



News Release

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

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NMPF Urges Dairy Imitators to Comply with Food Labeling Standards *Congressional Support Grows for Prompting Regulatory Action by FDA*

ARLINGTON, VA – America's dairy farmers have a clear message for plant-based food companies that have been meeting in California this week to assess the consistency of the labeling of their products: Dairy imitators must start complying with federal regulations that require foods such as milk, cheese, ice cream and yogurt to be made from real milk.

"At a time when consumers want real food, this 'fake food' movement has gone in the opposite direction, flaunting U.S. Food and Drug Administration (FDA) standards that define milk as the product of cows, not heavily processed and unrecognizable plant sources," said Jim Mulhern, president and CEO of NMPF. "These companies are also aware that playing fast and loose with labeling regulations is a potential legal liability and a source of confusion in the marketplace."

Members of the Plant Based Foods Association are meeting this week in San Francisco to review the potential compliance challenges their products may have with FDA's existing standards of identity.

Mulhern pointed out that some plant-food makers have acknowledged the inconsistency in the labeling terms and nutritional content of their offerings, citing these first-person assessments from recent news articles:

"I think where there is real consumer confusion, and where the FDA really should get involved, is that there is no meaningful standard of identity that I know of for almond milk, cashew milk or soy milk," he said. "You could have one cashew in an entire package and the rest could be water and sugar and call it cashew milk. So consumers are being duped."

Dora's Naturals founder Cyrus Schwartz
BevNet.com – Jan. 5, 2017

"The new labels clear any confusion. MALK is not nut milk pretending to be dairy. It's an alternative to dairy, meaning dairy-free, and the new labels clearly show this."

MALK co-founder/CEO August Vega
[Food Navigator](http://FoodNavigator.com) – March 10, 2017

"Lowry says the dairy industry has a point about the nutritional benefits of some milk alternatives, which are often significantly lower in protein. Lowry believes that milk should be defined based not on whether it comes from a 'hooved animal' but whether it's nutritionally equivalent."

Ripple co-founder Adam Lowry
[Fortune](http://Fortune.com) – Feb. 16, 2017

NMPF's Mulhern said that standards of identity exist for a range of foods, not just in the dairy category.

"You can't take powdered sugar, mix it with water, add orange flavorings and color, and call it orange juice. The FDA standard of identity for 'orange juice' prohibits labeling beverages that are only orange in color as 'orange juice.' But this is the misleading practice that occurs when nuts and grains are mixed together with whiteners and sugars and marketed as 'milk.' FDA's failure to do its job on food standards means it's time for Congress intervene," he said.

NMPF continues to build support for legislation called the DAIRY PRIDE Act (DPA), which would ensure food labels are policed by regulators. The measure, introduced earlier this year in both the House and Senate, prompts FDA to implement its long-standing regulation specifying that milk and similar dairy foods must come from an animal source. Properly enforcing labeling standards "ultimately benefits the manufacturers of plant products as much as it helps dairy farmers," Mulhern said, by establishing a predictable regulatory environment in the marketplace.

Mulhern said terms such as "almondmilk" and "soy milk" are not found on plant beverages sold in the European Union, the United Kingdom and Canada. Other nations have food labeling standards similar to those in the United States, but their governments "actually enforce those regulations, unlike FDA," he said. "The United States has been lax, but that doesn't mean such violations will go unnoticed indefinitely, either by regulators or those misappropriating dairy terms."

Mulhern said the DAIRY PRIDE Act continues to attract support. The Senate version has the following sponsors: Tammy Baldwin (D-WI), Angus King (I-ME) and Debbie Stabenow (D-MI), the leading Democrat on the Senate Agriculture Committee. The House version's supporters include: Reps. Peter Welch (D-VT), Mike Simpson (R-ID), Sean Duffy (R-WI), Joe Courtney (D-CT), David Valadao (R-CA), Susan DelBene (D-WA), Collin Peterson (D-MN), Mike Gallagher (R-WI), Glenn Grothman (R-WI), Ron Kind (D-WI), Thomas Rooney (R-FL), James Sensenbrenner (R-WI), Richard Nolan (D-MN) and Elise Stefanik (R-NY).

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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.