

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



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Practices

Administrative and Public Law

Food Law

Government Relations and Public Affairs

Investigations, White Collar, and Fraud

Marketing and Advertising

Industries

Consumer

Areas of focus

Judicial Review

warranted. If so, she helps manage the recall to minimize business impacts.

Elizabeth provides real-time advice during factory 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. She also counsels clients on compliance with Consumer Product Safety Commission (CPSC) safety standards, testing and certification requirements, and reporting obligations.

Elizabeth is also a member of the Food and Dietary Supplements Committee of the Food and Drug Law Institute.

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

Latest thinking and events

Consumer Product Safety Regulation

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

Education and admissions

Education

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

B.A., Princeton University, 1998

Memberships

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

Member, Maryland Bar Association

- Hogan Lovells Publications
 - COVID-19 update: FDA deputy commissioner Yiannas issues PSA and FDA updates COVID-19 food safety guidance
- Hogan Lovells Publications
 - FDA issues temporary policy regarding labeling of shell eggs sold by retail establishments
- Hogan Lovells Publications
 - COVID-19 update: CISA updates critical infrastructure workers guidance and FDA issues additional guidance for industry and the public
Food Law Alert
- Hogan Lovells Publications
 - FDA announces temporary flexibility regarding nutrition labeling due to COVID-19 pandemic
Food Law Alert
- Sponsorships and Speaking Engagements
 - Food Enforcement and Compliance Conference
- Hogan Lovells Publications
 - COVID-19 update: FDA issues updated guidance for food industry

Bar admissions and qualifications

District of Columbia

Maryland
