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Environment

SPCC Plan Deadline Approaching

The deadline for the Oil Spill Prevention, Control and Countermeasure, or SPCC, rule for farmers is right around the corner. The deadline to maintain, amend or prepare an SPCC plan is November 10, 2011. While there have been efforts in Congress to extend this deadline further, they have proved to be unsuccessful thus far.

NMPF staff encourages farmers to begin preparation of their SPCC plans as soon as possible. Fortunately, the majority of dairy farmers do not have to obtain the assistance of a Professional Engineer to certify their plan. If the farm has a total oil storage capacity between

1,320 and 10,000 gallons in aboveground containers, and the farm has a good spill history, the farmer may prepare and self-certify their own SPCC plan. Please feel free to utilize our SPCC template, which was developed in coordination between NMPF and the Natural Resources Conservation Service (NRCS). The [template](#) was created in order to guide the farmer through the creation of their plan and aid with compliance. The template is available free of charge. There is also an online webinar to assist farmers in completing the template. If the farm has storage capacity of more than 10,000 gallons, or has had an oil spill, the farmer may need



to prepare an SPCC Plan certified by a Professional Engineer.

If there are any additional questions, please do not hesitate to contact [Jamie Jonker](#) or [David Hickey](#).

Food Safety

CVM Revising Proposed Residue Testing Program

NMPF continues to engage the Food and Drug Administration (FDA) on their proposed milk residue testing protocol for dairy producers with a cull dairy cow tissue residue violation. FDA has circulated a revised testing protocol (dated September 14, 2011) to stakeholders including NMPF. While the revised protocol is

substantially different from the original FDA proposal, NMPF still has concerns about sufficiently blinded samples, the sample pool, screening and confirmatory testing methodology, and reporting of false-positive screening test results.

NMPF is continuing to examine options that will allow FDA to achieve its

necessary goals while being least disruptive to the industry.

As a reminder, the NMPF Milk and Dairy Beef Drug Residue Prevention Manual is available [online](#).

Contact: [Jamie Jonker](#) or [Beth Briczinski](#)





Animal Health

APHIS Approves Animal ID Extension

On August 11, USDA Animal Plant Health Inspection Service (APHIS) announced a proposed rule for the traceability of livestock movement. APHIS is proposing to establish minimal requirements for national identification and documentation of animals moving interstate.

Under this proposed rule, unless specifically exempted, livestock belonging to species covered by this rulemaking that are moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection (ICVI) or

other documentation. The purpose of this rulemaking is to improve our ability to trace livestock in the event that disease is found.

All dairy animals under this rule would have to be permanently identified by one of the officially recognized forms of identification. These include an official ear tag and a group/lot number when applicable. While the person or entity shipping cattle and bison interstate is required to ensure that a copy of the ICVI or other interstate movement document accompanies the shipment, there is no requirement that the person or entity maintain a record of the

shipment. However, it is highly encouraged that herd records with this information be maintained to assist animal health officials in the event that any of the animals are part of a disease investigation.

National Milk Producers Federation will be submitting comments. APHIS has approved an extension of the comment period until December 9.

Contact: [Betsy Flores](#)

Food Safety

NCIMS, FDA Finalize PMO Changes

The National Conference on Interstate Milk Shipments (NCIMS) Executive Board met on October 4-5, 2011 in Rosemont, Illinois to review the Food and Drug Administration (FDA) concur-non-concur letter.

After each NCIMS conference, FDA reviews proposals for concurrence. FDA must send an official letter to the NCIMS Chair after each conference detailing any proposals to amend to the Pasteurized Milk Ordinance (PMO) with which it does not concur.

This year, FDA non-concurred with just one proposal:

Proposal #209 to remove veal tissue residues from the list of criteria under which additional milk residue testing could be required by the FDA Commissioner. FDA believed the proposal was inappropriate in its appearance to limit the FDA Commissioner's ability to ensure milk safety. NMPF believes that the assumed link between veal tissue residues and milk residues is, at best, tenuous. Ultimately, the NCIMS Executive Board voted to accept the FDA non-concurrence on Proposal #209 and it will not be included in the 2011 PMO.

The 2011 PMO and affiliated documents will become

effective within 1 year of publication of the PMO in electronic form.

Please see the [NCIMS issue](#) of the Regulatory Register for additional information on the 2011 NCIMS Conference.

Contact: [Jamie Jonker](#) or [Beth Briczinski](#)

National
Conference on
Interstate
Milk
Shipments

Food Safety

EU Export Certificate Changes

The U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) has released a draft of the revised “European Health Certification Program” to dairy industry stakeholders for comment. The “European Health Certification Program” is a voluntary program which outlines the requirements for the export of dairy products from the United States to the European Union (EU).

The draft revision incorporates new requirements for Somatic Cell Count of 400,000 per mL at the farm level incorporating flexibility which is allowed by

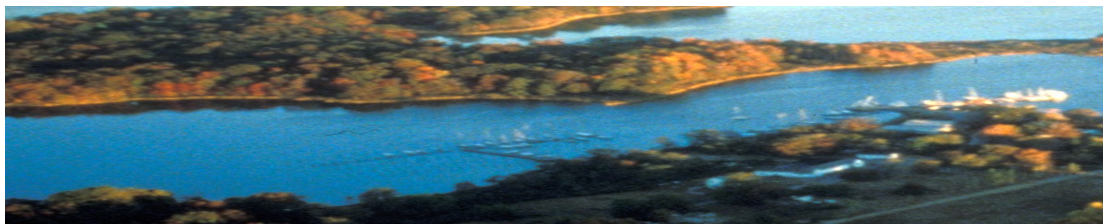
the EU in its member states.

USDA-AMS has requested comments from industry stakeholders by November 1st. NMPF is working with the U.S. Dairy Export Council, American Dairy Products Institute, and International Dairy Foods Association on unified comments on the draft revision to USDA-AMS.

Contrary to an earlier reported implementation timeline, because the “European Health Certification Program” is voluntary it is not subject to public notice and comment through the *Federal*

Register. Rather, upon consideration of stakeholder comments, USDA-AMS will finalize the “European Health Certification Program” by early next year with implementation soon to follow. NMPF will detail final requirements when they are available.

Contact: [Jamie Jonker](#) or [Beth Briczinski](#)



Animal Health

FARM Verification Begins

In August 2011, National Milk Producers Federation began the process of third-party verification of the National Dairy FARM Animal Care Program. This is the first time the annual process has been implemented. NMPF worked with the University of Pennsylvania New Bolton Center to develop a

statistically valid sampling method that would provide 95 percent confidence in the on-farm data collected to-date. Validus Services was awarded the contract to conduct the third-party verifications. The verification process will continue throughout the end of the year. At the conclusion of the process, the data will be

reviewed and any changes to the program will be discussed in 2012. NMPF thanks all those cooperatives, proprietary processors and independent producers who are participating in the FARM Animal Care Program.

Contact: [Betsy Flores](#)





Food Safety

Food Safety Modernization Act

In the [Federal Register](#) on August 1, 2011, the Food and Drug Administration (FDA) announced its Fiscal Year 2012 fee schedule for the new fees authorized by the Food Safety Modernization Act (FSMA). FSMA authorizes FDA to collect and use fees to cover 100 percent of FDA's costs for: (1) certain reinspections of domestic and foreign facilities; and (2) certain food and feed recall activities beginning in fiscal year (FY) 2012 and each

subsequent fiscal year. FDA is establishing an hourly fee of \$224 for domestic work and \$325 if foreign travel is required. FDA has issued a "Guidance for Industry: Implementation of the Fee Provisions of Section 107 of the FDA Food Safety Modernization Act", which is available [online](#).

FDA is also [requesting comments](#) about the burden of fees on small businesses. FDA is seeking comments on

whether consideration for small businesses is appropriate, as well as how a small business should be defined or recognized.

Comments are due on fee amounts for small businesses by October 17th, and on FDA's proposed fee structure by October 31st. NMPF will be submitting comments on both dockets and would appreciate member input.

Contact: [Beth Briczinski](#).



Nutrition

Reducing Sodium Consumption

The Food and Drug Administration (FDA) and USDA Food Safety and Inspection Service (FSIS) have [requested public comments](#), data and information relevant to the dietary intake of sodium and current approaches to promote sodium reduction. They are considering ways to promote gradual, achievable and sustainable reduction of sodium intake over time.

Cheese, while contributing less than 8% of the total sodium in the diet, is among the leading food sources of sodium. As exemplified by the National Salt Reduction Initiative (NSRI) led by the New York City Department of Health and FDA and related activities regarding sodium, the current request for information has implications across the food industry.

NMPF will be coordinating

comments with IDFA and DMI. The comment deadline is November 9th.

Feel free to send any relevant information or feedback before October 28th to [Beth Briczinski](#).



Animal Health

Change in TB Status for MN and NM

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) is amending the boundaries of the bovine tuberculosis risk classification zones for the state of New Mexico and the state of Minnesota.

The entire states of New Mexico and Minnesota now meet the requirements for accredited-free status. These actions lessen restrictions on the interstate movement of

cattle and bison from certain areas of New Mexico and Minnesota.

APHIS classifies states or zones within states according to their prevalence levels of bovine tuberculosis. There are five classifications: accredited-free, modified accredited advanced, modified accredited, accreditation preparatory and nonaccredited. Restrictions on the interstate movement of cattle and bison become less stringent as a state approaches

or achieves accredited-free status.

Bovine tuberculosis is a contagious and infectious disease caused by *Mycobacterium bovis*. It affects cattle, bison, deer, elk, goats and other warm-blooded species and can be fatal. The disease can be transmitted to humans through direct contact with infected animals or consumption of raw milk. It is not transmitted through pasteurized milk.

Contact: [Jamie Jonker](#)



NMPF

Annual Meeting Registration Still Open

Every fall, the National Milk Producers Federation organizes a joint annual meeting with the National Dairy Promotion and Research Board (NDB) and the United Dairy Industry Association (UDIA). Taking place in a different U.S. city each year, the annual meeting

represents an opportunity for those active in the dairy industry to get together and share in their common accomplishments and challenges, as well as discuss the best route for the industry's future.

The 2011 Annual Meeting will be held November 14 - 16 at

the Town and Country Resort & Convention Center in San Diego, CA. The meeting's theme will be "Navigating a New Course."

Click to [register](#).



About NMPF

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 31 cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of more than 40,000 dairy producers on Capitol Hill and with government agencies.

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