Episode Title: From EPA to Industry: Lessons Learned That Revolutionize Food and Chemical Safety -- A Conversation with Susanna W. Blair, Ph.D.

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Lynn L. Bergeson (LLB): Hello, and welcome to *All Things Chemical*, a podcast produced by Bergeson & Campbell (B&C®), a Washington, D.C., law firm focusing on chemical law, business, and litigation matters. I am Lynn Bergeson.

This week, I had the pleasure of speaking with Dr. Susanna Blair, Senior Director of Regulatory and Technical Affairs at the Consumer Brands Association, otherwise known as CBA, which represents the interests of the consumer packaged goods community. Having left the U.S. Environmental Protection Agency (EPA) after a distinguished career as a Senior Scientist and Policy Expert, Dr. Blair is putting her science policy chops to good use at CBA. We discuss CBA's mission, its focus on food and beverage ingredients, how Make America Healthy Again (MAHA) advocacy has impacted CBA, the association's focus on the generally recognized as safe (GRAS) framework, among other priority projects CBA is pursuing, and much more. Now, here's my conversation with Dr. Susanna Blair.

Welcome, Susanna. It was lovely to see you at TSCA Reform -- 10 Years Later a month or so ago. I'm just so thrilled that you're here today and we're having this conversation.

Susanna Blair (SB): Hi, Lynn. It's such a pleasure to be here. You are an institution, maybe, in my sliver of the D.C. policy world, so it really is my pleasure to be here with you.

LLB: You're very kind to say that. What I'd like to do, with your permission, is start with *you*. You have such a fascinating background. You have a Ph.D. in geological sciences before joining CBA, which is very lucky to have you.

SB: Thank you.

LLB: I knew you, and you know many of my colleagues here at B&C through your work at EPA. You've served in a number of leadership and policy and science positions. One question that

I have, and many of our listeners might be asking, is, "What led you to a career in science and motivated you to devote all the time and effort that you did to perfecting your considerable skills at EPA?"

SB: Thank you for all of that. Yes, I do have a Ph.D. in geology from the University of Florida (UF), though I can't say I could do much mineral identification anymore, unfortunately. My dissertation was pretty technical. I spent a lot of late nights in the clean lab measuring metals and isotopes. My dissertation focused on metal accumulation in Florida lakes, which are pretty unique in themselves. I looked at metals and how anthropogenic actions changed the metal accumulation over time. For example, when we had lead in our gasoline, you can see a huge spike in lead concentrations in lake sediments.

But the important part of my dissertation, to answer your question, was, as part of the Ph.D. program, I was also a National Science Foundation (NSF) Fellow as part of an interdisciplinary program to study different approaches to natural resource management. What this allowed me to do was take a few classes at the law school at UF. I joined the Conservation Clinic at the law school as a Science Consultant. As part as this clinic, we worked with local watershed management groups and provided guidance to them, using the law, and regulations, and, of course, science to help build best management practices.

A brief story: As part of this, we worked with a community in the Blackwater River watershed, which is in the Florida panhandle. And though not unique to this river, a lot of activities -- logging and clearing the flood plain for development -- of course, led to changes in sedimentation patterns, changed property lines, altered habitat, and ultimately impacted water quality. We looked at laws, such as the Clean Water Act, namely, the dredge and fill provisions and the Rivers and Harbors Act, and developed best management practices for these communities. Maybe embarrassing, maybe endearing, but I have to say that dredge and fill permitting was my gateway drug to ultimately pursuing this career in science policy and regulation.

LLB: That's a fascinating background. No, it's so broad, and actually I could geek out on this stuff in a heartbeat.

SB: Same, same. I still love working with lawyers, and thankfully, the subject matter has only gotten more interesting for me.

LLB: That is absolutely the case. Let's transition a little bit to the Consumer Brands Association (CBA). I think many of our listeners are well aware of CBA and the wonderful things that the organization does. It represents the interest of the consumer packaged goods community, which is just so important these days. Perhaps you can share *some* background on CBA's long history -- it's been around a long, long time -- and expand just maybe a little bit on what some of its key initiatives and projects are, and especially those on which you are working.

SB: Yes, absolutely. CBA, we are a trade association. We champion the consumer packaged goods, lovingly known as the CPG industry. We represent products that folks, you and me, Americans use every day. Our members make household and personal care products, toilet paper, toothpaste, cleaning supplies. And then of course, huge national food and beverage companies are members as well. We represent over 70 companies, and that includes over 2,000 brands.

One thing that really struck me when I was learning about consumer brands was this industry specifically contributes $2.5 trillion to the U.S. gross domestic product (GDP). This represents about ten percent of the national GDP. And with respect to jobs and employment, we support 22.3 million American jobs, which represents about ten and a half percent of total U.S. employment.

LLB: Those numbers are really big! I had no idea.

SB: Yes, that struck me. CBA began as the Grocery Manufacturers Association, GMA. Some folks might be familiar with that. Then it ultimately rebranded in 2020. A few pillars of our work: I think a few things really stand out at our work at the moment. Product policy is one, so this would cover nutrition, product safety, and then this also includes chemicals management, which is squarely in my portfolio, looking at U.S. Food and Drug Administration (FDA) and EPA regulations. We look at packaging and sustainability. We have a really strong extended producer responsibility (EPR) group, molecular and advanced recycling, packaging sustainability. And then trade and tariffs has become ever more important for us.

LLB: That's huge.

SB: Yes, consumer packaged goods sources about 90 percent of our ingredients and inputs from American farmers and suppliers. But of course, there are certain things that either -- due to climate, or geography, or other factors -- just aren't available here in the United States. I think coffee is the important one there that comes to mind immediately. Our team has worked pretty tirelessly over the past year-plus to get tariff relief for these recognized key agricultural -- we call them unavailable natural resources. Tin steel falls into that, so the tin steel that is on your can of tomatoes is also not totally manufactured here in the United States, and so working for manufacturers to get relief for that as well is something we're working on.

LLB: I think COVID, if it taught us nothing else, it taught us of the complexity of supply chains writ large, and food and consumer packaged goods is no exception.

SB: Absolutely. No, I think COVID was a real wake-up call for a lot of us in that respect in understanding where things came from and the challenges with ensuring that we can get what we need in the time that we need it.

LLB: I know you best, Susanna -- given your scientific policy and communication background from EPA -- and your very storied, distinguished career there serving well the interests of EPAers and the American public when you worked there at that agency. Given the interests of CBA and its very large membership, I'm wondering if you can narrow down what has prepared you best for your new career, given the skill set that you amassed while working with EPA?

SB: Absolutely. I started at EPA in the Office of Research and Development (ORD), and I will be forever thankful for my boss there. In 2016, when the TSCA amendments were passed, she looked at me and said, "You need to go to the Office of Pollution Prevention and Toxics (OPPT) and work on TSCA."

I had worked -- I was a AAAS congressional fellow, American Association for the Advancement of Science. I worked a little bit on TSCA amendments before it was passed, so it was quite familiar. When I joined EPA and then moved to OPPT, I really was at the

front lines of implementing the biggest environmental law in recent time. It was fascinating. I'm forever grateful for that experience.

I left about a year ago, almost exactly, to join CBA -- a lot of really wonderful experiences from that to my current job. A few things I might point out: I led both the intra- and interagency coordination for EPA in the toxics program. Of course, chemicals aren't regulated just under TSCA. They're also regulated in the Office of Air, Office of Water. I helped coordinate the Agency's approach to managing the risks of chemicals. Then I also worked across the federal government. Federal agencies also use chemicals.

DOD, or Department of Defense, Department of War, comes to mind readily for that one. I worked across these agencies to ensure that their uses were coordinated and considered in our TSCA actions. I think this translates really well to the work that *any* association does, of course, that we're working across memberships, again, 70 members with varying views. But an association works on behalf of *all* their members, advancing, advocating interests for everyone as a whole. I take feedback from a number of members and fold it into our industry position. Members might be competitors in the marketplace, but they have a shared interest in food policy approaches. Similar to the federal government, working across lines, across potentially differing interests, to advance good, solid, robust policies.

LLB: Yes, I would imagine *all* those skills that you acquired at EPA are being put to excellent use at CBA.

SB: I think another thing that really comes to mind is the role of science in regulation. While at EPA, I worked with some amazing scientists, both in the toxics program as well as ORD. Using science for regulation is a different beast than science in academia. There are true implications for science policy approaches. Choosing one uncertainty factor over another or a hazard endpoint can change dramatically what risk management looks like.

LLB: We know that well.

SB: Yes, I was going to say it's important for you and me in the food space now. I think this allows me to work really well with industry scientists to advocate for them, understanding the bounds of the federal statutory and regulatory structure. I think science is in a pretty tough place. I could list some reasons why, of course, but I think there are a lot of folks with a lot of platforms who can advance their own perspective *du jour*, a lot of noise on social media --

LLB: -- that may or may not be well grounded, right.

SB: Absolutely, yes. I think industry and the federal agencies are doing their best -- though uphill battle in some cases -- to advance transparent, robust science, to *make* grounded regulatory decisions. I have to believe that science is going to have its place again in advancing really strong human and environmental protections.

LLB: I share that view and that hope, and it's a wonderful segue to my next question, which is CBA's website, which I reviewed before our conversation, notes that the association -- and I quote, "adopted a proactive agenda that aligns with the values of the brands we represent and the consumers they serve," end quote. Perhaps you could expand a bit on what those values are.

SB: Yes, absolutely. I think first and foremost, always number one, is going to be safety -- ingredient, product safety -- is number one for our members for sure. They do adhere to evidence-based safety standards established, of course, by the federal government.

The next one that comes to mind is consumer choice and access, ensuring that consumers have a wide range of products and choices, both food, beverage, household products. We partner with retailers of all different sizes to make sure that access and availability is there.

Convenience, people are busy. Another goal is to make sure that families have easily accessible, convenient options, so they can spend their precious time doing things that are more important.

Value and affordability. I don't think it's any surprise that affordability, of course, is top of mind for so many of us. Grocery prices are really the most visible of that. They are what folks do every week, if not multiple times a week, going to the store, making sure they have what they need.

Then transparency. Transparency has been a really key part of a lot of the work that we're doing. We just celebrated our second annual Consumer Transparency Week here at CBA.

LLB: No kidding. Maybe you could tell us a little bit about that.

SB: Sure. I think, in part, we really believe that there is this consumer desire for clear, accessible information about food and beverage, and household and personal care products. No matter where one lives, access to the same trusted, safe information and safe, affordable products is key here. I think we might talk about this a bit later, but given some of the pressures that the industry is facing, approaching transparency and the need and the want of information is really -- we're going to face that head on. That was the goal of Transparency Week. We had a number of events, both with our members, with the media, with the Hill, and it was all very productive, and folks are really pleased with how it went.

I think that -- for me -- one of the things that I think is a core tenet is regulatory certainty. I think this is the same for you and me, but understanding and having assurances that the regulations that industry must follow are clear and consistent. It helps folks plan, it creates a level of trust. That's one that I would add to the values here.

LLB: Absolutely. Clear, transparent, and enables the business community and others to be predictable. There's a lot in this world that is *not* predictable, so I would imagine that's a core tenet of the brand, as it were.

There is such an incredible focus -- at least my perception is, Susanna -- on safety of food and beverage ingredients. I think over the years this interest has really been growing, but it seems perhaps to have intensified because of the Make America Healthy Again, or MAHA, advocacy that we hear so much about. How, if at all -- and I'm not presuming here -- but has CBA adjusted its agenda and messaging to address MAHA issues head on?

SB: I do think that the MAHA movement has moved conversations out into the open. I think not just for food, chemicals, pesticides. There's this definite increase in the consumer's desire, want, need, in some cases, for transparency. The response in part has been an increased demand for a variety of options with different nutritional characteristics, for example. I think our member companies have been meeting consumer demands for generations. Scientists, safety experts, innovators at CPG companies are constantly innovating. They're

developing products that provide more nutrients for humans, for pets, packaging with less waste, safer organic cleaning products, and they're really trying to meet consumers where they are, what they need.

If you're gluten-free, or want organic only, or trying to avoid colors, want more protein, more fiber, the CPG industry is trying to meet folks in the moment. As a mom, I think a lot about what I feed my kids. I have one kid who likes what she likes, and another one who's open to trying some more stuff. But we need convenience, and we need to be able to trust what we're putting in our mouths, putting in our family's mouths. I think the way we've approached that on the industry side is as consumer demands evolve, we've seen this with need for more shelf-stable foods. When women went back into the workplace in the '50s, need more disposable diapers, and so we changed that. There's a changing approach now to color additives. Industry is really trying to meet the moment, so to speak, with the ever-evolving preferences of consumers. I think it's important to also add, this also comes with a strong federal government, a robust science to ensure safety, predictable regulations that allow for this innovation change.

LLB: No, all of those things are just so important. On the options front, there is such an amazing difference. When I was growing up, you had this, and that's about it. Now you have such an amazing --

SB: -- Cereal aisle looks very different than it used to.

LLB: I will *always* love the cereal aisle in grocery stores.

SB: Absolutely.

LLB: I won't linger over food that perhaps might be improved upon, but old habits die hard.

SB: I understand that. Deeply.

LLB: I appreciated your short summary of your background with TSCA, and I knew you were deep into TSCA. Susanna, I didn't know you were really there at the beginning of the amendments back in 2016, all the way through, and all the diverse roles you played in that.

SB: Yes.

LLB: That's fantastic. TSCA is such an important statute, and for us TSCA nerds, everything about it is fascinating. I'm not going to go off message here.

SB: I'm in that camp with you.

LLB: We'll nerd out one of these days on TSCA. But given the intricacies of the law and your familiarity with it, I'm really understanding better how you can be putting your TSCA skills for really good use at CBA. But a specific question is, in your view, now that you've been there a little bit anyway, are there similarities in the regulatory space between TSCA industrial chemicals and food safety? Or at the least, lessons learned from your EPA experience that you're able to carry forward and operationalize in your new role?

SB: Resounding yes to that question. While I was at EPA, I was primarily on the existing chemicals side of the house. I worked with teams on prioritization and all the risk evaluations and risk management. I worked with the agency communications team on

appropriate risk communication, and for the first nearly ten years of TSCA implementation. I was the lead rule writer for the first two, two of three, the risk evaluation rule. I'm in the nerdy camp, anxiously awaiting the third one, which I hope is imminent. I think existing chemicals is one of the areas that I've been able to bring some expertise and experience to consumer brands.

On the food side, FDA has been bolstering and investing in their post-market review program, essentially their existing chemicals program for food ingredients and substances. FDA is not required under law to perform this post-market review, but clearly, as we've talked about, the public, the Agency, and industry have all recognized this is an essential step to ensure food safety. So the post-market program allows the Agency to assess the safety of substances added directly or indirectly to food, and it provides food companies with this regulatory certainty we've talked about.

In May of this year, FDA released their final approach for their post-market process. They released two documents. The first is entitled "The Enhanced Systematic Process for FDA's Post-Market Assessment of Chemicals in Food." This is a systematic approach to post-market safety. It describes how FDA will monitor and triage information on hazards, use, exposure, and then prioritize substances for assessment, evaluation, and then ultimately risk management, if needed. The process can involve looking at food additives. I think we'll talk about this more in a little bit, but GRAS substances, color additives. They can also look at food contact materials, as well as things we might consider contaminants; maybe metals is a good example of that. It really is comprehensive.

The second document in the release is essentially their prioritization process. They're calling it the "Tool for the Post-Market Assessment Prioritization." It'll ring very similar to the TSCA prioritization process, but the tool helps identify priority food chemicals for a full scientific assessment, and it focuses on potential risk to public health. It allows them to rank chemicals using criteria and scoring, to focus on those real public health outcomes. Again, similar to prioritization under TSCA, recognizing, identifying those "worst, first," that idea.

FDA says they will use this approach to create an annual Work Plan list. They have one already. I think it's just over 30 substances, or groups, and one of the groups that I think -- of interest are phthalates. These are used in food packaging, as well as -- there's EPA jurisdiction, as I know. I think this will be a really interesting space to watch as EPA continues with *their* risk management actions on phthalates, and FDA continues with their assessment, and it'll be interesting to see how the agencies hopefully work together on this.

LLB: Isn't it amazing how there's such great alignment between EPA chemical review and this new post-market review? And some of the people that you worked with at EPA were largely, at least got the ball rolling. Jim Jones is a former FDA Commissioner over there in food, and Mark Hartman. Both worked at EPA OPPT and in other offices for years. You guys should have a little alumni group over there.

SB: Yes, absolutely. I think -- I'm feeling good about this. Having worked, a part of my role was to work across agencies, and I think federal government should speak with one voice, approaching things similarly, using similar science, using similar approach methods to really get *at* the safety. I think that only lends itself to better consumer clarity and trust that the things they're using, the chemicals that might be in their homes, and the food that they might eat *have* been evaluated well, appropriately, and are safe. So I'm heartened by the coordination there.

LLB: Absolutely.

SB: A few other chemicals that may not be as familiar to TSCA folks: FDA has recently done three different requests for information, looking at two food preservatives, or antioxidants, and then a substance commonly used for flour whitening. They are doing a voluntary information gathering, and I think there are some lessons learned there from TSCA as well. They're specifically looking for information regarding conditions of use, safety information, food categories, dietary exposure. They're also going to look at subpopulations that may have higher dietary exposure. So again, reminiscent of some of our experiences with TSCA. We've worked with our members on these requests for information. We've focused a lot on the long history and the safe use of these chemicals.

One thing that I have clued in on is the risk communication piece. For example, some of these food ingredients have been in our food supply for 70 years in some cases. Their safety is being reaffirmed here in the United States, but also other countries, so the Agency has to really consider the implications if, for example, they determine a condition of use is unsafe and move forward with risk management, how that becomes communicated to the public is going to be really important. There are going to implications for this, particularly for a substance that has been deemed safe for decades after science and regulatory review, and now we're saying, or determining, that it's unsafe. How do we communicate that to folks to not create a lack of trust?

LLB: Panic, right.

SB: Yes, or panic! I think that'll be really important, so that's a space I am definitely watching for consumer brands, but also myself.

LLB: Your skill set from EPA will serve you well, and we always encourage our clients when a request for information comes out. It's a fabulous opportunity to get information into the record, educate people, disabuse information that may not be accurate or current. Participating in these initiatives is *critically* important so you *can* have a message that fairly reflects the science and the narrative that consumer brand companies and others wish to promote.

SB: Yes, no. I think we've learned over the years of TSCA that the more information the Agency has --

LLB: -- the better. Yes.

SB: -- the better regulation we're going to get that is appropriate for the use as appropriate for industry, and most protective.

LLB: Let's talk a little bit about a topic that you just mentioned a bit ago, and that is CBA's focus on FDA's generally recognized as safe (GRAS) framework. I think it's common knowledge, or well respected, that the GRAS framework served a purpose and continues to serve a purpose, but perhaps has been the subject of criticism over the last ten years or so -- and certainly by some of the public health community -- as a quote-unquote, "loophole," basically allowing manufacturers to conclude independently, and somewhat unilaterally, that an ingredient is safe in foregoing FDA product approval. CBA has been active in this space. What is CBA's perspective on these issues, and how has CBA been working to address them?

SB: Yes, I'm glad we get to talk about this. This is a big, important topic at the moment, so I'm glad to spend a few minutes on it. I think there are a few misconceptions that I want to clear up, but I think, first, understanding the history of GRAS kind of sets the table here. So 1950s -- I spoke about this a second ago -- but there was this cultural shift. More women entered the workforce, but still we're responsible for cooking -- managing *most*, I would say, of the cooking and the household responsibilities. The response of the food industry was to introduce more convenient items. Also, there were advancements at this time in refrigeration and frozen storage so that we could store foods longer and maintain quality and safety. This was also made possible by the broad introduction of certain food additives, different preservatives.

With that backdrop, in 1958, Congress enacted the Food Additives Amendment, which amended the Federal Food, Drug, and Cosmetic Act, or FFDCA. These amendments require that any substance intentionally added to food is a food additive and subject to pre-market approval, unless -- and this is the important carve-out -- the food substance is generally recognized as safe, or GRAS. Congress intentionally created this carve-out for these substances. Congress recognized that many food additives or ingredients do not require pre-market safety review by FDA. An easy example would be things like salt or vinegar, that, of course, have been in our food system for generations, didn't need to be reviewed for safety.

There were other ingredients, due to the nature of the food and the information that was generally available to scientists and to industry, that could also be considered GRAS. So here is the nuance: that GRAS ingredients are not statutorily considered food additives, and thus food manufacturers are not required to submit information on these substances for pre-market review and approval by FDA, as they would for a food additive or a color additive. But I think -- important but -- companies still have to establish safety. They still have to meet the same reasonable certainty of no harm, which is the safety standard in FFDCA. This is a general recognition of safety among experts that must be established. This can be done in one of two ways. It can have experience as a common food before 1958 -- so this, again, would be your vinegars, your salts -- or scientific procedures based on the application of a general availability and accepted scientific data, information, or methods. These are this publicly available science that industry can point to and say, "This ingredient is safe for these uses."

So industry can do self-affirmed GRAS substances. They can do the science. They can keep the records. They can look at exposure, look at the history of use, look at subpopulations, and make those determinations. They can decide to voluntarily submit this information, and FDA can, in response, submit to them what's called a "no questions letter," essentially approving this GRAS substance. These are all listed on the website. I think there's some thousand, plus or minus, on the website now. This provides, of course, additional transparency.

FDA can also conduct the post-market review on any of these substances. The Agency can revoke a GRAS status if they determine that the substance no longer meets the criteria, and that substance would have to be removed from the market. I do think this process could be improved. I think a lot of folks are in that camp, and there could be greater understanding and visibility to how ingredients are evaluated before they enter the market. There are both legislative and regulatory actions at play here, and we're pretty actively involved in both.

I'll start with the legislative side. CBA is part of a coalition -- AFIT, or Americans for Ingredient Transparency -- where we're advocating for federal legislation to establish ingredient uniformity for ingredients and disclosure, so labeling uniformity. Part of this

legislation is GRAS reform. It gives express authority to agencies to require mandatory GRAS notifications, so if you're bringing a new GRAS substance to market, you would have to let the Agency know and send in appropriate information to show that it's GRAS. Then for existing GRAS ingredients, the government, or FDA, would have to establish some kind of inventory so that there's greater transparency to those substances that may have been self-affirmed GRAS.

That legislation is underway, and then on the regulatory side, we are anxiously awaiting regulatory changes. The proposed regulation has been at OMB [Office of Management and Budget] since December 1 of last year.

LLB: My goodness, it's been there a year?

SB: Yes, and the recently released Unified Agenda has it coming out December of this year, so we anxiously await --

LLB: -- Fingers crossed!

SB: I refresh all mornings to see if it's published yet, but we know this rule would require the Agency to keep an inventory of GRAS substances, would require mandatory notification of GRAS substances, and this is something that we're supportive of the Agency updating. There will be plenty more to talk about when we see this proposal when it is published.

LLB: If I were a betting person -- and I'm not -- I am betting that something will come out on the regulatory front, I hope, this year. The fact that it's been at OMB as long as it has could be good news, bad news, right?

SB: Yes, I think it speaks to the importance of this, and the Agency getting it right -- and how impactful it could be. It's a huge change in operations for companies.

LLB: I'd like to pivot to another, I think, important issue, and one that I'm sure your organization and others are struggling with. We've been talking about the importance of regulatory consistency, and predictability, and uniformity in areas like TSCA, and the 2016 amendments, and all of the good things that have come out of that, and some of the more predictable, but less desirable, outcomes that we are seeing, with regard to states taking it upon themselves to move in directions that are not necessarily aligned with other states or the federal approach to certain issues. As states advance their own food and chemical policies, what challenges does this growing patchwork create for the food industry, and how is the association dealing with that?

SB: Yes, we spend a lot of time talking about this, for sure. We have a very active, very strong state team here at Consumer Brands. Just to provide some perspective, in 2025, we tracked 151 product policy bills in 40 different states.

LLB: Wow.

SB: Ten states passed additive or ingredient bans in 2025. A number of these included banning food additives or color additives in schools. One of the frustrating parts is the list of those additives weren't always the same from state to state. State patchwork -- I know we all have PTSD [post-traumatic stress disorder] with that phrase. Of course, replacing an ingredient with another safe ingredient is a process, testing to make sure that that ingredient fits the same function and properties in the food. There's a cost component. And then I think, as

we've talked about, a supply component: new supply chains, new contracts to ensure that you have a constant flow of the needed ingredients.

Other states have imposed specific labeling requirements. These include QR [quick-response] code requirements for certain additives if they're present or specific label language requirements. Changing a label isn't a small thing for large companies, either. It can take months to ensure that appropriate label changes, and then the outflow of those labels, to ensure they're on the right shelves at the right times. I think if our end goal -- I believe everyone's end goal is to ensure that we have safe food and that customers get what they need, consumers' needs are met with respect to nutrition -- having a state patchwork isn't going to get us there. This is reminiscent -- this brings back a lot of TSCA memories, I'm sure, for those who worked on the amendments.

We just spoke about GRAS. In New York, actually, there's a bill -- SB 1239 -- it's actually sitting on Governor Hochul's desk. It would require food manufacturers to disclose the sale and use of these self-affirmed -- these, again, are those industry-affirmed GRAS substances. Companies would have to disclose, and then New York would have to *keep* this inventory on a public database. Similar bills have been introduced in New Jersey and Pennsylvania, California. There have been some projections here, but the New York legislation, if enacted, there's a projected state cost of 21 million in just the first three years, and our estimate is that it would increase grocery prices by 12 percent.

LLB: Wow.

SB: I think that there are real economic consequences to the state patchwork, that, again, I'm not sure achieve our goals of protecting human health. We've been watching all these really closely. There are other bills that look to limit, of course, food, drug, and cosmetic (or FD&C) colors. In some cases, these ingredients are added to lists for prohibition because they're banned in other countries. This poses problems for companies that are distributing, making products that go across different states, of course.

LLB: Absolutely.

SB: It costs money to make different labels. In some cases, it may be prohibitive to some. So again, some *déjà vu* for TSCA, but yes, this is something that we spend a lot of time thinking about and working on.

LLB: I know there are a ton of other top-of-mind issues that the association also engages in on a policy and science policy front: plastics, extended producer responsibility (EPR), something on which we're spending an extraordinary amount of time here at the firm. And microplastics, which is big in the EU [European Union], but a lot of different state jurisdictions and other venues here in the states are catching up quickly. How are you parsing those issues? Are they equally important, or are you prioritizing some, but not all?

SB: Yes, no, all of equal importance. We have a lot of expertise here at CBA, particularly in EPR. That's primarily covered by our state team, but I am closely following the federal and state actions around microplastics, definitely a topic that I think will become increasingly more interesting. I think a lesson that carries across every regulatory issue that we've worked on is the importance of grounding the policy in sound science and realistic risk assessments.

Many industries, including the consumer packaged goods, become the focus of public concern because it's visible, because you can see really clearly if you open a bag of potato chips, microplastics. I think that's maybe where some folks -- it's easy to see that. What may not be as easy to see is a plastic bag degrading in the middle of the ocean. The visibility can create calls for policy action before we really understand the underlying science. I think there's tension there: important scientific questions that of course deserve continued research, and we're seeing that at the federal level. Then we need to really distinguish what we know, what we don't know, and what policy outcomes are really being sought, what are some good answers here. So that's definitely a space that I will be watching pretty closely.

LLB: I see an expansion in your team in the future there because every one of these topics is ginormous, right?

SB: Oh, so true, so true.

LLB: Let's close on a topic that I know is very important to CBA, and that's transparency and ensuring that both members and the consumers they serve feel like they're given information that is suitable for making decisions, is accurate, and can be relied upon. You have got at least two programs of which I'm aware -- the SmartLabel and Facts Up Front programs -- that really strive to enhance transparency and engage with both CBA member companies and the consumers they serve. Maybe you can tell a little bit more about what these programs are and why they are so important to CBA.

SB: Absolutely. We've talked a number of times now about the importance of transparency and consumers wanting, deserving to know what's in their food to understand where it came from. Yes, we have two programs here at CBA that were born out of listening to consumers and wanting to meet that need. I'll start with SmartLabel. CBA and some member companies created SmartLabel. It's a digital disclosure tool, so you can use your phone, scan a QR code, and you get really detailed information about allergens, where ingredients came from, packaging, recycling instructions, all from this code. It was created in 2015, and at the moment, I think we have 80 major companies using SmartLabel. It represents 1,000 brands and over 100,000 individual products.

QR codes are becoming, of course, an increasingly important tool to learn about products and also a way for industry to share more important information. I think an important use -- and rather timely -- is that it's been shown that we could use QR codes for lot traceability. This becomes really important if, for example, there is a recall on a product for any particular reason. A consumer could scan the code, and since manufacturers input all the information into the SmartLabel program, they could update information on their end to ensure that consumers are getting up-to-date information about lot codes and any recalls that may be associated. I think this could be a really powerful tool to that end.

LLB: Absolutely.

SB: Another example is recycling. Recycling is different wherever you live, so you can use this QR code, and it can be updated to reflect the recycling in the specific area that you are, so you know if a particular product is recyclable and how to do that. I think these QR codes are going to become increasingly more nuanced, provide more and more information that really helps consumers know what products they have.

Then Facts Up Front. Industry has worked in partnership with FDA for about 15 years to approve the accessibility of critical nutrition information and promote nutrition literacy.

What is born out of this is what we call Facts Up Front. Of course, you have the full nutrition on -- usually the back of -- your product. But on the front on some products in black and white is some key nutrition information. This might include nutrients to encourage -- fiber, protein -- but also it may include nutrients to limit, maybe the number of calories, saturated fat, added sugar. It's a very quick, easy way for consumers to see on the front of their package to learn more about the nutrition information in their product. We will continue to work with FDA to advance this. I think it is a priority for the Agency to continue to educate consumers on good nutrition, help them understand, to educate. That's another initiative that we are championing here.

LLB: Fabulous programs. I'm going to have to go to the supermarket more often than I do and give my iPhone a workout. I think it's just a great idea, and I'm guessing you're finding that more and more consumers are actually utilizing these tools, right?

SB: Yes, absolutely. I think we had a statistic for the SmartLabel, the QR code. We've seen, I think, a 43 percent increase year over year from 2024 to 2025.

LLB: My word! Really?

SB: Yes, I think folks want to know more. We're seeing that. The data bear that out. Absolutely.

LLB: Speaking of knowing more, if you want more information on CBA, you have a fabulous website at consumerbrandsassociation.org, lots of really useful information on these programs that you've discussed, Susanna, and many, many more that time did not permit us to pursue.

SB: Yes, I think we've had our website revamped in the last year, and folks have done a really wonderful job in making things easily accessible and a lot of really good information.

LLB: Dr. Susanna Blair, thank you. This has been a fascinating, *really* fascinating conversation. I've learned a lot, and I really appreciate you sharing your wisdom, and your passion, and your know-how with our listeners. Thank you.

SB: Thank you so much. We've covered a lot of ground, and it really has been quite a pleasure to speak with you. Thanks, Lynn.

LLB: Thanks again to Dr. Blair for speaking with me today and sharing her insights with her work at CBA, CBA's key policy initiatives, and how she is transitioning her considerable science policy and communication skills acquired through years of service at EPA to CBA member companies and the public.

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