibits BEK Catering, LLC, from receiving, processing, manufacturing, preparing, packing, holding or distributing food until it comes into compliance with FDA requirements. No illnesses have been reported in connection with BEK Catering LLC and its consumers.


**COSMETICS**

**Focus on Natural Labeling Claims Continue for Cosmetics and Personal Care Products.**

The Federal Trade Commission (FTC) approved four final consent orders against companies (ShiKai, Rocky Mountain Sunscreen, EDEN BodyWorks and Beyond Coastal) that allegedly misrepresented their personal care products as “All-Natural” or “100% Natural.” According to the FTC complaint, these companies made deceptive all-natural claims in online ads for a variety of cosmetic and personal care products. As part of the final settlement, each company is barred from making similar misrepresentations in the future and demonstrate reliable evidence to substantiate any ingredient-related, environmental or health claims it makes. [https://www.ftc.gov/news-events/press-releases/2016/07/ftc-approves-four-final-orders-barring-companies-making-false-all?utm_source=govdelivery](https://www.ftc.gov/news-events/press-releases/2016/07/ftc-approves-four-final-orders-barring-companies-making-false-all?utm_source=govdelivery) (July 13, 2016).

In addition, The Honest Company, a personal care product company, is arguing for dismissal of a consumer class action lawsuit over whether certain “natural” products are deceptively labeled. Attorneys for The Honest Co. made the argument that plaintiffs have no standing to bring claims related to any Honest Co. products other than the two products that plaintiffs purchased. Plaintiffs filed the class action lawsuit earlier this year. Plaintiffs claim they purchased The Honest Company’s brand Conditioning Detangler and Shampoo + Body Wash with the impression that both those products were “natural,” as their labeling described them. They claim that the products are not "natural" and that they contain dozens of ingredients that are "synthetic and toxic." [https://topclassactions.com/lawsuit-settlements/lawsuit-news/339618-the-honest-co-seeks-dismissal-false-advertising-class-action/](https://topclassactions.com/lawsuit-settlements/lawsuit-news/339618-the-honest-co-seeks-dismissal-false-advertising-class-action/) (July 8, 2016).

**NUTRACEUTICALS**

**Public Notification: SBF Bee Pollen contains hidden drug ingredient.** The Food and Drug Administration (FDA) is advising consumers not to purchase or use SBF Bee Pollen, a product promoted and sold for weight loss on the website www.zxtbeepollen.com, and possibly in some retail stores. An FDA laboratory confirmed that SBF Bee Pollen contains sibutramine, a substance that is known to substantially increase blood pressure and/or pulse rate in some patients, and may present a significant risk for patients with a history of coronary artery disease, congestive heart failure, arrhythmias, or stroke. Sibutramine was removed from the market in October 2010 for safety reasons.

[http://www.fda.gov/Drugs/ResourcesForYou/Consumers/BuyingUsingMedicineSafely/MedicationHealthFraud/ucm510562.htm](http://www.fda.gov/Drugs/ResourcesForYou/Consumers/BuyingUsingMedicineSafely/MedicationHealthFraud/ucm510562.htm) (July 11, 2016).
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