



NIOP TECHNICAL COMMITTEE MEETING

PRESENTED: NOVEMBER 3, 2021

UPDATED: NOVEMBER 9, 2021

ABOUT ISEO

- Founded in 1937, the Institute of Shortening and Edible Oils (ISEO) the national trade association located in Washington, D.C. advocating on behalf of refiners who produce 95% of domestic edible fats and oils.
- ISEO edible fats and oils are used in baking and frying, cooking and salad oils, margarines, spreads, confections, toppings, and are listed as ingredients in a wide variety of foods and beverages sold and served in the retail and food service industries.
- ISEO member companies refine both domestic and imported edible oils such as canola, coconut, cottonseed, lard, olive, palm, palm kernel, peanut, safflower, sunflower, soybean, tallow, and wheat germ.
- ISEO brings edible fats and oils refiners together to proactively address the unique challenges and opportunities of our segment of the supply chain with a key focus on legislative and regulatory initiatives.



DC UPDATES/POLITICS

- On Nov. 5 Congress sent the \$1T Bipartisan Infrastructure Deal ([Infrastructure Investment and Jobs Act](#)) to President Biden's desk- expected to be signed into law.
 - Includes key pilot program to allow 18 to 21 year old commercially licensed drivers to operate in interstate commerce following participation in a 400-hour apprenticeship program.
- Fate of the \$1.85T White House backed reconciliation "[Build Back Better](#)" social spending package remains uncertain and ultimately hinges on the support of a few moderate Democrats.
- Debt ceiling deal expires Dec 3- risk of govt shutdown again.
- Less than 20 legislative working days left in calendar year 2021.
- Virginia Governor flips to Republican, New Jersey Governor race- remained Democrat, but not by wide margins.
 - Off year elections viewed as early indications about favorability of the President/party in control and may foreshadow voter sentiments going into midterm elections where U.S. House, U.S. Senate (or both) could switch parties.
 - Puts heightened pressure on Democrats to complete agenda as quickly as possible before 2022 midterms.

FDA ISSUES TO WATCH

- [Voluntary sodium reduction targets over two years](#)
- Looking to redefine “healthy”
- Considering front of pack “healthy” symbol in alignment with “healthy” definition
- Anticipated to announce proposed rule on Front of Pack (FOP) labeling later this year
 - Canada, Mexico, EU in various implementation stages of FOP labeling- U.S. furthest behind
 - Codex meeting in October on FOP and on oils
 - Codex standard for High Oleic Soy has been initiated
- [Closer to Zero: Action Plan for Baby Foods](#)
 - Assessing exposure to toxic elements, including arsenic, lead, cadmium, and mercury
- Ongoing analysis of contaminants such as MOSH/MOAH, etc.
- FDA Commissioner yet to be named



NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD

- Requires food manufacturers, importers, and other entities that label foods for retail sale to disclose information about bioengineered (BE) food and BE food ingredients, and is intended to provide a mandatory uniform national standard for disclosure of information to consumers about the BE status of foods.
- ISEO has been focused on educating customers that fully refined canola oil, high oleic canola oil, cottonseed oil, corn oil, soybean oil, and high oleic soybean oil sold in the U.S. does not contain Detectable Bioengineered rDNA therefore does not need to be labeled as such.
- Compliance Date to label: Jan. 1, 2022– an extension not likely, but continue to push for enforcement discretion.
 - American Bakers Assn and Consumer Brands Assn pushing for an extension due to supply chain woes as this is not a food safety issue, but a marketing issue.
- ISEO led creation of a [food industry implementation toolkit](#) – 23 organizations supported it.
- ISEO is communicating regularly with customer groups on implementation and ensuring they have the information they need to comply as it relates to fully refined oils.



USDA ISSUES TO WATCH

- Bioengineered Labeling (set for implementation Jan. 1, 2022)
- Farm Bill (current funding expires Dec. 2023, reauthorized every 5 years)
- Dietary Guidelines for Americans (issued every 5 years-set to be issued in 2025 jointly with USDA and HHS)
- Child Nutrition Authorization (WIC & School Lunch) (funding expired in 2015, should be reauthorized every 5 years)

TRANSPORTATION/SUPPLY CHAIN

- President Biden has indicated he will direct all federal actions needed to fix the U.S. supply chain, however many challenges remain to untangle complex web of multifaceted problems.
- ISEO is advocating for the following:
 - Younger Driver Pilot Program (included in Bipartisan Infrastructure Bill)
 - Promotion of Careers in Transportation and the Supply Chain
 - Seeking Hours of Service Relief (flexibility through Dept of Transportation)
 - continue to support last year's changes to the Hours of Service regulations that give commercial truck drivers greater flexibility
 - Need continued Flow of Goods through Ports and more coordination between whole transportation sector

COVID-19 EMPLOYER VACCINATION MANDATE

- On Nov. 4, the Biden Administration via the Department of Labor's Occupational Safety and Health Administration issued its Employer COVID-19 Vaccination Mandate which covers businesses with over 100 employees and has an implementation date of Jan. 4, 2022.
- The mandate is expected to impact approximately 84 million employees.
- Impacted employers must ensure that their workers are either fully vaccinated against COVID-19 by Jan. 4 OR that they test negative for COVID-19 at least once a week.
- Impacted employers must offer paid time for to get vaccinated and masks will be required for unvaccinated employees.
- Impacted employers will be slapped with fines of up to \$14,000 per infraction if they don't comply, however enforcement appears to fall on the companies themselves.
 - [White House Fact sheet](#)
 - [Department of Labor's Occupational Safety and Health Administration \(OSHA\) press release](#)
- On Nov. 6, the U.S. federal appeals court stayed Biden's vaccine rule for companies due to numerous legal challenges against the mandate.
- On Nov. 9, the Biden Administration indicated there is no reason to stop the mandate and that the cases should be consolidated and that one of the circuit courts where a legal challenge has been filed should be chosen at random on Nov. 16 to hear it.
- Companies with over 100 employees should continue to watch this closely as it plays out in the courts and consult with legal experts on how to proceed on implementation.

WHERE INTERNATIONAL CLIMATE POLICY CAN CONVERGE ON U.S. FOOD POLICY

- International conferences (UN Food Systems Summit, COP 26, etc.) are meant to inform and unite governments around the world to take action on climate commitments.
- The UN [research states](#) the food system is responsible for 1/3 of all greenhouse gas emissions in terms of production, processing, and packaging.
- U.S. Government can use food industry regulations and other pressures to help hit climate change/sustainability goals via:
 - FDA, USDA, EPA Rulemakings
 - Farm Bill (current funding expires Dec. 2023)
 - Dietary Guidelines for Americans (issued 2025)
 - Trade agreements
 - Executive branch commitments/Executive Orders
 - Annual spending bills (appropriations policy)
 - NGO pressure

QUESTIONS?

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