

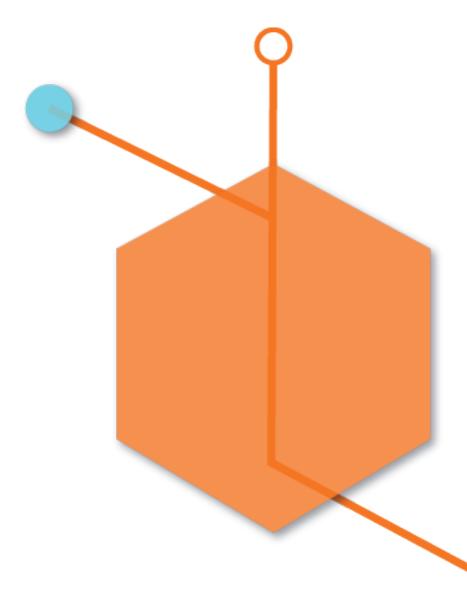


ASTA Advocacy Update

Laura Shumow and Craig Johnson

Advocacy Budget & Priorities

- ASTA has budgeted \$427,140 to cover advocacy work in FY2021-2022
- These funds cover heavy metal and pesticide work, staff support, validation guidance for spice groupings, development of governmental comments, & coalition building
- Key priorities:
 - Heavy metal limits especially New York State
 - Pesticide tolerance petitions & farmer training
 - Guidance on validation of spice groups



New York State – Key Issue

- NY Department of Agriculture and Markets held a stakeholder webinar in May 2021 & published webpage & press release announcing new action limits for heavy metals in spices
- 0.21ppm action limit for lead in spices is unachievable



New York State – ASTA Response

- ASTA requested a meeting with NY & engaged the Task Force on Lead in Spices to respond to concerns regarding the action limit
- Scientific consulting firm Exponent was hired to conduct safety & exposure assessment for spices
- Craig Johnson of Long Point Advisors, former state senator in New York State, was hired as a lobbyist
- Feasibility data was collected from members
- FDA was engaged and D.C. coalition was informed

July 29 Meeting with NY State

 Meeting with regulatory officials from Department of Public Health & Department of Agriculture and Markets



- ASTA staff, Exponent, Craig, and counsel present
- Goals of meeting
 - Justify safety of existing class 2 action limit of 1ppm
 - Communicate that action limit of 0.21ppm is not feasible
 - Better understand New York's approach to its risk assessment
 - Compare risk from spices to other foods drinking water, vegetables, etc.



Feasibility Data Shared with NY State

		Average	Median	90th Percentile		
Spice	N	(ppm)	(ppm)	(ppm)	% >0.21 ppm	% >1.0 ppm
Cinnamon	3095	0.81	0.66	1.6	86%	28%
Ginger	441	0.76	0.68	1.3	95%	18%
Turmeric	550	0.29	0.17	0.67	44%	3%
Basil	34	0.27	0.20	0.62	47%	0%
Oregano	121	0.54	0.37	0.94	79%	9%

- This data was anonymously consolidated and blinded from samples throughout the global spice supply chain, including raw materials and finished products.
- Non-detects set to 1/2 LOD; if no LOD was provided, assumed an LOD of 0.005 ppm.

Meeting Outcome

- New York State shared more specific information on feasibility & exposure assessment
 - 41% of spices sampled by New York would not meet standard
 - Consumption analysis included some non-spices (e.g. bell peppers)
- Open to delaying implementation
 - ASTA communicated that limits should be revoked/revised, not delayed
- State will finalize paper soon and committed to continuing the dialogue with ASTA once the paper is published

Next Steps

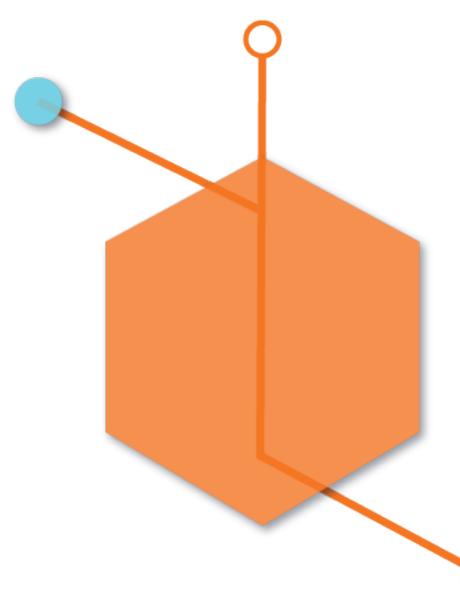
- Elevate issue to Governor Cuomo's office Meeting on Aug
 26
- Leverage economic footprint of spice industry in New York state and coalitions with broader food/restaurant sector
- Ultimately may need to negotiate alternative "solution"
 - Lowering Class I action limit from 25ppm
 - Accepting limits set for arsenic and cadmium
 - Differing levels for subcategories of spices





Meeting with FDA August 31

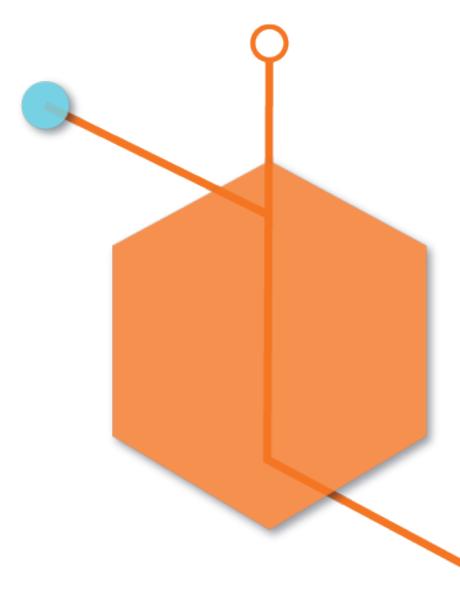
- ASTA formed a coalition of D.C. based trade associations with concerns about the new limits
- Coalition will meet with FDA to raise concerns regarding New York State's recall manual on Aug 31
- Will raise concerns regarding the precedent and request that FDA leverage its authority in the establishment of limits



Pesticide Advocacy

- Updates metalaxyl, cypermethrin
- Identifying future petition candidates
- Partnership with SSI, IDH, ESA, & VPA
- Pesticide compliance list on ASTA website





Validation of Spice Groupings

- ASTA published a paper on validation, sponsored by Sterigenics, of irradiation processes for spices
- Dr. Jim Dickson and ASTA Microbiology
 Task Force are working on
 revising/enhancing guidance on validation
 of spice groupings







On Our Radar: Monitoring and Will Engage if Need

- Forced Labor/CBP WRO's
- Trade/Tariff Issues
- Ethylene Oxide/Propylene Oxide Authorization
- Poppy Seed Restrictions
- Organic Issues (NOSB, Strengthening Organic Enforcement)
- New Era of Food Safety & FSMA-Related Issues (Laboratory Accreditation, FDA Guidance, Traceability Regulations, etc.)

Compliance Support Resources

- Events, Education & Webinars
- Revising HACCP/GMP Guidance Document
- Adulteration Briefing Guidance
- FYI ASTA Weekly
- One-on-One member questions













Upcoming ASTA Events!





