

# TECHNICAL WEBCAST

SEPTEMBER 18, 2019

## "USDA AMS NATIONAL BIOENGINEERED (BE) FOOD DISCLOSURE STANDARD RULE"



### Date and Time:

Wednesday, September 18 from 2:00 p.m.- 3:00 p.m. Eastern Time  
(1:00 p.m.-2:00 p.m. Central, 12:00 p.m.-1:00 p.m. Mountain,  
11:00 p.m.- 12:00 p.m. Pacific)

### Overview:

On December 21, 2018, the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) published its final rule implementing the National Bioengineered Food Disclosure Standard (NBFDS) (Public Law 114-216) mandated by Congress in 2016, which

amended the Agricultural Marketing Act of 1946. The final rule requires regulated entities to begin implementation by January 1, 2020, and sets a January 1, 2022 mandatory compliance date for all entities.

This webinar will:

- Provide a comprehensive overview of the final rule
- Describe how USDA resolved key issues and what issues remain undecided
- Identify strategies to consider as you plan for implementation

### Presenters:

*Evangelia C. Pelonis, Keller and Heckman, Partner*

Evangelia Pelonis' practice focuses on all regulatory and compliance matters of the U.S. Food and Drug Administration and the U.S. Department of Agriculture relating to human food, animal feed, food additives and ingredients, and dietary supplements.

Ms. Pelonis works with clients to achieve their marketing goals within the applicable legal frameworks. She counsels clients in all aspects of food development and marketing, from product formulation and manufacturing considerations to food labeling and advertising.

Ms. Pelonis regularly assists clients with issues involving:

- Review of food labeling and promotional materials, including appropriate common or usual names, ingredient declarations, nutrition labeling, health claims, nutrient content claims, structure function claims, allergen labeling, organic labeling
- Review of substantiation for labeling and advertising claims
- Food safety & preparing self-determined GRAS positions and GRAS Notifications for submission to FDA
- FDA enforcement actions and responses to Warning Letters
- Compliance with FDA's Bioterrorism regulations
- Assisting clients with product recalls and reports to the Reportable Food Registry
- Import and export issues regulated by FDA, Customs and USDA including assisting companies in gaining release of detained products and removal from Import Alert
- International food regulatory matters (Canada, Australia, Far East, Middle East)

Sam Jockel practices in the area of food and drug law. Mr. Jockel advises both domestic and international corporations on product compliance issues involving the U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA). In particular, he assists clients with regulatory matters related to food, food ingredients, processing aids, food packaging, and labeling issues.

Prior to joining Keller and Heckman, Mr. Jockel served as a trial attorney in the USDA's Office of the General Counsel. While at USDA, Mr. Jockel was counsel for the implementation of the National Bioengineered Food Disclosure Standard, where he played a key role in providing legal advice to senior USDA and Agricultural Marketing Service (AMS) officials, drafting the proposed rulemaking, and defending USDA in a challenge under the Administrative Procedure Act.

At USDA, Mr. Jockel also represented AMS, the Food Safety and Inspection Service, and the Animal and Plant Health Inspection Service in administrative enforcement proceedings before USDA's Administrative Law Judges. Mr. Jockel has particular expertise in enforcement matters arising under the Animal Welfare Act, where he successfully tried and resolved major compliance actions brought against animal research institutions, drug and biological product development companies, and animal dealers and exhibitors.

Mr. Jockel also served as an Oak Ridge Institute for Science and Education (ORISE) Fellow in FDA's Office of International Programs during and following law school. At FDA, Mr. Jockel drafted and negotiated numerous international arrangements to share regulatory information between FDA product centers and foreign regulatory counterparts and multi-lateral organizations. Mr. Jockel also worked on medical product safety and regulatory harmonization initiatives, including representing FDA before the World Health Organization and the Pan American Health Organization.

## **Register now for this live, interactive Webcast that you can join from your office!**

### **How does the webcast work?**

It's easy and convenient! A virtual seminar is one that you can "attend" and participate in right from your offices. There is no travel time, and now provided at **NO COST** to RFA members!

The RFA Technical Webcast will include live audio along with a slide presentation on the Web. You just need a phone connection for the audio and an Internet connection.

In addition, the webcast will allow you to comment & ask questions at specified times during the event using your phone.

You can invite staff members to listen and participate too! To get the most out of a webcast, it is recommended that you have no more than five people at any one computer connection. If you have multiple locations, please register each location separately.

### **Credits**

The Institute of Food Technologists (IFT) and the Research Chefs Association (RCA) have confirmed that continuing education credits are available for numerous RFA technical functions. Depending on the specific educational criteria of these two organizations, credits will be accepted for attendance at 1) *RFA Webinars*, 2) the RFA Fall Symposium and 3) the RFA Annual Conference.

Contact the RFA office for more information or for proof of participation.

### **How to attend this meeting?**

To attend the meeting, fill out the attached registration form and return it to the RFA office by mail or email. For non-members only: checks must be made payable to the Refrigerated Foods Association.

Once you have registered for the meeting, you will receive an email message inviting you to attend the webcast with instructions on how to attend. This message will provide the information that you need to join the meeting.

Please note: You must have JAVA enabled on your computer to participate.

### **Register now!**

Registration forms (and payment, if applicable) should be received no later than September 16, 2019. Confirmations will not be sent until your registration form is received.

If you have questions about the meeting, please contact Meg Levin at [meg@refrigeratedfoods.org](mailto:meg@refrigeratedfoods.org)

# RFA TECHNICAL WEBCAST

## Registration Form

### *“USDA AMS National Bioengineered (BE) Food Disclosure Standard Rule”*

**Presenters: Evangelia Pelonis and Sam Jockel, Keller and Heckman LLP**

**September 18, 2019**

**2:00 - 3:00 p.m. ET**

### Registration Information

The cost for this event is as follows:

**RFA Members:**

NO CHARGE FOR MEMBERS

**Non-Members:**

**\$310** per computer/audio connection

**Registration:** To register, please fill out the information below and return it to the RFA office. Non-members, please submit this form along with your payment. Checks must be made payable to “Refrigerated Foods Association.” Forms should be received by **September 16, 2019**, to guarantee your registration.

Once you have registered for the meeting, you will receive an e-mail message inviting you to attend the web conference with instructions on how to attend.

**Cancellation:** No refunds will be made; however, participants who are already registered may be substituted by another company employee.

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### TECHNICAL WEBCAST REGISTRATION FORM

#### Refrigerated Foods Association

3823 Roswell Road • Suite 208 • Marietta, GA 30062

Phone: (678) 426-8175 • Fax: 678-550-4504 • E-mail: [info@refrigeratedfoods.org](mailto:info@refrigeratedfoods.org)

Contact: \_\_\_\_\_ Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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**Amount Enclosed (Non-Members Only):** \_\_\_\_\_

**ACH:** Bank Routing # (ABA) – 021052053 Account # 53374959

**Card Type:** VISA      AMEX      DISCOVER      MASTERCARD

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Expiration: \_\_\_\_\_ Card security code: \_\_\_\_\_

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Billing Information for credit card if different from above:

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_