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Welcome to another episode of Legal Food Talk. As always, I am your host, Justin Prochnow. And today, we have a different flavor of episode for you. [00:00:30] This month, we come to you just on the heels of a large contingency of lawyers from GT's Food and Beverage Group, returning from a pilgrimage out to Orange County, California, and more specifically Anaheim. No, we did not go to visit Uncle Walt at the Happiest Place on Earth, instead, nine members of Greenberg's food and beverage team hit the show floors of Natural Products Expo West, the largest natural and organic food conference/convention in the US, [00:01:00] that first started back in 1981. This year, there were over 3000 exhibitors from 130 different countries, and more than 60,000 attendees. It is a show that continues to increase in magnitude every year. The first year that I went, back in 2005, the Big West Conference was still holding their conference tournament at the basketball arena right next to the Anaheim Convention Center.

The show was still at the size you could walk the show floor, and then maybe wander [00:01:30] over and catch a Long Beach state UC Santa Barbara game. Since that time, the conference moved out and moved their tournament over to the Honda Center, where the Mighty Ducks play, and has now migrated to Las Vegas. Meanwhile, the basketball arena was turned into an extended area for exhibitors, and this year became the main registration pavilion. So, times have certainly been a changing. In the last 20 years, the show has spilled over two multiple floors in the Hilton and [00:02:00] Marriott Hotels, and the North Hall expanded to several levels in 2018. It has become a behemoth for sure. However, there is still no better place to get a sense for what is going on in the food and beverage industry and to meet up with partners and collaborators in the industry.

This year, as the team worked its way around the show floor, we took in the new innovation, had our share of samples of products, and caught up with clients exhibiting at the show. Because everyone can't make it to the show each [00:02:30] year, we are bringing Natural Products Expo West to you, our faithful listeners. So, for this episode, we bring to you a medley of conversations from the show, floor with a variety of Greenberg Traurig clients that we're exhibiting this year. You can hear the hustle and bustle of the show in the background, and you can't help but absorb the energy that you feel from the show. So, without further ado, please enjoy our tales from the show.

[00:03:00] We're here, Greenberg Traurig in full force at Natural Products Expo West. This year, we're doing some on the show floor interviews with clients and companies in the industry, and we've got a full squad of GT attorneys here. Starting with Daniell Newman, who's been here at the booth a lot of the time.

Daniell, welcome to the show. And what have you been seeing this year at the show?

Daniell Newman: Well, like every year, it's an enormous amount [00:03:30] of traffic, but what I'm seeing is a lot of positivity. You don't get any of the feel about concern about what might be happening out there in the economy, because in here it's all these founders and folks with startups, or people trying to grow their businesses, and it's all forward-looking. And so, the questions are constantly, what's around the corner? What's coming? What can I do to prepare for it? And what's going to take me to that next level? So, it's really positive here.

Justin Prochnow: And did [00:04:00] you have a chance to walk around, anything new and exciting that you noticed?

Daniell Newman: One thing I'll say is, having come here now for more than a decade, it's always great, new, innovative products. But what I'm finding in this space of natural products, healthy, better for you, is they're getting better and better at making products that taste good. For the longest time, you had to put on a face, and sometimes it actually tasted good, but sometimes it didn't. And now I think people have gotten the message that if a product's going [00:04:30] to be successful, if a brand's going to be successful, it starts and ends with it tastes good. So, there's a lot of delicious stuff here on the floor.

Justin Prochnow: You hit it. I've worked with so many companies and brands, and they talk about all the great benefits that there are, and then you taste it, and you're like, the problem is no one's going to come back for a second crack at it. And if it doesn't taste good enough that someone's going to come back again, it's going to die on the shelf pretty quickly.

Daniell Newman: I can tell you, there's plenty of products here that over the course of the three days, I'll be going [00:05:00] back multiple times. So, they're doing a good job.

Justin Prochnow: That's what they like to hear. Also, here from our Denver office, Michael Dulin, first time at Natural Products Expo West. What are some of your initial takeaways?

Michael Dulin: You said come back multiple times, it reminds me of the guy yesterday that came back and took a pen, and he walked by and picked up another one, and all day long the guy was accumulating Greenberg Traurig pens.

Justin Prochnow: And he wasn't even wearing a different, like a disguise, he just kept coming back and thinking, well, they probably don't notice.

Michael Dulin: [00:05:30] Yeah, we thought he'd have a mustache on, at least one time. But it's amazing to see the innovation here. And there's product spaces that are so saturated, so popular, and you think there couldn't possibly be room for another brand, you come here and there's 10 more brands and they're

successful in this space. And I always look at it and think to myself, well, how is that? How could the other brand be successful in that space? Is it because it has better ingredients, packaging, branding? What is that secret? And so, anyway, [00:06:00] it's really neat to see that, and see how many companies are so successful here. [inaudible 00:06:05].

Justin Prochnow: Gina Tincher, you've been here a couple years in a row, now, newly minted shareholder at Greenberg Traurig. Being a shareholder, does that give you a new perspective on the things here?

Gina Tincher: Oh. Yeah, I'm very important, as I walk around, people are asking for autographs. No, it's just honestly, it's too much.

Justin Prochnow: Amazing.

Gina Tincher: Yeah. Yeah. So, just to echo what Daniell said, there's a lot of positivity out there. I will maybe temper [00:06:30] that just a little bit with the one thing that seems to be sort of consistent with some of our clients and the companies that we talk to today, they're concerned about the FDA and specifically about GRAS and how changes to that process might affect the industry as a whole, but their companies in particular. So, it's cautious optimism, and yeah, the innovation and the excitement talking to some of these founders [00:07:00] is really... It's exciting. We love to come back and try new products, most of the new products. I have a personal least favorite that I tried today, I'll keep that to myself. But most of everything that we've tried has been phenomenal.

Justin Prochnow: Amazing. Well, it's always great to have a group here. I've been, I think this is the 20th year I've come to the show, and it's more fun when we have a group of people to walk around. Certainly been seeing still a lot of protein and [00:07:30] fiber, and if I had a dollar for every client wanting to make a GLP-1 friendly claim, I'd not have to come to the show anymore because I'd have my own stash to work from. So, we are excited to see everything, and excited to share, after this, some of the perspectives from different clients that are here exhibiting at the show. And so, without further ado, hope you enjoy these on the street [00:08:00] interviews.

All right, everyone. Well, I'm here at the Humphreys Witch Hazel booth with Bryan Jackowitz, president of Dickinson Brands, and we're checking in with everyone to see how the show's going. So, Brian, welcome, and what do you think of the show so far?

Bryan Jackowit...: Oh, thanks a lot. Yeah. Well, I haven't really gotten around to see much of the show yet, I've been on my laptop quite a bit, but it's looking [00:08:30] like it's well attended this year.

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- Justin Prochnow: Excellent. Well, obviously we've worked together on a wide variety of things, sometimes you hope you don't have to work with your lawyer as much as you sometimes have to, but look, we like to do preventative stuff as well, right?
- Bryan Jackowit...: Proactive is good.
- Justin Prochnow: So, good to see you out here. Now, we were talking about kind of a fun new venture for Dickinson brands this year, and a sponsorship. So, tell us a little about that.
- Bryan Jackowit...: Yeah. So, we're super excited, one of our other brands, [00:09:00] TN Dickinson's, which is our first aid brand, we decided to do a sponsorship for a NASCAR team, and Natalie Decker is one of the only female drivers and she used our hemorrhoidal products for postpartum care, loved them, reached out to us, and wanted to see if we could sponsor her. And so, we did a full sponsorship of her. So, we wrapped the car, and we were at the [00:09:30] United Rentals 300 with her just the day before the Daytona 500, we're doing Talladega, and Pocono, and Bristol coming up here in April, June, and September. So, we're super excited about it.
- Justin Prochnow: Amazing. I think she's the number 35 I saw.
- Bryan Jackowit...: Yep. Yep. Number 35.
- Justin Prochnow: And I saw some pictures, you were all decked out in the gear and got to be down right by the-
- Bryan Jackowit...: We were right with the pit crew, and [00:10:00] helping out, and it was very exciting. My first time to Daytona, and it's such an experience with the culture of Daytona, and just so, so American. It was really just amazing. Seeing the jets flying over, and the celebrities that are involved, it was quite the experience and great for the brand and great for her.
- Justin Prochnow: Yeah. I saw, it's kind of on the back there, like sticking out the Dickinson brands, [00:10:30] so that'll be fun to see it going around the track like that.
- Bryan Jackowit...: Yeah, it was absolutely fun. We actually have a lot of people at the manufacturing facility that were interested in coming to the race. So, we're putting together a group, and probably going to have a big group come down to Pocono because that's close to Connecticut where our manufacturing facility is. Yeah.
- Justin Prochnow: Amazing.
- Bryan Jackowit...: It'll be a lot of fun.
- Justin Prochnow: Well, sounds like good things for Dickinson in 2026.

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- Bryan Jackowit...: Absolutely. We're certainly on the move.
- Justin Prochnow: Oh, I [00:11:00] see what you did there. Well, have a great rest of the show.
- Bryan Jackowit...: All right, thanks.
- Justin Prochnow: We're here at the Cirkul booth with one of the co-founders of Cirkul, Garrett Waggoner, and welcome to the show. What do you see so far here?
- Garrett Waggone...: It's super neat. I love the energy here, there's a lot of innovative, really fun products. My favorite part has been the sampling, it's kind of like a Costco, but times 10. A lot of really innovative stuff, a lot of creative energy, [00:11:30] and a lot of neat things just across the board, and get to touch and feel and talk to folks. It's been a lot of fun.
- Justin Prochnow: Well, you can tell the rookies that when they come to Expo West because they had a big breakfast before they come, and one thing you don't need is a big breakfast before you come to the show because you'll have more than enough samples for the rest of the day. In fact, it's about pacing yourself.
- Garrett Waggone...: That makes a lot of sense.
- Justin Prochnow: So, lots of fun and exciting things for Cirkul, tell us about one of the new innovations here on the grab and go side of things.
- Garrett Waggone...: Yeah. So, historically at Cirkul, we've done a reusable bottle [00:12:00] and cartridge. Seen a lot of success, a lot of customer receptivity. We're excited for our new offering, which is a ready to drink item, which is effectively the same exact experience people have been loving for the entire history of the company, it's a bottle with water in it, where the flavor cartridge is the cap. We've seen a tremendous amount of success across our direct consumer business and also with our brick and mortar partners. But what I'm really excited for is this is the first opportunity for folks to get in the ecosystem for sub \$5 price point. Our household penetration to date for the company, despite all the success is [00:12:30] a little bit under 6%.
- So, there's just a lot of folks out there that haven't had a chance to try the product, and we're really excited to get it in their hands at a, what I like to say, batteries included, no assembly required, grab and go format. So, you'll start to see us show up in a lot of different retailers that we historically haven't been with, [inaudible 00:12:46] the C store, value chain, really excited to show up for customers kind of all across the country.
- Justin Prochnow: And so, then once you use this grab and go, you can... And I know your excellent regulatory attorney has had lots of discussions-
- Garrett Waggone...: Best [00:13:00] in the business.

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- Justin Prochnow: ... had lots of discussions about this. But how many uses can you have with that bottle?
- Garrett Waggone...: Customers tell us they drink it on an average setting, somewhere between a four and a five, and they get up to six refills. So, it's nice for a customer to be able to grab one bottle, sub \$5 price point, and enjoy six drinks for less than \$1 a piece.
- Justin Prochnow: And then you can use different flavors and keep using that same bottle if you want to?
- Garrett Waggone...: You got it. Yeah, it's curbside recyclable, so [00:13:30] the engineering team's done a ton of work around all the legislation and the regulation, but it's also a reusable yet disposable bottle. And what folks tell us is, they really hate when their kids lose a \$30 bottle, and this is a good grab and go solution for them to not feel so bad if they leave it on the playground, but be able to grab another one out of the pack the next day.
- Justin Prochnow: It's not just kids because I have a fair share of Cirkul bottles that I've either left at airport security, or it was still full and I had to dump it out, and I was running late-
- Garrett Waggone...: There you go.
- Justin Prochnow: ... I'm like, okay, I'll get a new Cirkul-
- Garrett Waggone...: Water [inaudible 00:13:59] you.
- Justin Prochnow: [00:14:00] That's right.
- Garrett Waggone...: There you go.
- Justin Prochnow: So, it's not just kids. Well, sounds amazing, congrats on all the success, and have a great rest of the show.
- Garrett Waggone...: Pleasure. Thanks for the time.
- Justin Prochnow: Here we are again at Expo West on the show floor, and run into one of our longtime clients, Scott Strader with Lotus Plant Power. How's Lotus life these days?
- Scott Strader : Powerful.
- Justin Prochnow: There we go, I love it. What are you seeing at the show here?
- Scott Strader : Well, we're looking for all new innovation, [00:14:30] and packaging, and what is going to lead into 2026. And we're seeing a lot of prebiotics, we're seeing a lot

of different sweetener in the conversation, with obviously here at Expo West, better for you. So, there's a lot of new things coming on in the hydration area, and [00:15:00] you've got the prebiotics, and energy, and all different things. Who is going to lead our way out of this? And there's some good news soda pops here, which is good.

Justin Prochnow: Well, Lotus has undergone a lot of changes since we first started working together, and you got some exciting new things now. So, tell us where your Lotus brand is, and what types of things you guys have been doing lately.

Scott Strader : So, our main focus in Lotus is to [00:15:30] bring more function than a single function to the arena. So, energy, the way that energy goes, we believe that a lot more of this multifunction goes into the needs of the everyday consumer. And so, bringing things in from a plant-based thing that harmonizes with your body is a great thing to mitigate stress, to mitigate gut health, to mitigate or to support these things, [00:16:00] to support energy, and to support immunity. And we believe all of those things in a single serving, we can get some of those concerns that the consumers are looking for.

Justin Prochnow: So, now you've got concentrate that people are using in food service, you've got cans.

Scott Strader : Yeah. And it's an interesting thing. How it started was in food service because [00:16:30] the people that are going in for specialty, into coffee, they grew up on energy drinks. So, making those natural and better for you, and having that ability to make these any color and flavor that you want, then pretty soon it's like you're getting a beat on what flavors people are wanting, what colors they're wanting. So, it's less guesswork when you put it in an RTV can. [00:17:00] And I think that when you get here to Expo West, unfortunately a lot of these folks aren't going to make it, but the innovation is terrific. I was in the same boat, so we know. So, narrowing that down, and with our new product Plant Pop, the same thing is to do this in soda. So, once in a functional soda, why would you just do one function when you can do multifunction?

[00:17:30] So, we're doing one thing that I'm looking for in the show more than anything else, how to make function taste good? Because taste and refreshment we believe is the number one thing, and I think that some of these people might be forgetting that, or they better start looking at it.

Justin Prochnow: It's amazing to me still with all the brands I've worked with in beverages, the taste is still a really important thing. And you talk to so many people are like, it has all these benefits, and then you taste the sip and you're like, the [00:18:00] problem is no one's ever going to have another-

Scott Strader : Ever again.

Justin Prochnow: Right.

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Scott Strader : Right.

Justin Prochnow: So-

Scott Strader : Are we selling medicine or taste and refreshment that happens to be good for you?

Justin Prochnow: That's right.

Scott Strader : I think.

Justin Prochnow: So, Scott Strader, thank you very much. All right, we're here at the TCHO Chocolate booth with Josh Mohr. Josh, how's the show going so far?

Josh Mohr: Show's going great so far. Every year it just gets busier and busier, and here at our chocolate booth, we're giving away chocolate, so we're super busy.

Justin Prochnow: [00:18:30] That's always a popular booth, giving away chocolate, you can never go wrong.

Josh Mohr: Exactly.

Justin Prochnow: So, have you had a chance to walk around or have you just been manning the booth all day today?

Josh Mohr: Yeah, I've been manning the booth a lot, but I had a chance to walk around this morning and yesterday, and yeah, again, it's just more and more brands, and there's a lot of trends happening this year.

Justin Prochnow: So, what are some of the trends you've been seeing?

Josh Mohr: Protein just never goes away, and it's high protein everywhere. There's protein sodas, clear protein, like protein more in liquid that [00:19:00] you wouldn't expect, I think that's sticking out.

Justin Prochnow: Sure.

Josh Mohr: And then of course with Wegovy and Ozempic, there's GLP-1 friendly call outs and claims everywhere.

Justin Prochnow: I might have been consulted on a few brands, asking if they could make a GLP-1 friendly claim from time to time. So, I definitely hear you. I assume that's how the show is going to go. So, we just came up and you told us, you guys just got an award, tell us about the award you guys got here.

Josh Mohr: Yeah. So, [00:19:30] Veg News just stopped by, and we're all dairy free chocolate, and they just awarded our newest chocolate, it's a dark chocolate

with lemon, olive oil and sea salt filling, and they just awarded that one of the hottest new products of the show. So, we're super excited. It's launching right now to distributors all across the nation. So, having that award on top of it is going to hopefully help sales.

Justin Prochnow: Awesome. Well, that sounds great. Where can we find TCHO Chocolate if we want them?

Josh Mohr: Yeah. You can go to TCHO.com, type in your zip code, a lot of the best co-ops and [00:20:00] natural stores all across the nation. We're in certain regions of Whole Foods, we're launching in The Fresh Market soon. And we also, we sell a lot of food service chocolate as well. So, if you got a Blue Bottle of coffee near you, go grab a mocha or hot cocoa, that's actually TCHO Chocolate in that.

Justin Prochnow: Oh, amazing. Did not know that at all. Well, congrats, have a great show, and thanks for joining in this.

Josh Mohr: Yeah, appreciate it. Thank you.

Justin Prochnow: All right, we're here on day, well, I guess two for us of Natural Products Expo West. We're just getting going here on the [00:20:30] floor in the popular North Hall, and here in front of Eat Evergreen booth, and we've got Emily, the founder, here. How's the show going so far?

Emily Groden: It's amazing, the energy is wild, and it always reminds me why I love this industry, getting to see friends and just feel the buzz about new products and everything we're doing to make the food system better.

Justin Prochnow: So, how do you go from being a reformed lawyer to selling waffles [00:21:00] and pancakes?

Emily Groden: This is a long and winding road, I would say, with a few sharp turns. Long story short, I have my now seven-year-old daughter, and I needed something like a frozen waffle because I had two minutes in the morning before I had to run out the door and catch the train to get into the office, and didn't want to feed her that brand in the yellow box, which will remain unnamed. But when looking for a "better for you brand," that checked all my nutritional boxes, [00:21:30] I couldn't find it. When I started flipping boxes around, the ingredients were all the same, I had to Google a bunch of stuff to figure out what it was, and I decided I wasn't going to settle. So, instead bought a mini waffle iron, started baking my own on Sundays, and I put them in a Ziploc bag, and stick them in the freezer, and that's what we pulled from during the week to feed my daughter.

And fast-forward to like a year, I watched her devour them, she loves them, and it made my life so much easier to have them on hand and ready in 30 seconds, and it just made me feel so much better. I was dealing with enough mom [00:22:00] guilt as it was, being a working mom, and I decided that I probably

wasn't the only one out there who wanted something like it. So, set off on this wild journey that we're now on to try to figure out how to get a product on a grocery store shelf. And fast-forward now six years, and we're on about 9,000 shelves.

Justin Prochnow: And these are waffles where you sneak in some veggies and other things in?

Emily Groden: Some veggies, yes. We have hidden veggies in all of our products, 100% whole grains, we don't use seed oils, we use avocado oil instead. We don't use refined sugars, [00:22:30] we use maple syrup. So, it's just real food, real ingredients that you probably already have in your pantry, but we do the mess for you so you don't have to clean it up.

Justin Prochnow: Amazing. And now it looks like we're testing out, well, a new line of products coming out, and samples here with some pancakes in addition to waffles.

Emily Groden: Yeah. We actually have two new wines debuting this week because why stop at one?

Justin Prochnow: That's right. That's right.

Emily Groden: We are doing pancakes, which we're super excited about. My daughters [00:23:00] love our waffles, eat them several times a week, but also love pancakes, and always ask me or my husband to make them in the mornings. And I'm standing over the stove waiting for the bubbles to form before I can flip them, and I'm like, "Who has time for this?" So, I decided to make a pancake that could be ready in 30 seconds in the microwave instead. And then we are also launching our first protein SKUs, we've been asked for years-

Justin Prochnow: Protein, no one puts protein in anything these days.

Emily Groden: I know, weird. Nobody's ever heard of it. No, we've been asked for years when we're going to come out with protein SKUs, and [00:23:30] it just never felt authentic to the brand to dump a bunch of highly processed protein powders in there, but we figured out over the last year that we could use just Greek yogurt and egg whites to achieve our extra protein. And so, that is what we did.

Justin Prochnow: I believe I saw something like that in some packaging I reviewed.

Emily Groden: Yes, exactly. Yes, thank you so much for that sprint review you did for us last week.

Justin Prochnow: Well, amazing. It looks great, the booth looks amazing, and hope you have a great rest of the show.

Emily Groden: Thank you so much.

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- Justin Prochnow: All right, we're here on [00:24:00] Thursday afternoon at Expo West, hitting the Australia Pavilion, and here with client, Brittany Darling of I'm Nutrients. How's the show been?
- Brittany Darlin...: Great. It's been really good.
- Justin Prochnow: What have you seen? Have you had a chance to walk around or have you been at the booth the whole time?
- Brittany Darlin...: I have walked around, and there's some really cool new brands popping up, and then of course all the regulars as well. Yeah.
- Justin Prochnow: What's caught your eye in particular? Anything that's...
- Brittany Darlin...: I think fiber is the new king. [00:24:30] I feel like protein previously has been front row and center, now everyone's really backed up on the protein, and now they're leaning in-
- Justin Prochnow: Now they're getting backed up on the fiber?
- Brittany Darlin...: Now they're leaning into the fiber. But GLP-1s are probably driving that as well, and then the awareness around gut health too.
- Justin Prochnow: If I had a dollar for every company who wants to say GLP-1 friendly on their label, I'd have a lot of money. So, tell us a little [00:25:00] bit about I'm Nutrients, what do we have here on display today?
- Emily Groden: Yeah, so we're a kid's supplement brand, we're clean label, project certified, and our dosages are really clinically informed, and we choose branded and trademarked ingredients. So, really high quality stuff, there's no one else doing this for kids. I started this business for my own son back in 2020, that was with our original [00:25:30] formulation, Calm Mind.
- Justin Prochnow: 2020, something happening in that year.
- Brittany Darlin...: Something happened there, yeah. Yeah. I wonder why we needed Calm Mind back in 2020. Yeah. Everyone living in very close proximity to each other driving each other nuts. Yeah. Yeah. But we just launched our Picky Essentials as well, which has 20 essential vitamins and minerals formulated for picky eaters, those beige food kids.
- Justin Prochnow: The beige food kids, that's right. So, when you first thought about doing this, how do you [00:26:00] just decide, okay, I'm just going to start doing a supplement now?
- Emily Groden: Yeah. Yeah, it was three years of contemplation, and then a very big kick in the right direction from my husband, and then it spiraled from there. We just kept

growing year-on-year. We've got three digit growth year-on-year, we're launching into lots of different markets, including the US, but we've got five countries that we're in currently. So, yeah, the demand for kids' supplements, especially in the emotional wellbeing [00:26:30] area, is rapidly growing.

Justin Prochnow: Well, that's amazing, and I respect the fact that you actually took three years to kick it around because a lot of people come to a show like Natural Products Expo West or others, and are like, I'm going to start a new brand tomorrow, and not give any thought into it, and just be like, it must be easy, everyone's doing it. And then you realize how many companies are not back here again next year because it was actually a little harder than it looks.

Emily Groden: Yes. Yes, exactly. Yeah. So, [00:27:00] we're aiming to grow sustainably, and we're very calculated in every decision, every market. So, yeah, it's not easy. But I think the thing that keeps us going is our purpose. The whole reason I did this was for my son, and now my daughter, we've got our Picky Essentials because she is a picky eater, and you need something else, right? You need the purpose behind what you're doing, not just you just want to start a brand tomorrow because you think it's a good idea.

Justin Prochnow: Well, amazing, thanks [00:27:30] for speaking with us for a little bit, and I hope you have a great rest of the show.

Emily Groden: Thank you.

Justin Prochnow: All right, we're here hot in the middle of day two at Expo West, down on the North Hall floor, and I'm here at the booth of Greater Than, now with the tagline, "Hydration for her," with Brianna, how's the show going so far?

Brianna Harris: It is going amazing. The energy here is very high. Let me tell you, there's a lot of people walking around [00:28:00] looking to hydrate, and they have come to the right place because we are hydration for her. It was designed with females in mind, but anyone can enjoy it, and I'll tell you why. It is a coconut water based fruit juice fusion. So, it's natural electrolytes from the coconut water, we have some sea salt in there for the sodium, we have magnesium... All natural electrolytes. And then, that is infused with 12 essential vitamins, all from a nutrient blend. So, it comes from fruits and vegetables. So, you're also nourishing, not just [00:28:30] hydrating, and a good source of fibers.

Justin Prochnow: So, how did this morph into... And amazing artwork on the cans.

Brianna Harris: Yes.

Justin Prochnow: Was that specially commissioned for this project?

Brianna Harris: Yeah. So, it was back in 2020 that we realized that there was this white space in the hydration market.

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- Justin Prochnow: 2020, and you had nothing else to do at that time, and so-
- Brianna Harris: Yeah, right? Well, it was actually funny you say that, it was lactating moms that really found our brand, they were looking for clean hydration that [00:29:00] didn't have any artificial colors, flavors, sweeteners. They're very consumer-savvy, they wanted to... They're our biggest critics, what they put in their body. And so, they were looking for a hydration product. And so, at that point we realized there's this white space, we need to make a product for them, and so we actually found a world renowned female artist to hand draw the artwork on the can, because we wanted everything from the outside of the can to the inside to be real. So, it's real electrolytes, real vitamins and fruits and vegetables, and [00:29:30] even real artwork from a female artist.
- Justin Prochnow: Amazing. And so, where is this going to be available?
- Brittany Darlin...: So, right now we are direct to consumer, we've been around since 2010, but we are actually now in distribution in UNFI and KeHE. So, we will be in Tops Market on the East Coast, probably around Q2, around April, and hopefully by the end of this year, you're going to see us in a lot of the retailers.
- Justin Prochnow: All right. Well, we're here on the show on day two, and I'm here Here at the [00:30:00] Taki Mai booth with Zane, founder of Taki Mai and all things Kava.
- Zane Yoshida: Bula vinaka.
- Justin Prochnow: How are you doing, Zane?
- Zane Yoshida: Very well, Justin. Good to see you again.
- Justin Prochnow: So, the first time I ever heard of... Well, it's not the first time I ever heard of kava, but really worked on it was with you, got to be at least 10 years ago, wasn't it?
- Zane Yoshida: 13 years ago.
- Justin Prochnow: 15 years ago. Trying to keep young, it's only 10 years. And now we're back.
- Zane Yoshida: Yeah, indeed.
- Justin Prochnow: [00:30:30] Maybe we've been here the whole time, but looks like Taki Mai is coming back.
- Zane Yoshida: Yeah. So, as a brand, we commercialized the product in the USA 13 years ago, we were probably too early. So, we proved the concept growing the brands in Australia. We've developed two brands since Fiji Kava and Taki Mai. So, we've now penetrated retail in a significant way in Australia, 67% footprint now across the country. We are number one and number three [00:31:00] in the biggest

supermarket in Australia as well, with our natural kava powders. We have more recently reentered the USA on Amazon USA and direct to consumer. It's estimated that 10.7% of Americans have tried kava more than once in the last 12 months. So, certainly the awareness and pickup of kava is exciting to see, particularly as we are coming back into the USA.

Justin Prochnow: So, tell us about kava. In the US, there's the cava, [00:31:30] which is the C-A-V-A, the sparkling Spanish wine, and then we have the Kava, the K-A-V-A... Of course, we're talking about Kava with a K here. Where does Kava come from? I know you have a long history with Kava.

Zane Yoshida: Yeah. So, I grew up in Fiji, drinking kava as my traditional drink. Kava's grown in seven South Pacific countries, Samoa, Tonga, Vanuatu, Papua New Guinea, Fiji, for instance, including here in the United States, in Hawaii, [00:32:00] kava has been grown traditionally. So, it's been available, more artisanal, it's been a cottage industry for a long time. Kava did have some success in Western markets as a prescription medicine out of Germany, for instance, for treating anxiety disorders. Kava was a banned because of some controversy at the time around liver toxicity concerns. The World Health Organization stepped in, made some recommendations, subsequently, Codex Alimentarius, which [00:32:30] is the WHO and FAO, have now developed a regional standard for kava. So, I guess what's different between now and back then in 2002 is we have more structure, we have more regulation in the industry, we have standards, we have quality control.

Our facility in Fiji, for example, is a FDA accredited, registered, audited facility for dietary supplement compliance. So, kava is made from a plant, it's a close relative [00:33:00] of black pepper, called Piper methysticum, which translates directly to intoxicating pepper. But historically, kava has had a lot of success as a clinically proven ingredient to reduce anxiety. So, it's no surprise with the stressors of everyday life, the fact that there's correlation between anxiety, stress, and sleep, folks are sleeping better, there's less stress. So, our products have done very well out of Australia, and certainly with the work that we've done online in the USA, we're seeing very [00:33:30] strong demand for our products.

Justin Prochnow: Amazing. We're looking forward to it. And I'm here with my colleague, Gina Tincher, who has volunteered to come and view the facilities in Fiji maybe several times a year.

Gina Tincher: We're always willing to help our [inaudible 00:33:45] clients. Always.

Zane Yoshida: We look forward to welcoming you over several bowls of kava, of course.

Justin Prochnow: Amazing. Thank you very much, Zane.

Zane Yoshida: You're welcome.

## Legal Food Talk Podcast – Episode 31

- Gina Tincher: So, I'm here with Emily Troup, Emily is the director of brand Marketing for Wedderspoon. And it's good to see you [00:34:00] again, we met last year. How is this year any different than the years you've been here before?
- Emily Troup: Yeah. So, Wedderspoon is number one leading manuka honey brand in the US, and for us this year, we actually rolled out a rebrand in January. So, it is our official debut of the rebrand here at Expo. And we actually launched our cherry cough drops as well as our cherry berry throat spray. So, really excited to debut those, as well as our rebrand, and we're getting extremely [00:34:30] positive feedback across our retailers and our consumers.
- Gina Tincher: I love that. At the moment I walked up, I knew there was something different about your booth, last year was all earthy, and [inaudible 00:34:44], this year you've gone a totally different direction. It's super fun, there's a line down the hallway here to spin the wheel and win prizes from Wedderspoon. So, it's a very fun rebrand, and we're enjoying it a lot. So, what's on the horizon for Wedderspoon?
- Emily Troup: Yeah, right now we're really focused [00:35:00] on getting the rebrand out to retailers, and getting more points of distribution across the globe actually for our international markets, as well as our US markets, and really doubling down on Amazon.
- Gina Tincher: Okay. Awesome. Well, anything new that you've seen this year walking the show?
- Zane Yoshida: Yeah. A lot about protein and fiber, right?
- Gina Tincher: Yeah. That's what we're saying.
- Zane Yoshida: Protein and fiber continue to be really big trends. I think delivery format too, and thinking about [inaudible 00:35:28] supplements and like pill fatigue. So, how do we [00:35:30] innovate with [inaudible 00:35:32] as well as new ingredients?
- Gina Tincher: Good. Have you got any new ideas that you might bring back to Wedderspoon?
- Zane Yoshida: Oh yeah. We're excited.
- Gina Tincher: I love it. I love it. Well, thanks for talking to us and have a great show.
- Zane Yoshida: Thank you. Appreciate it.
- Justin Prochnow: We hope you enjoyed those on the go street interviews live from Expo West, and we hope to see you there with us next year. Before I sign off, I wanted to give a quick PSA about a new law in California that becomes enforceable on July [00:36:00] 1st, 2026. California (AB) 660 was signed into law by California

governor Gavin Newsom back in September of 2024. And yet, another example of California believing it needs to set the tone for the rest of the country, see Prop 65 and others. This law mandates that companies must use specific uniform terms when communicating sell-by dates on packaging, depending on whether the date relates [00:36:30] to quality or safety concerns. So, instead of the varied terms often seen on packaging such as, best buy, expiration date, manufacturing date, et cetera, as of July 1st, 2026, packaging of food products in California may only use the following terms.

If the date on there is for quality and enjoyment purposes, the term, BEST if used by, with best in all caps must be used. If the packaging is too small to [00:37:00] accommodate that, you can simply use BB in capital Bs. If the date included is for safety reasons, the terminology must be, USE by, with use in all caps, and if the packaging is too small, you can simply use UB. Companies may not use terminology like, sell buy, or expiration date, although companies can use a coded format if it is not easily readable by consumers. So, [00:37:30] selling products in California as of July 1st, your packaging has to have these dates. It's unclear at this point how soon California will start enforcing this, but as we know, our friends, the class action plaintiff lawyers, probably have that date already circled on their calendars, and they will certainly be looking at packaging moving forward.

If you have any questions about this or other labeling, feel free to send me a note at Justin.Prochnow@gtlaw. [00:38:00] com. We hope you enjoyed this Expo West edition of Greenberg Traurig's Legal Food Talk. If you did, please like us on the applicable platform you are listening to. If not, guess what? This was free, and more so, there's probably more than one product out there being touted as a way to reverse the clock and get your 45 minutes of your life back, so you have that going for you, which is nice. Until next month, this is Justin Prochnow, your friendly neighborhood food lawyer.