

VLP Partner Char Pagar Sits Down with InsideCounsel for an Exclusive Interview about FDA Clarification on the Term “Natural” on Food Product Labels

VLP Advertising Partner Char Pagar sat down with *InsideCounsel* for an exclusive interview for the article “‘All Natural’ Claims Cause a Storm of Lawsuits as Consumers Wait for FDA Clarification.”

The article noted that currently, there is no legal definition of what natural means in the context of food products. Although the FDA has a policy that “natural” means “nothing artificial or synthetic,” it’s not clear how some issues – like genetically modified ingredients or trace elements – fit within that policy. A recent string of lawsuits over “natural” claims has the FDA reviewing its definition of natural and some of those class action cases have been put on hold until the FDA weighs in.

“Until the issue is resolved, these lawsuits will continue to pile up,” Char said.

“Some of the first lawsuits in this area challenged the use of high fructose corn syrup – a naturally-sourced, but highly processed ingredient,” Char noted. “Then, we had lawsuits challenging the use of GMO ingredients. And now we’ve got this lawsuit challenging the presence of trace amounts of an agricultural pesticide.”

Char went on to explain that, as current law is not clear about what the word natural means, she doesn’t think it would be accurate to say that companies are breaking the law right now. It is possible that the FDA will ban the use of “all natural” in the future, but she suspects they will be more likely to regulate the use of the term than to ban it as an initial step.

“And hopefully issue some useful guidance so industry members have clear standards and rules they can follow when they want to make a natural claim for a food product in the future,” Char added.

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