

## Elizabeth B. Fawell

Partner

Washington, D.C.

### Biography

Successfully navigating the detailed and often complex regulatory issues confronting the food industry, Elizabeth Fawell helps companies understand both the rules and various risks involved to make the most informed and strategic decisions.

Elizabeth has worked with every segment of the food industry, including manufacturers, distributors, retailers, restaurants, and food service operators, as well as their trade associations.

Her work on behalf of food industry clients with the Food Safety Modernization Act (FSMA) since its inception and her understanding of Hazard Analysis Critical Control Point (HACCP) systems provides her with the experience and perspective needed to counsel clients on how to comply with new requirements under the law. Elizabeth is also a Preventive Controls Qualified Individual (PCQI) and has completed the FSPCA PCQI training.

Elizabeth understands how laws, regulations, and guidance documents are developed, interpreted, and enforced. Her extensive knowledge enables clients to prevent or respond to enforcement actions such as Warning Letters, Import Alerts, and agency investigations. She helps clients in determining whether an RFR report is necessary and whether a recall is warranted. If so, she helps manage the recall to minimize business impacts.

Elizabeth provides real-time advice during factory



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### Practices

Administrative and Public Law

Food Law

Government Relations and Public Affairs

Investigations, White Collar, and Fraud

Marketing and Advertising

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### Industries

Consumer

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### Areas of focus

Judicial Review

Consumer Product Safety  
Regulation

inspections, helps clients prepare 483 responses, and drafts inspection manuals. She assists clients in lawfully and creatively promoting their products; such as the development of labels, claims, and website and promotional campaigns. Elizabeth also supports clients in advertising disputes and with responses to FTC and Attorney General investigations.

Elizabeth helps clients stay informed of and ahead of public policy issues and develops strategies for effective advocacy before regulators.

## Representative experience

Counseled food manufacturer on responding to an FDA Inspectional Observations Form 483 and avoiding enforcement action.

Advising major food companies on compliance with FSMA preventive controls and supply chain requirements.

Advised several companies on CPSC reporting requirements and avoided a recall in multiple instances.

## Awards and rankings

- Food & Beverages: Regulatory & Litigation (Nationwide), Up and Coming, *Chambers USA*, 2018-2019
- Food & Beverages: Regulatory & Litigation (Nationwide), Rank 2, *Chambers USA*, 2022

## Latest thinking and events

- News
  - FDA issues draft guidance on labeling of plant-based milk alternatives
- News
  - USDA issues proposed rule to update school nutrition standards
- News
  - FDA to test front of pack nutrition labeling schemes through consumer research

Medical Foods and Dietary Supplements

Food Advertising and Regulation

Food Recalls

Food Legislation and Regulatory Policy Development

Product Development and Approval

Trade Association Governance

Food Compliance and Enforcement

Congressional Oversight and Investigations

Legislation

Advertising and Copy Clearance

Retail and Consumer Goods

Food and Beverages

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## Education and admissions

### Education

J.D., Northwestern University School of Law, Order of the Coif, 2005

B.A., Princeton University, 1998

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## Memberships

Member, Food and Drug Law Institute, Food and Dietary Supplements Committee

Member, Maryland Bar Association

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## Bar admissions and qualifications

District of Columbia

Maryland

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- News
  - U.S. Food Law Preview - Key issues affecting the food industry in 2023
- News
  - Maine DEP reverses course and clarifies food packaging containing PFAS need not be reported
- News
  - FDA issues final and draft guidance on allergen labeling requirements