

## PRACTICAL FOOD LAW SEMINAR | FEBRUARY 27 – MARCH 1, 2018

**DAY ONE:** February 27, 2018

**INSTRUCTORS:** Melvin S. Drozen, Evangelia C. Pelonis, and Frederick A. Stearns

8:00 a.m. – 8:30 a.m.

### **Registration/Continental Breakfast**

8:30 a.m. – 9:00 a.m.

### **Welcome and Introductory Activities**

*Melvin S. Drozen, Partner*

9:00 a.m. – 9:45 a.m.

### **Statutory Framework and Jurisdiction**

*Frederick A. Stearns, Partner*

- Federal Food, Drug, and Cosmetic Act and related statutes
- Interstate commerce
- Classification as food, drug, dietary supplement, cosmetic

9:45 a.m. – 10:30 a.m.

### **Adulteration I**

*Frederick A. Stearns, Partner*

- “Poisonous”; added/deleterious; “may render injurious”; “ordinarily injurious”

10:30 a.m. – 10:45 a.m.

### **Break**

10:45 a.m. – 12:00 p.m.

### **Adulteration II**

*Evangelia C. Pelonis, Partner*

- Intentional Additives (Food and Color Additives, Pesticide Chemicals, Food-Contact Materials)
- GRAS Status

12:00 p.m. – 1:30 p.m.

### **Lunch** (*on your own*)

1:30 p.m. – 2:30 p.m.

### **Adulteration III**

*Frederick A. Stearns, Partner*

- Delaney Clause
- Unintentional Additives (*e.g.*, Food-Contact Substances, Pesticide Residues, Environmental Contaminants)
- Dietary ingredients

2:30 p.m. – 3:00 p.m.

### **Adulteration IV**

*Melvin S. Drozen, Partner*

- Filth

3:00 p.m. – 3:15 p.m.

### **Break**

3:15 p.m. – 4:00 p.m.

### **Adulteration IV - continued**

*Melvin S. Drozen, Partner*

- Unfit for Food, Emergency Permit Exemptions, and Good Manufacturing Practice/HACCP/HARPC

4:00 p.m. – 4:45 p.m.

### **FSMA Update**

*Evangelia C. Pelonis, Partner*

5:00 p.m. – 6:45 p.m.

### **Networking Cocktail Reception**

## PRACTICAL FOOD LAW SEMINAR | FEBRUARY 27 – MARCH 1, 2018

**DAY TWO:** February 28, 2018

**INSTRUCTORS:** Melvin S. Drozen, Leslie T. Krasny, Robert S. Niemann, Evangelia C. Pelonis, Frederick A. Stearns, and Natalie E. Rainer

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|-------------------------|---|
| 8:00 a.m. – 8:30 a.m.   | <b>Continental Breakfast</b>  |
| 8:30 a.m. – 10:15 a.m.  | <b>Mandatory Label Requirements and Nutrition Labeling</b><br><i>Melvin S. Drozen, Partner</i><br><i>Evangelia C. Pelonis, Partner</i><br><i>Natalie E. Rainer, Associate</i>             |
| 10:15 a.m. – 10:30 a.m. | <b>Break</b>  |
| 10:30 a.m. – 11:15 a.m. | <b>Mandatory Label Requirements and Nutrition Labeling – continued</b><br><i>Melvin S. Drozen, Partner</i><br><i>Evangelia C. Pelonis, Partner</i><br><i>Natalie E. Rainer, Associate</i> |
| 11:15 a.m. – 12:00 p.m. | <b>Nutrient Content Claims and Fresh, Natural, etc.</b><br><i>Evangelia C. Pelonis, Partner</i><br><i>Natalie E. Rainer, Associate</i>  |
| 12:00 p.m. – 1:30 p.m.  | <b>Lunch</b><br><i>Complimentary networking lunch with Keller and Heckman guest speaker</i><br><b>“What’s Cookin’ in the Food Court?”</b><br><i>Robert S. Niemann, Partner</i>            |
| 1:30 p.m. – 2:00 p.m.   | <b>Nutrient Content Claims and Fresh, Natural, etc. – continued</b><br><i>Evangelia C. Pelonis, Partner</i><br><i>Natalie E. Rainer, Associate</i>  |
| 2:00 p.m. – 3:00 p.m.   | <b>Organic, Health Claims, Qualified Health Claims, and GM Labeling</b><br><i>Evangelia C. Pelonis, Partner</i><br><i>Natalie E. Rainer, Associate</i>                                    |
| 3:00 p.m. – 3:15 p.m.   | <b>Break</b>  |
| 3:15 p.m. – 3:45 p.m.   | <b>“Structure/Function” Claims (Food and Dietary Supplements)</b><br><i>Frederick A. Stearns, Partner</i>   |
| 3:45 p.m. – 4:15 p.m.   | <b>Dietary Supplement Requirements, Juice Labeling, and Other Labeling Issues</b><br><i>Leslie T. Krasny, Partner</i>   |
| 4:15 p.m. – 5:00 p.m.   | <b>California Proposition 65</b><br><i>Natalie E. Rainer, Associate</i>   |

## PRACTICAL FOOD LAW SEMINAR | FEBRUARY 27 – MARCH 1, 2018

**DAY THREE:** March 1, 2018

**INSTRUCTORS:** Richard F. Mann, Leslie T. Krasny, Frederick A. Stearns, and Christopher Van Gundy

8:00 a.m. – 8:30 a.m.

**Continental Breakfast**

8:30 a.m. – 10:15 a.m.

**Approving, Defending and Challenging Food Advertising Claims**

*Richard F. Mann, Partner*

When Is a Claim -

- Constitutionally Protected?
- Non-Actionable Puffery?
- Material?
- Substantiated Adequately?
- Deceptive/Misleading?
- False?
- Unfair?
- Banned?

10:15 a.m. – 10:30 a.m.

**Break**

10:30 a.m. – 11:45 a.m.

**FDA Inspections and Import/Export Issues**

*Leslie T. Krasny, Partner*

*Frederick A. Stearns, Partner*

- Managing Inspections, Record Review and Photographs
- Recordkeeping and Retention
- Import/Export Procedures and Requirements

11:45 a.m. – 12:30 p.m.

**Working Lunch** (*provided by Keller and Heckman LLP*)

12:30 p.m. – 1:00 p.m.

**Claims – Class Action Lawsuits**

*Christopher G. Van Gundy, Partner*

1:00 p.m. – 2:00 p.m.

**FDA Enforcement Tools**

*Leslie T. Krasny, Partner*

*Frederick A. Stearns, Partner*

- Recalls: Overview and Tips for Handling
- Enforcement Discretion, Warning Letters, Administrative Detention, Suspension of Food Facility Registration, Seizures, Injunctions, Criminal Prosecutions, Publicity

2:00 p.m.

**Wrap Up Discussion and Seminar Adjourns**

*Keller and Heckman LLP attorneys*