



## National Milk Producers Federation

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703.243.6111 • www.nmpf.org

*"Connecting Cows, Cooperatives, Capitol Hill, and Consumers"*

Agri-Mark, Inc.  
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Associated Milk Producers, Inc.  
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Cooperative Milk Producers Assn.  
Dairy Farmers of America, Inc.  
Dairymen's Marketing Cooperative, Inc.  
Dairylea Cooperative Inc.  
Ellsworth Cooperative Creamery  
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Prairie Farms Dairy, Inc.  
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Select Milk Producers, Inc.  
Southeast Milk, Inc.  
Swiss Valley Farms, Co.  
Tillamook County Creamery Assn.  
United Dairymen of Arizona  
Upstate Niagara Cooperative, Inc.  
Zia Milk Producers

Katharine Haxall, MPH  
Cardiovascular Disease Prevention and Control Program  
NYC Department of Health and Mental Hygiene  
2 Lafayette St. 14th Floor  
New York, NY 10007

February 1, 2010

Dear Ms. Haxall:

The National Milk Producers Federation (NMPF) wishes to respond to the final proposed targets for dairy products as part of the New York City Department of Health and Mental Hygiene national sodium reduction initiative and posted on the program's web site. 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. NMPF's 30 member cooperatives produce the majority of the U.S. milk supply, making NMPF the national policy voice of more than 40,000 dairy producers. We have provided comment to the Department previously (letters of September 29, 2009 and October 28, 2009), and we appreciate your taking those comments into account. Specifically, we appreciate your shared priority of ensuring the safety profile of any modified products, as well as your reconsideration of the sodium reduction targets for frozen and refrigerated pizza.

In this letter, we will not reiterate in detail each of the points made in our previous communications, although we trust that is information will continue to be taken into consideration as the sodium targets are finalized. Those concerns are summarized below:

- Salt plays a critical role in the cheese fermentation process by controlling activities of microorganisms and enzymes central to the cheese-making process. Salt levels affect cheese flavor, texture and shelf life.

**Jerry Kozak, President/Chief Executive Officer**

**Randy Mooney, Chairman**

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- Salt is a significant factor in minimizing spoilage and the growth of pathogenic organisms in both natural and processed cheeses.
- Production of lower fat cheeses has been an industry priority, a goal consistent with public health and consumer demand for good tasting, low fat foods. Water replaces fat in these cheeses, and salt is needed to maintain the appropriate moisture ratios. While alternative solutions may become available as a result of on-going research, non-aqueous alternatives currently are not readily available. Therefore, tradeoffs between lower fat and lower sodium products could be necessary.
- The low sodium cheese options that have been available in the marketplace have not been well received by consumers.

One important point not addressed in our previous comments relates to standards of identity for various categories of cheeses and the impact of product reformulations on these legal requirements. Standards of identity include compositional requirements as well as stipulations about ingredients that must be or may not be present in food products. These standards have a direct impact on whether, for example, a salt substitute may be used in manufacturing cheddar cheese with the resulting cheese still labeled as “cheddar cheese.”

FDA appears to recognize in its labeling protocols that there may be benefit in allowing some deviation from certain aspects of the standards of identity, in this case for example, reductions in sodium. But FDA is very specific about these allowances. Currently, “reduced sodium” standardized products only are allowed if the reduction is 25% less than the traditional variety. Therefore, we are concerned that this creates a regulatory and labeling conundrum for manufacturers: Meeting the NYC targets may lead to products that do not meet legal standards of identity, and also are not of a great enough magnitude reduction to meet FDA’s “reduced sodium” definitions for such products.

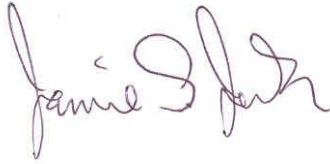
These questions are not insignificant. We are in agreement with the letter to you from the National Dairy Council with expounds on these issues. We believe that prior to further action, the NYC Department of Health and Mental Hygiene should hold a face-to-face meeting of food science, legal and industry representatives to discuss food safety challenges, the state of product development in the cheese category, and potential regulatory labeling constraints posed by the most recent proposed targets.

**Jerry Kozak, President/Chief Executive Officer**

**Randy Mooney, Chairman**

We would be happy to recommend individuals with expertise in each of these areas to assist in such a deliberation.

Sincerely,

A handwritten signature in black ink that reads "Jamie S. Jonker". The signature is written in a cursive style with a large, stylized "J" and "S".

Jamie S. Jonker, Ph.D.  
Vice President, Scientific & Regulatory Affairs