

National Milk Producers Federation

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Food Labeling

Agriculture Department Issues Final Bioengineered Food Disclosure Standard

The U.S. Department of Agriculture (USDA) unveiled its long-awaited bioengineered food labeling rule on Dec. 20, detailing how companies will disclose the presence of bioengineered ingredients in their food products. The rule defines bioengineered foods as those "that contain detectable genetic material that has been modified through certain lab techniques and cannot be created through conventional breeding or found in nature." The implementation date is Jan. 1, 2020, although small food manufacturers have until Jan. 1, 2021. Mandatory compliance for all regulated entities is required by Jan. 1, 2022. Businesses may comply voluntarily with the standard until Dec. 31, 2021. USDA has formulated a list of frequently asked questions to help understand the rule.

By January 2022, packages of food that contain bioengineered ingredients must include one of three disclosure options: a USDA-selected logo that includes an image of a field with the letters "BE"; the phrase "bioengineered"; or a QR code.

In a regulatory victory for NMPF, the rule reiterated the concept that meat or milk from animals that consume bioengineered grains does not make that meat or milk a bioengineered food. USDA stated that under a voluntary disclosure, it would be inappropriate to consider





that same meat or milk as being "derived from bioengineering."

The rule follows the statute closely, especially with respect to defining "bioengineered food." If a bioengineered ingredient is found to be refined to the point that it does not contain detectable genetic material that has been modified using recombinant DNA (rDNA) technology, that ingredient will not trigger a disclosure. As a result, most bioengineered ingredients in dairy products (e.g. enzymes, vitamins) will not trigger reporting.

As the disclosure deadline approaches, dairy companies should verify whether their flavorings, sweeteners, enzymes, and other ingredients contain genetic material. Most finished dairy products should not need a mandatory bioengineered disclosure.

Contact: Clay Detlefsen



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...and more!

Finally, FDA Requests Comments to Better Understand Dairy Labeling Issue

After decades of NMPF efforts to halt misleading labeling of imitation dairy foods, the U.S. Food and Drug Administration's comment period to review the marketing practices of plant-based foods is closing this month.

The FDA comment docket, announced by Commissioner Scott Gottlieb in September, is set to close Jan. 28. NMPF has been rallying its members, industry leaders and consumers to submit comments on the need for agency action. NMPF has also created a special webpage, complete with an instructional video and talking points to guide commenters through the process. A social media campaign is also active, with a Twitter chat planned for 11 a.m. ET on Thursday, Jan. 17.

NMPF will soon submit comments explaining why FDA must enforce its own labeling regulations limiting the use of standardized dairy terms to products that come from an animal. In addition to demonstrating the superior nutritional benefits of real milk, NMPF's comments will show how a standardized dairy food – like milk, yogurt or butter -- is defined by its inherent characteristics, including how and where it is sourced, its sensory attributes, and its

performance properties.

The comment period comes after a July 26 FDA public meeting on government nutrition and labeling standards during which NMPF made its case for government action. Gottlieb said before the hearing that the agency will address deceptive marketing tactics and recognized the issue needs greater clarity. He has said that plant-based copycats are not the foods that have been standardized under the name "milk" and often vary widely in their nutrition.

NMPF also submitted comments on the related issue of regulating foods produced using cell-culture technology. On Sept. 27, NMPF submitted comments to FDA suggesting that another important factor be considered within the discussion: the agency's willingness and ability to enforce its own existing standards of identity on these new products as well as plant-based alternatives. The U.S. dairy industry could be affected by the use of genetically modified yeast to produce proteins that share a chemical identity with milk proteins.

Contact: Clay Detlefsen







"Imitation products have gotten away with using dairy's good name for their own benefit, which is against the law and must be enforced."

- U.S. Senator Tammy Baldwin

DAIRY PRIDE Act Sponsor

#gotREALmilk

Phase 2 of WOTUS Repeal and Replace Process Begins

After years of uncertainty and ambiguity regarding the Waters of the U.S. (WOTUS) rule, the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers have proposed what should be an <u>understandable definition</u> of what constitutes "waters of the United States" under the Clean Water Act.

Unlike the 2015 definition of WOTUS, which was thought to be confusing and cumbersome, a more straightforward definition would result in significant cost savings, protect the nation's navigable waters, help sustain economic growth, and reduce barriers to business development. It would also provide clarity, predictability, and consistency, so the regulated community can easily understand where the Clean Water Act applies.

The proposal will replace the 2015 definition with one that provides states and landowners with more certainty to manage their natural resources and grow local economies. Under the new plan, a farmer should be able to look out of his truck and understand whether he was looking at federally regulated water without relying on lawyers and consultants, according to EPA.

The proposal was unveiled at an exclusive meeting at EPA's headquarters on Dec. 11, attended by NMPF, other agriculture groups and nearly two dozen members of Congress.

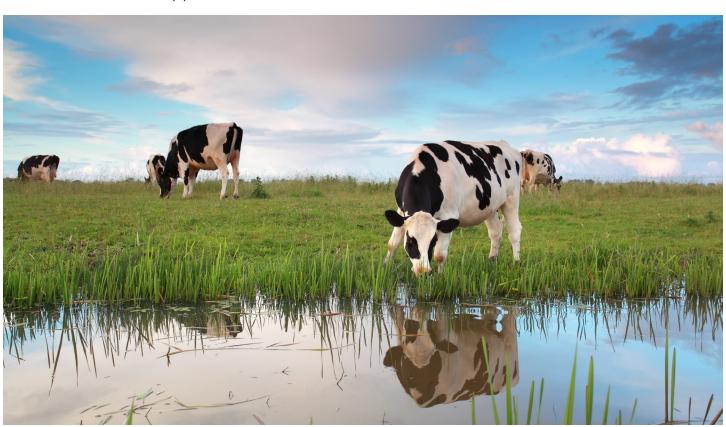
This is the second in a two-step process to review and revise

the definition of "waters of the United States" to be consistent with President Donald Trump's February 2017 Executive Order titled "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The order states that it is in the national interest to ensure the nation's navigable waters are free from pollution while also promoting economic growth, minimizing regulatory uncertainty, and showing regard for the roles of Congress and the states under the Constitution.

Under the agencies' proposal, traditional navigable waters, tributaries to those waters, certain ditches, certain lakes and ponds, impoundments of jurisdictional waters, and wetlands adjacent to jurisdictional waters would be federally regulated. It also explains what are not "waters of the United States," including features that only contain water during or in response to rainfall (e.g., ephemeral features), groundwater, many ditches (including most roadside or farm ditches), prior converted cropland, stormwater control features, and waste treatment systems.

The agencies accepted pre-proposal recommendations and received more than 6,000 comments – NMPF's included – that they considered when developing their proposal. The agencies are requesting comments for 60 days once it is published in the Federal Register, which is expected this month.

Contact: Clay Detlefsen



NMPF Supports EPA Efforts to Codify Manure Air Emission Exemption

In <u>comments</u> filed Dec. 14, NMPF expressed support for the U.S. Environmental Protection Agency's efforts to permanently end the reporting of manure air emissions under the Emergency Planning Community Right-to-Know Act (EPCRA).

NMPF had been disappointed with the April 11, 2017, decision by the U.S. Court of Appeals for the District of Columbia's elimination of the rule, which limited the scope of reporting air emissions from manure. Both EPCRA and the Comprehensive Environmental Response and Liability Act (CERCLA) statutes were designed to assist government agencies in identifying releases of hazardous substances and facilitate remedial action.

NMPF has argued that requiring farmers to report air emissions from manure under either law impedes responses to actual emergency releases by creating paperwork backlogs and using resources that should be used for such emergencies. The emergency response community opposes receiving manure air emission reports under EPCRA. The U.S. Coast Guard, which receives hazardous release reports under CERCLA, also opposes receiving such reports.

NMPF and other agriculture groups worked in 2017 and 2018 to inform Congress of the ramifications of the court's ruling. Congress passed the bipartisan FARM Act, which ended air emission reporting under CERCLA, while EPA issued an interpretation that reporting was unnecessary under EPCRA. In addition, a 1986 report on EPCRA made it clear that air emission reporting of these releases is unwarranted and contrary to what Congress intended. Page 285 of the report says:

"On-site releases that do not extend off-site are exempt from the requirements. In addition, releases which are continuous or frequently occurring and do not require reporting under CERCLA do not require reporting under this section [emphasis added]."

On March 13, 2018, the Congressional Research Service (CRS) issued a memorandum to the Senate Committee on Environment and Public Works regarding a supplemental analysis of the FARM Act, which discusses three situations where reporting is required under Section 304 of EPCRA. In the third situation, releases of extremely hazardous substances listed under EPCRA would require notification under Section 304(a)(2), if the release: (A) is not a federally permitted release as defined in Section 101(10) of CERCLA; (B) is in an amount in excess of a reportable quantity that the U.S. Environmental Protection Agency (EPA) designated under Section 302 of EPCRA; and (C) "occurs in a manner" that would require notification under Section 103 of CERCLA.

The 1986 report explained when clause "C" applies: "This requires notification where there is a release of an extremely hazardous substance that would require notice under section 103(a) of CERCLA but for the fact that the substance is not specifically listed under CERCLA as requiring such notice."

Ammonia and hydrogen sulfide are primary air emissions from manure and listed substances under CERCLA. The legislative history from 1986 clearly states that the third reporting situation is limited to situations where the substance is not listed. Given that ammonia and hydrogen sulfide are listed, the third scenario [clause "C"] is not satisfied; therefore, no reporting is required under EPCRA.

Contact: Clay Detlefsen



Legislative

2018 Farm Bill Includes Many Priorities for Dairy Farmers

Both chambers of Congress passed the 2018 Farm Bill in late December, sending the bill to President Donald Trump to sign on Dec. 20. The final bipartisan bill – also known as the Agriculture Improvement Act of 2018 (H.R. 2) – made significant reforms to the dairy safety net, animal disease preparedness and conservation issues.

The dairy safety net changes include:

- Affordable higher coverage levels in the Dairy Margin Coverage program (renamed from the Margin Protection Program) that will permit all dairy producers to insure margins up to \$9.50 on their Tier 1 (first five million pounds) production history;
- Affordable \$5.00 margin coverage, reduced in cost by 88 percent, which will aid larger producers;
- Greater flexibility to allow producers of all sizes to access
 Tier 1 premium rates without having to cover additional milk; and
- Expanded access to additional risk management tools, allowing producers to participate in both the DMC and the Livestock Gross Margin insurance program.

The bill includes \$120 million in mandatory funding for the first four years for animal health and disease preparedness. This includes the National Animal Disease Preparedness and Response Program, which leverages existing resources to respond to threats like Food-and-Mouth disease (FMD), avian influenza and others; the National Animal Vaccine and Veterinary Countermeasures Bank to respond to FMD; and the National Animal Health Laboratory Network (NAHLN). NAHLN is authorized to receive another \$30 million annually for all five years of the legislation, subject to appropriations.



In the bill's fifth year, another mandatory \$30 million is allocated for all three programs.

Funding for the Environmental Quality Incentives Program (EQIP) increases on an annual basis to \$2.03 billion in mandatory funding by fiscal year 2023. The livestock production set-aside for EQIP is maintained at 50 percent. Conservation Innovation Grants (part of EQIP) include a new "on-farm trials" provision to reimburse farmers that test new and innovative technologies, including nutrient recovery systems. The value of participation in environmental markets is illustrated in the farm bill report, which directs the Agriculture Department on the intent of the law. Additionally, enhancements have been made to the Regional Conservation Partnership Program, which encourages partners to join farmers to increase the restoration and sustainable use of soil, water, wildlife and related natural resources on regional or watershed scales.

Contact: Paul Bleiberg

Animal Health

NMPF Joins New Antibiotic Stewardship Framework

NMPF joined several other food and farm groups in developing and endorsing a comprehensive Antibiotic Stewardship Framework. On Dec. 18, Pew Charitable Trusts and the Farm Foundation issued a joint news release highlighting the launch of the framework, the product of a two-year dialogue among stakeholders to ensure that antibiotics are used prudently throughout production to protect animal and public health. It defines effective stewardship, lays out its core components, and describes essential characteristics of effective stewardship programs, including key performance measures.

The framework was developed and endorsed by NMPF, Elanco Animal Health, Hormel Foods, Jennie-O Turkey Store, McDonald's Corporation, the National Pork Board, the National Pork Producers Council, the National Turkey Federation, Smithfield Foods, Inc., Tyson Foods, Walmart Inc., and Zoetis.

The U.S. dairy industry's commitment to the framework and to responsible antibiotic use aligns with the Animal Care and Antibiotic Stewardship program areas of the National Dairy FARM Program. A cornerstone of the Animal Care and Antibiotic Stewardship programs is the establishment of a Veterinarian-Client-Patient-Relationship (VCPR). The VCPR requires that a dairy farmer consult with a veterinarian on developing treatment protocols to address the proper use of antibiotics. These protocols are part of a comprehensive written Herd Health Plan, which emphasizes prevention, rapid diagnosis, and quick decision-making for treating all sick or injured dairy cattle. Adherence to these standards is assessed on each dairy farm on a three-year basis.

The FARM Program is administered through NMPF and supported by Dairy Management Inc, the national dairy checkoff organization.

Contact: <u>Jamie Jonker</u>

NMPF Files Comments on National Salt and Sugar Reduction Initiative (NSSRI)

In <u>technical comments</u> submitted Dec. 12, NMPF supported reasonable reductions in added sugars in dairy products. The organization also noted that the industry had already made substantial reductions and that any additional reductions need to be evaluated in terms of consumer preference and acceptance.

In comments filed under the National Salt and Sugar Reduction Initiative (NSSRI), NMPF pointed out that sugar reduction is beneficial in foods with little nutritional value. However potential tradeoffs exist when reductions are applied to nutrient-dense foods such as dairy. Consumption may decline and nutrition may suffer if sugar reduction makes a product unpalatable. The Dietary Guidelines for Americans (DGA) note that most Americans fail to consume enough dairy and recommend greater dairy consumption.

NMPF also took issue with how the NSSRI established baselines and targets. Every cup of milk naturally contains 12 grams of lactose – a sugar. Sweeteners are added to flavored milk and yogurt. The NSSRI states its goals in terms of added sugars but has established baselines and targets for flavored milk and yogurt with reference to total sugars – which includes the naturally occurring lactose

also found in unflavored milk and yogurt. The NSSRI will need to recalibrate its targets in those terms and check the accuracy of its underlying data should it wish to reduce added sugars. NMPF offered suggestions on how to accomplish this in its comments.

Finally, NMPF's comments noted the benefits of added sugars in dairy foods. Consumers who choose flavored milk or yogurt want the taste these products provide. The DGA has long recognized that adding moderate amounts of sugar to nutrient-dense foods and beverages can benefit nutrient intake. It should not be considered a problem if an acceptable amount of flavoring in these products helps people consume more of them, NMPF said.

Below a certain level, sugar reduction creates challenges to product formulation, requires the substitution of more expensive ingredients and affects consumer acceptance. The NSSRI has set targets that, if met, may cause problems in these areas. NMPF strongly encouraged the NSSRI not to establish targets for nutrient-rich foods like milk and yogurt.

Contact: Clay Detlefsen

Environment

Court Decisions Consistent with NMPF Position on Clean Water Act

The U.S. Court of Appeals for the Sixth Circuit delivered two decisions on Sept. 24 consistent with NMPF's comments and position regarding groundwater under the Clean Water Act (CWA). Both decisions determined that the CWA does not extend to pollution that reaches surface waters via groundwater, reflecting a position NMPF endorses.

In comments submitted to the U.S. Environmental Protection Agency (EPA) in May, NMPF stated: "The bottom line is that Congress did not include the regulation of groundwater in the CWA and neither the courts, nor EPA, should extend the CWA beyond what Congress intended."

The comments noted that "Congress discussed the inclusion of groundwater in the CWA and chose not to. EPA should make it clear via a regulation, that groundwater directly, indirectly, hydrologically connected or not is not subject to regulation under the CWA and should retract any and all past statements to the contrary."

NMPF reminded EPA of the problem it created when it kept re-interpreting what constituted "oil" under the Spill

Prevention Control and Countermeasures Rule. Initially, it did not apply to dairy, but over a decade EPA expanded the definition to include first butter, then higher-fat dairy products, then ice cream and ultimately fat-free milk. Dairy was eventually ruled exempt. However, it is becoming clear that the courts and EPA are allowing the same scenario to unfold today.

NMPF agrees with the court that groundwater pollution is best dealt with under state and local laws and, where necessary, under the Resource Conservation Recovery Act (RCRA). There are now two Courts of Appeals that took NMPF's position, and several against, with more cases pending.

Based on recent statements EPA made during the ceremony revealing the new WOTUS definition, it seems that EPA's current position is consistent with the Sixth Circuit: Groundwater, even groundwater hydrologically connected to WOTUS, is not subject to the CWA.

Contact: Clay Detlefsen

Food Labeling

FDA Announces Uniform Labeling Compliance Dates for Rules Issued in This Year and Next

The U.S. Food and Drug Administration (FDA) announced in mid-December that Jan. 1, 2022, will be the uniform compliance date for final food labeling regulations that are issued in calendar years 2019 and 2020. All food products subject to the 2022 uniform compliance date must comply with the appropriate labeling regulations when first introduced into interstate commerce on or after Jan. 1, 2022. This action does not change existing requirements for compliance dates contained in final rules published before Jan. 1, 2019. Any FDA rules published in 2019 or 2020 will share the same compliance date as USDA's new Bioengineered Food Disclosure Standard.

FDA issues regulations that sometimes require changes to food labels. Since 1996, the agency has periodically announced compliance dates for new food-labeling requirements to minimize the economic impact of having to respond separately to each change. Occasionally, FDA will set specific compliance dates earlier or later than the uniform compliance date when appropriate.

FDA also issued a final rule that provides technical amendments to the two regulations concerning Nutrition Facts and Supplement Facts labeling that were published on May 27, 2016. Among the revisions made, the amendments correct errors made in some sample label illustrations, restore several inadvertent deletions, correct citations to three cross-references, and remove a sentence regarding the font size and

bolding requirement for the "calories" declaration in dietary supplement labels.

For example, the technical amendments correct information about dietary fat in section 101.9(c)(2). This section, as published in the final rule on May 27, 2016, addressed total fat, but information about saturated fat, trans fat, polyunsaturated fat, and monounsaturated fat was deleted. Another corrected deletion addresses the use of an address or telephone number where consumers can obtain nutrition information for certain products in small packages.

The rule also includes other minor revisions:

- Some sample Nutrition Facts labels included a line directly beneath "Saturated Fat" that did not extend completely to the left edge of the label.
- One sample label omitted information about the number of servings per container and the serving size.
- A sample Supplement Facts label listed "sucrose" rather than "sugar" in the ingredients list.

These and other errors are being corrected through the technical amendments.

The final rule on technical amendments does not change compliance dates for the final rules on the Nutrition Facts and Supplement Facts labels.

Contact: Clay Detlefsen

Animal Health

NMPF Represents U.S. Dairy at Codex Antimicrobial Resistance Meeting

In December, NMPF staff represented U.S. dairy interests at the <u>Sixth Session of the Codex Taskforce on Antimicrobial</u> <u>Resistance</u> (TFAMR), advancing aspects of antimicrobial use guidelines that protect key needs of U.S. dairy producers.

A key priority for the meeting – held in in Busan, Korea – was to prevent the CODEX TFAMR from advancing guidelines that would restrict responsible and prudent use of antibiotics by U.S. dairy farmers that are necessary to maintain animal health and welfare. It is vital that any guidelines advanced by Codex are science- and risk-based and do not unfairly restrict the trade of U.S. dairy products.

Thanks in part to NMPF's on-the-ground efforts coordinating with the U.S. delegation, as well as leadership in organizing other allied groups, the CODEX TFAMR advanced key definitions that protect preventive uses of antibiotics and do not restrict ionophores — antibiotics not used in human medicine but used in dairy cattle. The CODEX TFAMR also

removed potentially trade-restrictive classifications that could have been abused to limit exports of U.S. dairy products. Additionally, sanitizers and biocides were excluded from monitoring guidelines that eliminated potentially burdensome record-keeping requirements for dairy farmers and processors. The final report of the meeting is available online.

Despite progress on key issues, much remains to be finalized before the CODEX TFAMR work is completed in 2020. NMPF will continue to remain closely engaged to ensure the taskforce supports the responsible and prudent use of antibiotics without endorsing unscientific and unfair barriers to U.S. dairy exports.

This work was made possible through support of the U.S. Dairy Export Council.

Contact: Jamie Jonker

Environment

National Network on Water Quality Trading Issues Report on Advancing Technology

The National Network on Water Quality Trading, of which NMPF is a member, released a <u>new report</u> in October examining why water-quality trading is not well-known. It also proposed a detailed agenda to help use water-quality trading in more watersheds across the United States.

The report, "Breaking Down Barriers: Priority Actions for Advancing Water Quality Trading," includes an action agenda with a multi-stakeholder plan to:

- Simplify water-quality trading program design and application.
- Ensure state regulatory agencies have adequate capacity and resources to engage in water-quality trading.
- Clarify each administration's and the U.S. EPA's position on water quality trading.
- Actively address real and perceived risks for buyers.
- Identify and address risks of litigation.
- Create guidance on trading for storm water.
- Build stakeholder relationships and trust.

When designed well and combined with other approaches, water-quality trading increases flexibility and reduces cost for regulated entities trying to meet clean water permit requirements; spurs watershed-scale coordination and investment in natural resource restoration; diversifies revenue

streams for agricultural producers; provides a vehicle for both public and private investments; and creates new wildlife habitat or recreation opportunities for local communities.

The action agenda can help inform budgeting, grant-making, work-planning, and fundraising efforts for meeting clean-water goals with water-quality trading. It also includes specific steps for state regulatory agencies, the U.S. Environmental Protection Agency (EPA), credit buyers, and nonprofit or foundation partners to provide clarity around models that quantify credits, create templates that ease program design, offer realistic expectations around the time and expenses involved, and ensure grant-making programs are better designed to support trading program development, among other efforts.

NMPF will use this report as it advocates for implementing water trading in Pennsylvania and elsewhere. In addition, NMPF and the NNWQT are planning to meet with EPA and USDA officials to discuss their joint commitment to advancing environmental markets, including water-quality trading. Those meetings are being planned for January 2019, but the government shutdown has made this timetable uncertain.

Contact: Clay Detlefsen

International

NMPF Staff, Programs Highlighted at World Dairy Summit in South Korea

NMPF played a leading role in October at the 2018 International Dairy Federation (IDF) World Dairy Summit (WDE) in Daejon, South Korea.

Pre-summit, NMPF staff represented the interests of U.S. dairy farmers and cooperatives in business meetings to discuss important topics like international trade, standards, farm management issues, antimicrobial stewardship, animal health, environment and sustainability, food safety and animal care. NMPF spotlighted U.S. dairy industry successes through the National Dairy FARM Program and emergency preparedness through seven poster presentations. Those posters included:

- <u>Tracking On-Farm Greenhouse Gas Emissions in the</u>
 <u>United States</u> recognized as "Outstanding Poster Presentation"
- The Secure Milk Supply Plan for Continuity of Business in the event of an FMD Outbreak in the United States – recognized as "Best Poster Presentation"
- The United States National Dairy FARM (Farmers Assuring Responsible Management) Animal Care Program
- The impact of tie stall facilities on dairy cattle welfare and the broader United States dairy industry

National Dairy FARM Program Accredited to International Standards
Organization Animal Welfare Technical Standard
Jamie Jonker', Emily Yeiser Stepp! Mallory Gage?

National Milk Producers Federation, United States, Arlington, Virginia
'Joage Group Consulting, United States, Denver, Colorada

Introduction

The International Organization for Standardization (ISO) Technical Specification
34700 – Animal Welfare Management/General Requirements and Guidance for
Organizations in the Food Supply Chain (ISO 2016) was developed to evaluate
animal welfare programs' conformance to International standards for animal care
established by the world Organization for Animal Health (ISE), Sto, an
independent, International standards-setting body, worked with the toll to assist
formers and animal welfare programs in Implementing to (ISE), Sto, an
independent, International standards-setting body, worked with the toll Species-specific
animal welfare standards. This O'Es the World Trade Organization-recognized
to Clin Intellay Angoled dairy carties welfere attended in 2015, with subsequent
updates in 2016 and 2017 (OE 2017).

Aim

Through a cooperative agreement ISO assists in implementing O'E animal welfare
standards. Through a representative process, ISO heated mulpile meetings to
alwales programs to become compliant with Cit is anima welfere tendereds. The
United States Department of Agriculture's Agriculture Marketing Service
(USD)-MASI 2014 priced read to a practicated in the ISO process,
working diligently with stakeholden to develop the ISO technical standard. The
International Daily Federation also practicated in the ISO process,
working diligently with stakeholden to develop the ISO technical standard. The
International Daily Federation also practicated in the ISO process representing
Interestes of the global delay community.

In the United States, the U.S. Department of Agriculture's Agricultural Marketing
Service (USD) AMSI 2018 of the sevolutary marketing program that ensures

- National Dairy FARM Program Accredited to International Standards Organization Animal Welfare Technical Standard
- Antibiotic Stewardship in the United States Dairy Industry
- Development of educational materials to advance human resources and safety outcomes on U.S. dairy farms.

Contact: Jamie Jonker

Animal Health

TB Confirmed in Wisconsin Dairy Herd; USDA Renews Efforts to Modernize TB Eradication Program

On Oct. 30 the <u>Wisconsin Department of Agriculture</u>, <u>Trade and Consumer Protection</u> (DATCP) confirmed that a Wisconsin dairy herd in Dane County tested positive for bovine tuberculosis (TB).

Meat inspectors identified a carcass during a routine slaughter inspection and sent a sample to the National Veterinary Services Laboratory for testing. Through animal identification records, the carcass was traced back to a herd in Dane County that the DATCP immediately quarantined, preventing any animals from moving on or off the farm. Wisconsin has been certified as TB-free since 1980.

In 2015, USDA proposed regulatory changes to modernize the TB eradication program. However, the proposed regulatory changes missed the mark in several areas, including implementation concerns and lack of resources. USDA is restarting the process with the goal of a new proposal by the end of next year. The major concerns include combining TB and brucellosis into a single standard; technical, workforce and financial resources available for implementation of Animal Health Plans by states; replacing the current disease prevalence rate-based classification

system with a system based on compliance with the Animal Health Plan; and implications for trade.

USDA has established a working group to identify and propose changes to modernize the TB eradication program that:

- Describe performance-based measures instead of prescriptive requirements;
- Clarify and/or simplify the requirements;
- Revise requirements, and associated guidance, to make them more practical or suitable to implement in the field;
- Resolve conflicts with other regulations or policies; and/ or
- Update requirements based on new scientific information.

The NMPF Animal Health and Wellbeing Committee continues to work with USDA on modernizing the TB eradication program.

Contact: Jamie Jonker

Animal Health

Annual FDA Drug Residue Report Indicates Continued Progress

Only 1 out of 9,900 milk tankers tested positive for antibiotic residues last year, according to the 2018 National Milk Drug Residue Database <u>annual report</u> released last month by the U.S. Food and Drug Administration. This continues a long-term national pattern of improvements in milk quality practices by the industry.

Of the approximately 3.6 million milk pick-up tankers tested in the past year, only 364 (0.010%) yielded a positive result. The number of samples tested (tankers, packaged products, producer samples) and reported positive decreased from 605 in 2017 to 584 in 2018.

Contact: Jamie Jonker

Animal Health

Report on Antimicrobials Sold or Distributed in 2017 Shows Declines for Past Two Years

The U.S. Food and Drug Administration (FDA) announced in December that domestic sales and distribution of all medically important antimicrobials intended for use in food-producing animals decreased by 33 percent between 2016-2017. This reduction in sales volume indicates that ongoing efforts to support antimicrobial stewardship are having a significant impact.

The 2017 Summary Report on Antimicrobials Sold or Distributed for Use in Food-Producing Animals also showed that domestic sales and distribution of all medically important antimicrobials decreased 43 percent since 2015 and decreased

28 percent since the first year of reported sales in 2009.

The 2017 report is the first to include data submitted after the full implementation of <u>Guidance for Industry</u> (<u>GFI</u>) #213. Based on recommendations in GFI #213, all production uses (e.g., growth promotion, feed efficiency) of medically important antimicrobials in the feed or drinking water of food-producing animals were eliminated. Such drugs can now only be used for therapeutic purposes under veterinary oversight.

Contact: Jamie Jonker

Transportation

ELD Exemption for Livestock Transport in Remains in Place

The Federal Motor Carrier Safety Administration (FMCSA) <u>posted</u> <u>an update</u> on Dec. 14 about the exemption from the federal hours-of-service (HOS) regulations pertaining to electronic logging devices (ELDs) for the transportation of livestock.

NMPF has been concerned about animal welfare issues when transporting livestock. Working through a coalition, NMPF hopes the exemption will be extended through September as proposed in recent federal budget legislation. An additional extension of the exemption will allow FMCSA more time to

work with livestock transporters and livestock farmers to find a resolution to the HOS and ELD regulations.

The update says: "Transporters of livestock and insects are not required to have an ELD. The statutory exemption will remain in place until further notice. Drivers do not need to carry any documentation regarding this exemption."

Contact: Jamie Jonker

NMPF News

NMPF Scholarship Program Now Accepting Applications

NMPF is now accepting applications for its <u>National Dairy</u> <u>Leadership Scholarship Program</u> for academic year 2019-2020. Applications must be received no later than April 5, 2019.

Each year, NMPF awards scholarships to outstanding graduate students (enrolled in master's or Ph.D. programs) actively pursuing dairy-related fields of research of immediate interest to NMPF member cooperatives and the U.S. dairy industry.

Graduate students pursuing research of direct benefit to milk marketing cooperatives and dairy producers are encouraged to apply (applicants do not need to be members of NMPF to qualify). The top scholarship applicant will be awarded the Hintz Memorial Scholarship, which was created in 2005 in honor of the late Cass-Clay Creamery Board Chairman Murray Hintz, who was instrumental in establishing NMPF's scholarship program.

Recommended fields of study include but are not limited to: Agriculture Communications and Journalism, Animal Health, Animal and/or Human Nutrition, Bovine Genetics, Dairy Products Processing, Dairy Science, Economics, Environmental Science,



Food Science, Food Safety, Herd Management, and Marketing and Price Analysis.

For an application or more information, please visit the NMPF website or call the NMPF office at 703-243-6111.

Contact: Nicole Ayache



2107 Wilson Blvd., Suite 600 Arlington, VA 22201 (703) 243-6111 www.nmpf.org 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 cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies.

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