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Environment

Chesapeake Bay Put On “Pollution Diet”

Before the close of 2010, the Environmental Protection Agency (EPA) released their final plans for cleaning up the Chesapeake Bay. Known as a total maximum daily load (TMDL), EPA set a “pollution diet” for the Chesapeake Bay Watershed, a 64,000-square-mile region covering Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. The plan requires the six Bay states and D.C. to implement plans that will lead to a reduction in the flow of certain nutrients – nitrogen, phosphorus and sediment - into the Bay by 20 to 25 percent by 2025, with 60 percent of that goal to be met by 2017. To meet these goals,

each jurisdiction charts out a course of how they will meet the reductions prescribed by the EPA. After being rejected initially, these plans were ultimately approved by the EPA, with the exception of a few sectors.

To aid farmers in meeting these rigorous goals, several of these plans provide additional funding for agricultural programs and new assistance for the development and implementation of manure-to-energy projects. Unfortunately, there are serious concerns with many aspects of these final plans, including a potential scenario where farmers may be faced with mandatory programs if goals aren’t realized, which could come as soon as 2013. There were a



few instances where the EPA did not approve aspects of a submitted plan. In one instance, EPA crafted a targeted backstop for the agriculture sector in West Virginia. The federal agency also plans to apply additional oversight on Pennsylvania farmers.

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Food Safety

FDA Food Safety Modernization Act

The Food Safety Modernization Act (FMSA) (HR 2751, underlying bill S 510) was passed by Congress on December 21, 2010 and signed into law by President Obama on January 4, 2011. The legislation has been referred to as “historic” and “landmark”, representing the first major overhaul of the nation’s food-safety infrastructure since 1938.

The US food supply has changed dramatically in the past seventy years, with food production and distribution becoming more centralized and an increasing percentage of the food supply depending on imported foods and ingredients. The safety of ingredients and foods can quickly affect large numbers of people – for example, the 2010 *Salmonella* outbreak in

eggs resulted in a recall of a half billion shell eggs and affected at least 1,900 people; the 2009 *Salmonella* outbreak in peanut products resulted in a recall of more than 3,900 foods.

To address these recent trends in the food industry, key elements of the law include:

- Preventive controls. Food and Drug

Administration’s approach to food safety is shifting away from its early-20th-century role of responding to adulterated food to one requiring companies to develop preventive control plans.

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Nutrition

IOM Report Updates Recommendations

On November 30, 2010, the Institute of Medicine (IOM) released [new dietary recommendations for calcium and vitamin D intakes](#), known as Dietary Reference Intakes (DRIs), used broadly by health professionals and policy makers to guide consumers' dietary patterns. Citing a strong body of new scientific evidence, the IOM based their recommendations on bone health outcomes, confirming the importance of vitamin D and calcium in promot-

ing bone growth and maintenance through various stages of life.

Specifically, the committee recommended daily calcium intakes, or Recommended Dietary Allowances (RDAs), ranging from 700 to 1300 milligrams depending on the bone health needs for each age range and gender. The daily calcium recommendations are similar in amounts to previous DRI values.

In contrast, vitamin D recommendations significantly increased for all ages. The committee recommended daily vitamin D intakes of 600 international units (IU) for those between the ages of 1-70 years and 800 IU for those older than 70 years, up from previous recommendations of 200-600 IU.

Contact: [Beth Briczinski](#)



Nutrition

NMPF Talks Marketing With FTC

In October 2010, NMPF met with staff members at the Federal Trade Commission (FTC) to talk about their efforts as part of the Interagency Working Group (IAWG) on Food Marketed to Children.

The IAWG – composed of representatives of Food and Drug Administration (FDA), Center for Disease Control (CDC), US Department of Agriculture (USDA), and FTC – will be drafting nutrition standards for the marketing of food to children who are 17 years old or younger. The guidelines will also define the scope of the media to which the standards will apply. For

example, in addition to traditional print and television advertisements, food packaging, and in-school marketing, the guidelines could also apply to evolving vehicles for marketing communication (e.g., websites, advergames, and branded product placement across multiple media).

The IAWG had released a [draft of their guidelines](#) in December 2009, which were quite restrictive and would have drastically limited the types of foods that could be marketed. NMPF discussed the tentative guidelines and highlighted how many foods which can make a meaningful contribution to a healthful diet –

including dairy products – would have been excluded by the guidelines. The emphasis on “nutrients to avoid” (saturated fat, *trans* fat, sugar, sodium) limited the potential positive contributions of many nutrient-dense foods.

The IAWG was initially to submit their report to Congress by July 2010, but was delayed as the group revised their nutritional guidelines. The final report is expected in early 2011 and will be published in the Federal Register for public comment.

Contact: [Beth Briczinski](#)



Environment

EPA Begins Regulating GHG Emissions

In January 2011, the Environmental Protection Agency (EPA) officially started regulating greenhouse gas (GHG) emissions under the Clean Air Act (CAA). Industries that are the largest emitters of GHGs will be required to obtain CAA permits and implement cost-effective technologies and energy efficiency measures. EPA will exempt smaller sources from permitting requirements, which includes farms and ranches. However, the

agency is set to reevaluate the permitting threshold in 2016. If the level is reduced to the CAA statute of 250 tons per year of GHGs, nearly 99% of US dairy farms could be regulated.

Nevertheless, EPA officials could soon see their hands tied if several members of Congress are successful with efforts. With their attempts to halt the GHG regulations proving futile in the 111th Congress, several key leaders in the House of Representa-

tives and the Senate expect to rile up support once again, and this time they expect more members to join them. While it will be extremely difficult to overturn the rule that provides EPA the authority to regulate GHGs, Congress may look to defund the agency's efforts for the foreseeable future. Without question, oversight of the EPA will be a major priority for many in the 112th Congress.

Contact: [David Hickey](#)



“EPA will exempt smaller sources from permitting requirements, which includes farms...”

Food Safety

NMPF Prepares for NCIMS

The NMPF NCIMS Committee has begun preparations for the 33rd Biennial National Conference on Interstate Milk Shipments (NCIMS). The Committee is carefully examining potential changes and updates to the Pasteurized Milk Ordinance (PMO). NMPF will submit multiple proposals to the

Conference to address changes to the PMO that are important for dairy cooperatives and their producers. One proposal will include a change to the Somatic Cell Count threshold (see the [Fall 2010 Regulatory Register](#) for more information). Outcomes from the NCIMS Conference will be the focus of the next Regulatory Register.

The NCIMS Conference will be held April 28 - May 4, 2011 at the Sheraton Baltimore City Center, Baltimore, Maryland. Please contact [Marlena Bordson](#), NCIMS Executive Secretary or visit the [NCIMS web-site](#) for more information on the upcoming Conference. Please contact [Jamie Jonker](#) about NMPF activities for the upcoming Conference.

National
Conference on
Interstate
Milk
Shipments



Food Safety

Codex Could Impact Import Testing

The 19th Session Codex Committee on Residues of Veterinary Drugs in Foods (Burlington, Vermont August 29 – September 3, 2010) was hosted by the Government of the United States and chaired by Dr Steven Vaughn, Director of the Office of New Animal Drug Evaluation, United States Food and Drug Administration, Center for Veterinary Medicine. The Session was attended by 172 delegates from 56 Member countries and one

Member organization, Observers from 5 international organizations, Food and Agriculture Organization of the UN (FAO), and the World Health Organization (WHO). The Committee considered new work on the development of guidance on performance characteristics for multiresidues methods to be appended to the *Guidelines for the Design and Implementation of National Regulatory Food Safety Assurance Programmes Associated with the Use of Veterinary Drugs in Food Pro-*

ducing Animals (CAC/GL 71-2009). This change in methods may impact the type(s) of food safety residue screening (s) conducted by countries importing dairy products. Included in the Priority List of Veterinary Drugs was a request to establish a new Minimum Risk Level (MRL) for amoxicillin in milk. The complete meeting summary is available on the [Codex Alimentarius website](#).

Contact: [Jamie Jonker](#)

Nutrition

Child Nutrition Reauthorization Passed

On December 13, 2010, President Obama signed the Healthy, Hunger-Free Kids Act into law, reauthorizing many federal nutrition and feeding programs. The bill was passed by the US Senate by unanimous consent on August 5th, and passed the US House of Representatives by a vote of 263-157 on December 2nd.

The landmark legislation included \$4.5 billion in new funding over ten years. Other key highlights were that it

- Provides the largest increase in funding for the school lunch program since 1975 – a six-cent increase in the reimbursement rate for districts who comply with federal nutrition standards.

- Provides the US Department of Agriculture (USDA) with the authority to set nutritional standards for all foods sold in schools, including vending machines, the “a la carte” lunch lines, and school stores.
- Provides an additional 20 million annual after-school meals to at-risk children through the Child and Adult Care Food Program.
- Streamlines paperwork to enroll children in the school meals program, increasing the number of children eligible for free or reduced-price school meals by ap-

proximately 115,000.

- Improves the quality of foods supplied to schools by building on and further advancing the work USDA has been doing to improve the nutritional quality of the commodities that schools get from USDA and use in their lunch and breakfast programs.

The bill also maintains the requirement that milk – a variety of fluid milks consistent with the Dietary Guidelines – be served with each school meal.

Over 30 million children receive meals through the National School Lunch Program, and many children receive the majority of their daily calories through meals at school.

Contact: [Dana Brooks](#)



Animal Health

FDA To Begin Sampling Program

The Food and Drug Administration (FDA) Center for Veterinary Medicine (CVM) will be conducting a compliance sampling program to determine if farms previously identified as marketing for slaughter dairy cows with drug residues have inadequate farm management practices, such as failure to maintain treatment records or to identify treated animals, which may also lead to drug residues in milk. CVM will

sample milk from producers and test for the presence of specific antibiotic residues.

FDA is specifically targeting those dairies with a history of drug residue violations involving tissues from dairy cows offered for slaughter. The data obtained will provide evidence as to whether the practices on these dairies that have resulted in tissue residue violations are also creating potential milk safety concerns.

FDA will target a subset of 900 dairy producers from a pool of 1800 producers who have had a tissue residue violation in the past three years. USDA maintains a public list of residue violators (updated weekly) on its [website](#).

Contact: [Jamie Jonker](#)



Environment

IDF Meeting Update

The annual [International Dairy Federation \(IDF\) World Dairy Summit](#) is the gathering platform that unites dairy industry segments from around the world to create a sustainable, profitable and expanding industry. The 2010 Summit, themed “Environment & Sustainability”, convened in Auckland, New Zealand in November 2010. A symposium on “Dairy Farming Sustainability” included presenta-

tion and discussion nitrogen emissions, improving water use efficiency, soil carbon management, and renewable energy generation. Also during the Summit, IDF released a new report “[A Common Carbon Footprint Approach for Dairy: The IDF Guide to Standard Life Cycle Assessment Methodology for the Dairy Sector](#)”. Full proceedings of the Summit are available online at <http://www.wds2010.com/>

[programplus.html](#).

[SUMMILK](#), the 2011 International Dairy Federation World Dairy Summit will be held in Parma, Italy October 16-19, 2011

Contact: [Jamie Jonker](#)



Animal Health

FARM Participants Now Online

The National Dairy FARM Program has posted participating cooperatives and proprietary processors on the FARM website.

The FARM program began to accept participants into the program in October 2010. Since that time 45 percent of

the nation’s milk supply has signed on or is committed to participating in the program.

Those interested in seeing the [current list](#) of participants can visit [website](#). Cooperatives or Proprietary processors wanting more information on how to participate in the FARM

program should contact Betsy Flores.

Contact: [Betsy Flores](#)





Food Safety

- Inspection and compliance. The FDA will define “high-risk foods” and will inspect those domestic facilities at least once every three years, while inspecting low-risk facilities at least once every five years.
- Imported food safety. The FSMA increases FDA control over imports, and requires importers to perform supplier verification to ensure all food coming into the US meets FDA food-safety standards. Additionally, FSMA requires foreign facilities to be inspected with increased frequency.
- Response. FSMA allows the FDA Commissioner mandatory

Food Safety (Cont. From Pg 1)

recall authority over all food products.

NMPF secured language in the Senate bill that recognized the Pasteurized Milk Ordinance as comparable to the new mandatory HACCP requirements that will now be required by law. This prevents duplication of records and inspections by facilities or processors that are currently regulated by PMO.

Unfortunately, a provision exempting certain small facilities from many of the new, stringent requirements was a last-minute addition to the legislation. Instead of ensuring the safety of all segments of the nation’s food system network, this exemption may still leave many consumers vulnerable

and absent of the essential confidence that their food is safe to eat.

The burden of foodborne illnesses is considerable – in 2010, the [CDC estimated](#) that roughly 1 out of every 6 Americans (or 48 million people) get sick each year, 128,000 are hospitalized, and 3,000 die from foodborne illnesses. However, Representative Jack Kingston (R-GA), has questioned supporting the funding of the new law. Supporters of the FSMA – from industry to consumer groups – now are gearing up to fight for the estimated \$1.4 billion to implement the provisions.

Contact: [Dana Brooks](#)



“In 2010, a dozen outbreaks with over 150 illnesses were linked to consumption of unpasteurized dairy products.”

Food Safety

In November 2010, an epidemiological investigation linked consumption of Bravo Farms Dutch Style Gouda cheese to thirty-eight illnesses of *E. coli* O157:H7 in Arizona, California, Colorado, New Mexico, and Nevada. The cheese was made from whole raw milk aged for 60 days, and had been offered for sale as well as through in-store tasting at

Recent Raw Milk Recalls

Costco’s “Cheese Road Show”. In December 2010, an epidemiological investigation linked artisanal, raw milk cheeses from Sally Jackson Cheese of Oroville, Washington with eight illnesses of *Escherichia coli* (*E. coli*) O157:H7 in Oregon, Washington, Vermont, and Minnesota. Inspection of the dairy revealed sanitation problems and Sally Jackson Cheese agreed to a recall of all of its soft cheeses, which were made

from raw cow, goat, and sheep milk. The dairy subsequently closed.

In 2010, a dozen outbreaks with over 150 illnesses were linked to consumption of unpasteurized dairy products. For more information on recent news and information on raw milk, visit NMPF’s [Raw Milk and Food Safety webpage](#).

Contact: [Beth Briczinski](#)

Environment

Chesapeake Bay Put On “Pollution Diet” (from pg 1)

Throughout the entire development process, there has been much controversy swirling around the Chesapeake Bay TMDL amongst the agriculture community. One example is in regards to the data utilized in developing the large-scale TMDL. The Agriculture Nutrient Policy Council (ANPC), of which NMPF is a member, released a report in December that raises significant questions regarding the accuracy of the

data used by the EPA to set pollution limits for the Chesapeake Bay Watershed. The ANPC, a coalition of agricultural groups, commissioned the report to illustrate the contrasts between EPA’s estimate of the Bay’s “nutrient diet” with those of the U.S. Department of Agriculture (USDA). The report is available on the ANPC website at www.nutrientpolicy.org. Primarily, the report compared EPA’s Total Maximum Daily

Loads with those in the draft USDA report Assessment of the Effects of Conservation Practices on Cultivated Cropland in the Chesapeake Bay Region. To many, it was clear that EPA needed to delay their implementation of a TMDL program until the modeling is developed with sound science and factual data. Regardless of these blatant discrepancies, EPA still went ahead and released their final TMDL.

Contact: [David Hickey](mailto:David.Hickey@nmpf.org)

NMPF

NMPF Welcomes Jonathon Glueck

Jonathon Glueck was recently hired as a manager of government relations for the National Milk Producers Federation. A native of the Texas panhandle, Jonathon earned a B.A. in Agricultural Economics and Agricultural

Leadership Development from Texas A&M University. Upon graduating, After a short stint serving as an agricultural advisor to the military in Iraq; Jonathon most recently served as the Agriculture Legislative Assistant for Congressman Chet Edwards (TX). Growing up involved in the dairy

industry, Jonathon is excited about the opportunity to be a part of the team at the National Milk Producers Federation.

Contact: [David Hickey](mailto:David.Hickey@nmpf.org)

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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