



## Food Labeling

### NMPF Applauds Letter to FDA on Milk Labeling Standards

NMPF, along with the International Dairy Foods Association, thanked lawmakers Dec. 16 for urging federal regulators to crack down on the inappropriate labeling of products designed to imitate milk.

[In a letter](#) written by Reps. Mike Simpson (R-ID) and Peter Welch (D-VT), and cosigned by 30 other members of the House, lawmakers insisted that U.S. Food and Drug Administration Commissioner Robert Califf should more aggressively police the improper use of dairy terms, which are used on the labels of products with no real dairy ingredients.

Federal standards of identity stipulate that milk and related foods have to be made from animal sources to use these terms. Labeling plant-based foods as such is “misleading to consumers, harmful to the dairy industry, and a violation of milk’s

standard of identity,” the letter said.

“We request that the Food and Drug Administration (FDA) exercise its legal authority to investigate and take appropriate action against the manufacturers of these misbranded products.”

NMPF has advocated for stronger FDA enforcement in the past, urging the agency to restrict the use of dairy terms on labels of plant-based imitation products.

“You haven’t ‘got milk’ if it comes from a seed, nut or bean,” said Jim Mulhern, President and CEO of NMPF. “We don’t need new regulations on this issue, we just need FDA to enforce those that have been on the books for years.”

Contact: [Beth Briczinski](#)

## Food Labeling

### USDA Begins Work on Bioengineered Food Standard

The U.S. Department of Agriculture (USDA) has started work on the required regulations for a mandatory labeling system for foods produced using biotechnology, as outlined in legislation passed into law in July.

The new law directs USDA to create a standard for food manufacturers to disclose whether a food contains genetically engineered material via an on-package label, a quick reader code, or by other means. USDA has two years to develop the rule, meaning the regulation must be issued by July 30, 2018.

USDA is expected to issue an Advanced Notice of Proposed Rulemaking (ANPR) in December or January and subsequently may hold public meetings. The ANPR should give the dairy community and other stakeholders insight into the issues USDA plans to address in rulemaking.

NMPF will continue to actively engage in the rulemaking process, just as during the legislative



process. Issues of focus include how absence claims will be regulated and by whom; what the de minimis levels for disclosure will be; how cultures, enzymes and processing aids will be regulated under the standard; and how USDA will prevent disparagement against foods produced using biotechnology.

Contact: [Clay Detlefsen](#)

## In this issue

### Page 2

USDA Begins Work on GMO Regulations

### Page 4

NMPF Represented at International Codex Meeting

### Page 7

NMPF Attends Drought Resiliency Meeting at White House

### Page 8

FARM Environmental Stewardship to Launch in 2017

...and more!



## 2016 Food Facility Registration Not Required for Most Farms

Section 415 of the Federal Food, Drug, and Cosmetic Act (FD & C Act) requires food facilities that are obligated to register with FDA to renew such registrations during the period beginning on October 1 and ending on December 31 of each even-numbered year – including 2016. Dairy farms are not required to register, unless the farm is a “mixed-type facility,” which also involves on-farm processing.

“Updating” is a different function than “renewing.” During the renewal period, you will not see the “Update” button listed on the Food Facility Registration Module main menu, until the registration is renewed. If a registration is not renewed by 11:59 p.m. on Dec. 31, 2016, the registration is considered expired

and will be removed. If registration is expired or canceled, a company cannot ship food from that facility.

The type of facilities that are required to either renew or register with FDA has not changed. **Dairy producers should be wary of solicitations to register their farm under FSMA,** as dairy farms that did register in the past do not need to register their facility in the future.

FDA’s Food Facility Registration system can be accessed here [Food Facility Registration](#).

Contact: [Clay Detlefsen](#), [Beth Briczinski](#)

## DHS Issues Revised Chemical Security Tools

In order to more specifically regulate food processing facilities’ use of certain chemicals, the Department of Homeland Security (DHS) has shifted to the use of a revised Chemical Security Assessment Tool (CSAT) top-screen application, a revised CSAT Security Vulnerability Assessment (SVA) application and a revised CSAT Site Security Plan (SSP) application, described as “CSAT 2.0.”

The Department has begun collecting information using CSAT 2.0 from chemical facilities of interest using a phased approach. When the regulation went into effect, hundreds of dairy processing facilities had to submit screening information about the chemicals used and the quantities of those chemicals on hand. The majority of facilities screened out of the rule, but a number are subject to the rule’s requirements. All facilities with

Chemicals of Interest (COI) above the threshold quantities must do the revised Top Screen, even if they previously had been excluding through the screening process.

Agriculture production facilities that use COI “in preparation for the treatment of crops, feed, land, livestock (including poultry), or other areas of an agricultural production facility or during application to or treatment of crops, feed, land, livestock or other areas of the facility” were granted an indefinite extension for compliance. That extension remains in effect. Dairy producers, for the most part, should not have to comply with this rule at this time.

Contact: [Clay Detlefsen](#)

## New Documents Outline Expanded Drug Residue Testing Program

Details on the new Appendix N program are now being released through the National Conference of Interstate Milk Shipments (NCIMS) [website](#). State and federal milk safety regulators began developing the new program to test for tetracycline residues in raw milk samples. NMPF has been engaged in the NCIMS process since the organization voted in 2015 to expand the required testing of milk for drug residues beyond beta-lactams through a pilot program.

While the new pilot program will target the tetracycline class of drugs (including oxytetracycline, tetracycline and chlortetracycline), the timing of that testing has yet to be determined. Once the implementation date is announced – likely not until the spring of 2017 – NMPF will host a webinar for its members outlining the nature of the sampling process.

To prepare the industry for the next step, the NCIMS has released the following draft documents:

1. [DRAFT 2015 NCIMS Proposal 211 Pilot Program Accepted Tetracycline Test Kit Using Both Undiluted and Diluted Steps](#)
2. [DRAFT Appendix N Pilot Program Question and Answer Version 3](#)
3. [DRAFT PowerPoint 2015 NCIMS Proposal 211 Raw Milk Testing Pilot for Non-Beta Lactam Drugs Version 3](#)
4. [DRAFT Appendix N Modification LEO Responsibilities for New Tetracycline Test Kits](#)

NMPF staff will continue to work with the Appendix N Committee on the remaining details of the pilot program.

Contact: [Beth Briczinski](#)













## Comment Deadlines

- [Defining “Healthy”](#) | due date: Jan. 26, 2017  
FDA has started a public process to redefine the “healthy” nutrient content claim for food labeling. Redefining “healthy” is part of an overall plan to provide consumers with information and tools to easily and quickly make food choices consistent with public health recommendations, and to encourage the development of healthier foods by the industry.  
Contact: [Beth Briczinski](#)
- [Hazard Analysis and Risk-Based Preventive Controls for Human Food](#) | due date: Feb. 21, 2017  
FDA issued a draft guidance to help food companies establish risk-based preventive controls through a proactive and systematic approach to food safety programs through the use of preventive controls designed to protect food and the consumer from biological, chemical (including radiological) and physical hazards.  
Contact: [Clay Detlefsen](#)
- [Establishing Appropriate Durations of Therapeutic Administration of Antibiotics](#) | due date: March 13, 2017  
FDA is soliciting comments regarding the establishment of appropriately targeted durations of the use of antimicrobial drugs of importance to human medicine (i.e., medically important antimicrobial drugs) when they are administered in the feed or water of food-producing animals for therapeutic purposes.  
Contact: [Jamie Jonker](#)

## Upcoming Events

<a href="#">National Ice Cream Mix Association (NICMA) 2017 Annual Meeting</a> Lago Mar Resort & Club   Fort Lauderdale, Fla.	January 15 - 18, 2017
<a href="#">National Mastitis Council 56th Annual Meeting</a> TradeWinds Island Grand Resort   St. Pete Beach, Fla.	January 28 – 31, 2017
<a href="#">3-A Sanitary Standards, Inc. 2017 Annual Meeting and Education Program</a> Hilton Minneapolis/St. Paul Airport Mall of America   Bloomington, Minn.	May 1-4, 2017
<a href="#">National Conference on Interstate Milk Shipments (NCIMS) 2017</a> Amway Grand Plaza, Curio Collection by Hilton   Grand Rapids, Mich.	May 12-17, 2017



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The National Milk Producers Federation, based in Arlington, Va., develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF’s cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies.

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