



News Release

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

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Congressional Spending Bill Advances Several NMPF Priorities

CERCLA, Section 199 Provisions, Dairy Labeling Fix Included in Omnibus Measure

ARLINGTON, VA – The massive congressional spending bill approved today by the Senate and just signed into law by the president contains several important achievements for America's dairy farmers, including relief from potential regulation under the CERCLA law, according to the National Milk Producers Federation (NMPF).

The omnibus bill contains a provision strongly supported by NMPF that would relieve dairy and other livestock producers from having to report manure-related air emissions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). NMPF helped organize a coalition of farm groups to urge Congress to clarify that the measure – aimed at monitoring emissions from hazardous waste sites – was never intended to generate reports on low levels of emissions of ammonia and hydrogen sulfide from farms.

"Because of recent court decisions, the CERCLA law was poised to require farms to generate meaningless reports that regulatory agencies do not want and will not use," said Jim Mulhern, president and CEO of NMPF. "We worked very hard to build bipartisan support for this legislation, which represents a common-sense fix to this looming legal dilemma."

The congressional spending measure also includes a provision to recreate the Section 199 Domestic Production Activities Deduction (DPAD) tax provision that was repealed by last year's tax reform bill. The measure largely refashions the DPAD to help preserve the competitive position of farmer-owned cooperatives in the marketplace. NMPF worked with other agricultural organizations to address the competitive implications created by last year's tax law, emphasizing the need to maintain the prevailing tax treatment of dairy cooperatives and their farmer members in this area.

The omnibus bill [also expresses Congress' concern](#) that many plant-based foods and beverages are not properly labeled, building on language from the DAIRY PRIDE Act (DPA), a bipartisan bill introduced last year in both chambers of Congress to compel FDA to act against misbranded imitations.

Given the existing definition of milk as a product of a dairy animal, NMPF said that Congress' instructions to FDA in the omnibus bill should restrict the ability of beverages made from plant foods from using the term "milk" on their labels. This will also affect products misusing other dairy food names such as "cheese" and "yogurt" that are defined in the Code of Federal Regulations and cited in the congressional bill.

Mulhern expressed NMPF's appreciation for the support of congressional members in both parties to ensure the spending bill included these and other priority issues of importance to dairy producers.

"It's shaping up to be a difficult year economically for many dairy farmers, and the passage of these provisions is a bright spot for our members," Mulhern said. "We will continue to work with the House and Senate on other priorities, such as additional improvements to the dairy safety net, and changes to our immigration policies that address the labor needs of our farmers."

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The National Milk Producers Federation (NMPF), 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. For more on NMPF's activities, visit our website at www.nmpf.org.