December 29, 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.

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

FOOD

FSIS Guidance on Food Product Dating.
The Food Safety Inspection Service (FSIS) of the U.S. Department of Agriculture (USDA) issued a guidance this month on food product dating. The guidance explains that with the exception of infant formula, product dating is not required by Federal regulations. Notably, the dates on food products are meant to help consumers decide when food is of best quality as opposed to an indicator of the food’s safety. Thus, FSIS explains that food may still be donated even after the “best if used by” date passes. The guidance document is open for comments through February 7, 2017.


COSMETICS

FDA Issues Draft Guidance for Industry Pertaining to Recommended Lead Levels in Externally Applied Cosmetics.
The FDA issued a draft guidance for the industry this month suggesting a limit on lead contained in lipstick, lip glosses and lip liners to a maximum of 10 parts per million (ppm). Notably, many of the applied cosmetics on the U.S. market already contain lead levels below 10 ppm, however, a small number, including those cosmetics from other countries contain lead at higher levels. FDA’s thinking is that levels below 10 ppm will not result in detectable levels of lead in the blood if a small amount of lipstick is absorbed through licking of the lips.


NUTRACEUTICALS

Government Pressure on Retailers Forces Compliance on Dietary Supplement Brands.
GNC Holdings, Inc. (GNC) entered into an agreement with the U.S. Department of Justice (DOJ) agreeing to pay $2.25 million for neglecting to verify representations made by USPlabs LLC that the ingredients used in its OxyElite Pro Advanced Formula complied with the law. DOJ contended that USPlabs used fake certificates of analysis to import illicit ingredients from China. The government also indicted USPlabs with a trial scheduled for late 2017.


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