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Agencies Active in COVID-19 Response, NMPF's Detlefsen Key

Disruptions across the entire food supply chain have been unavoidable as COVID-19 worries have spread across the United States. NMPF has responded with tools for dairy producers and processors – and a position of leadership across the entire food sector via its involvement in a private-sector collaboration with federal authorities.

Senior Vice President of Regulatory Affairs and Staff Counsel, Clay Detlefsen, is the private-sector chair of the Food and Agricultural Sector Coordinating Council, developed after the Sept. 11, 2001 terror attacks to maintain secure, functioning, resilient critical infrastructure in the United States. In that role Detlefsen has been working across agriculture to address supply-chain issues throughout the country, including initial runs on grocery items including milk in stores. Detlefsen urged consumers to stay measured in their buying.

“There is plenty of food in this country. There is no food shortage,” said Detlefsen in an [NMPF podcast](#) on March 19. “We have a bit of a distribution problem caused largely by consumers, in essence, over-consuming.”

In his role with the council Detlefsen has been invaluable to supply-chain coordination with the government, including the Department of Homeland Security's recognition on March 19 of farm workers, food manufacturers, firms supporting food, feed and beverage distribution, animal agriculture workers, and others, as [critical infrastructure employees](#).

The reaffirmation of agriculture's crucial economic role allows it to operate as normal while other sectors may be forced to suspend work. Complementing the efforts Detlefsen led, NMPF has also developed an [Essential Food and Agricultural Employee Work Permit Template](#) to be used by food and agriculture employees to be granted permission to travel to and from work.

After concerns arose about potential plant closings should workers test positive for COVID-19, food industry professionals developed a document describing what should be done when an employee or customer tests positive for COVID-19. The Food and Drug Administration (FDA) and Centers for Disease Control and Prevention (CDC) reviewed the document before FDA linked it on their websites.

The recommendations are focused on how to keep employees safe without having to shut down an entire plant given FDA has repeatedly stated that food safety is not a concern when it comes to COVID-19 transmission.

NMPF has also been working with other agriculture organizations and federal agencies on shaping guidance documents and influencing regulatory actions including:

- FDA released a [temporary policy](#) not enforcing requirements in three food regulations including the Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food, for Animals and the Foreign Supplier Verification Programs for Importers for Food for Humans and Animals;
- The United States Department of Agriculture (USDA) AMS Dairy Program released a [document](#) with changes that may be necessary to ensure that dairy producers are still receiving proper payment during the COVID-19 pandemic;
- The Environmental Protection Agency (EPA) released a statement announcing they will be using enforcement discretion in several areas for noncompliance issues during the pandemic ([insert link](#)). This decision comes after NMPF, and other barnyard groups including the National Cattlemen's Beef Association and National Pork Producers Council sent a letter requesting they issue a “no action assurance” given the “unusual circumstances” we are facing.
- The Federal Motor Carrier Safety Administration of the Department of Transportation released [waivers](#) on March 24 for CDL drivers, CLP drivers and interstate drivers operating commercial motor vehicles. The waiver applies to various regulations including license renewals, medical certifications, and downgrades due to expirations until June 30.

Finally, NMPF has been in a leadership role with government and industry stakeholders looking for solutions to shortages of cleaners and disinfectants, hand sanitizers and personal protective equipment. Clay discusses personal protective equipment on an [NMPF podcast](#). The regulatory team is in constant contact with the federal agencies to ensure dairy farmer needs are being met.

USDA Releases 2019 National Tissue Residue Data

The USDA released national tissue residue data for food-producing animals for 2019 in March, noting a significant decline in violations from dairy cows. The report, also known as the “red book,” is published every year and highlights the test results from domestic inspection and reinspection sampling plans.

Domestic samples are identified in two ways: Scheduled sampling, and inspector-generated sampling. Scheduled sampling is the sampling of specified slaughter subclasses at the time of slaughter. The inspector-generated sampling includes animals suspected of violations being selected by inspectors and then sampled.

Dairy cows (68%) and bob veal (15%) accounted for 83% of the violations reported under the inspector-generating sampling plan. While representing the majority, dairy-cow tissue-residue violations declined by 26% from the previous year and 45% since 2014. For dairy-cow samples, the top residues found were desfuroylcefiofur and penicillin, accounting for 38% and 27% of violations respectively.

In 2010, NMPF made the veterinarian-client-patient-relationship (VCPR) a cornerstone of the FARM animal care and antibiotic stewardship programs increasing veterinary oversight of antibiotic use on dairy farms. Implementation of the FARM program by dairy farmers is clearly resulting in fewer antibiotic residues and increased antibiotic stewardship in the U.S. dairy industry. NMPF appreciates USDA's dedication to maintaining a healthy and safe food supply.



NMPF Applauds Final WOTUS Rule

NMPF is pleased that the Environmental Protection Agency (EPA) and the Department of the Army Corp of Engineers have released a new final Waters of the United States (WOTUS), now known as the [Navigable Waters Protection Rule](#), on Jan. 23. This action ends years of contentious rulemaking and will provide a common-sense approach to regulating waters of the U.S.

The new rule encompasses territorial seas, traditional navigable waters, perennial and intermittent tributaries that contribute to water surface flow, certain lakes and ponds, and wetlands adjacent to other jurisdictional waters. It doesn't include groundwater or prior converted cropland among others.

NMPF has engaged with EPA on this issue for years, in meetings and in numerous written comments, seeking improvements to the 1986 WOTUS rule, which lacked clarity for farmers. NMPF is pleased with the proposed rule as it will provide much-needed clarity and not infringe on the rights and responsibilities of state jurisdictions. The rule was [published](#) in the Federal Register April 21.

NMPF Requests Ultrafiltered Milk Docket Extension, FDA Re-Opens Docket

Jointly with the International Dairy Foods Association, NMPF submitted a request March 18 to have the “Cheeses and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk” comment period extended for 60 days given the current state of the country due to COVID-19. The comments emphasized a need to work closely with members to make sure their perspectives and needs on the use of ultrafiltered and microfiltered milk in cheeses were being met. Noting that the proposed rule wasn't issued in response to pressing public health or safety concern, an extension seemed like an appropriate ask of FDA.

FDA initially denied the request for extension but has reopened the docket and plans to keep it open until Aug. 13th. NMPF will be submitting comments to the docket supporting the use of ultrafiltered and microfiltered milk in cheeses and emphasizing that it doesn't need to be labeled any differently than regular milk.



NMPF Files Comments Supporting Environmental Conservation Dockets

NMPF filed comments Jan. 10 with USDA on its [Conservation Stewardship Program](#) and on Feb. 18 regarding the [Environmental Quality Incentives Program](#), emphasizing that while the programs help dairy farmers, the department's National Resources Conservation Service (NRCS) needs to work with the dairy industry to embrace new technology and approaches to conservation.

Dairy farmers have a history of using conservation programs, including CSP and EQIP, despite outdated statutory restrictions related to animal waste storage or treatment facilities and waste transport or transfer devices for animal feeding operations. New technology and innovation in manure, feed, and silage management offer new opportunities to improve air, water and soil quality, with the help of the Conservation Stewardship Program.

As the U.S. dairy industry considers plans to reach net-zero carbon emissions by 2050, programs like CSP and EQIP will be essential to lower the cost of effective new technologies for farmers. "U.S. dairy producers are looking to be global leaders who are economically viable and environmentally sustainable while providing the highest-quality animal care," NMPF wrote in its comments.

NMPF looks forward to working with NRCS to continue to improve the programs and offer recommendations to meet the needs of dairy farmers. The comments can be found [here](#) and [here](#).



Dietary Guidelines Committee Holds Fifth Meeting Before Report Release

The 2020 dietary guidelines committee report release has been pushed back by one month, to July given the current pandemic. The fifth public meetings, held on March 12 and 13, featured the committee presenting the bulk of their draft conclusions – which, while important to the process, can still change before becoming final. The committee models draft conclusions on the strength of the science being analyzed. Each conclusion is labeled with strong, moderate, limited or insufficient evidence. Some of the key draft conclusions noted were:

- Proposed nutrients of public health concern include vitamin D, calcium, potassium and dietary fiber which were the same nutrients identified in the 2015-2020 dietary guidelines. Milk was identified as a top beverage source of calcium, potassium, and vitamin D among children and a top beverage source of calcium and vitamin D among adults.

- Strong and consistent evidence supports a link between dietary patterns containing higher amounts of low-fat dairy, among other food counterparts, and reduced cardiovascular disease incidence in adults.
- The food pattern modeling cross-cutting working group presented many findings which continually pointed to dairy's nutrient density and the importance of adequate dairy intake to meet nutrient needs.

The committee's draft conclusion statements are available on the [dietary guidelines website](#). The committee plans to host a webinar discussing the final draft conclusion statements and report in June, and release their Scientific Report by July. The comment period has also been extended a month longer to now close on June 1. NMPF will continue to monitor the status of the dietary guidelines and highlight the importance of dairy in human diets.

NMPF Submits Comments to Zero-Day Withdrawal Antibiotic Docket

NMPF emphasized the U.S. dairy industry's commitment to antimicrobial stewardship, citing a large reduction in milk residues and closer relationships with veterinarians in comments submitted Jan. 6 to a docket opened by the Food and Drug Administration requesting information on zero-day withdrawal antibiotic usage. NMPF supports FDA-CVM periodically consulting with the dairy industry to ensure that the data packages generated to support the safety and effectiveness of veterinary medicinal products reflect current industry practices.

The docket requested information regarding current milking frequencies and how zero-day withdrawal antibiotics are interpreted by U.S. dairy farmers. NMPF highlighted industry participation in the U.S. Centers for Disease Control and Prevention Antimicrobial Resistance Challenge and has made the veterinary-client-patient-relationship (VCPR) a cornerstone of the National Dairy FARM Program. The dedication of dairy farmers to the judicious and responsible use of antibiotics has led to decreased antibiotic residues in milk tankers. For example, in 1996, 0.104 percent of bulk milk pick-up tankers tested positive for a drug residue. By 2019, that rate had fallen more than 90 percent, to just 0.009 percent of bulk milk pick-up tankers.

NMPF answered two questions asked by FDA:

- What milking frequencies do United States commercial dairy operations commonly use (e.g., two times per day, three times per day, greater than three times per day)? To what extent is each milking frequency used nationally, regionally, or within a particular sector (e.g., 25 percent of dairies nationally, 30 percent of dairies in the Midwest, 50 percent of dairies serviced by a veterinary practice, etc.)?
- How do end users of new animal drugs interpret labeling that has a “zero-day withdrawal period” or “zero-day milk discard time,” or that states “no withdrawal period or milk discard time is required?”

NMPF analyzed FARM data and conducted a survey that received more than 150 responses to answer the questions. NMPF pointed out that FDA's request may have reached only a small set of dairy farmers, making it important to use several data sources. The U.S. dairy industry is committed to producing the highest quality, safe, abundant and affordable milk and dairy beef.

NMPF and USDEC Submit Joint Comment to Codex Task Force

NMPF and USDEC submitted joint comments on Feb. 26 to the U.S. delegate on the Codex Task Force on Antimicrobials Resistance Draft Revised Code of Practice to Contain and Minimize Foodborne Antimicrobial Resistance. The comments emphasized that much progress was made at the 7th CODEX TFAMR meeting and that it should proceed to the next step for adoption in the CODEX process. The few remaining items are being worked on through an electronic working group and finalized at the 8th CODEX TFAMR meeting.



The National FARM Program Develops Coronavirus Prevention and Management Dairy Farmer Handbook

Collaborating with industry partners and NMPF staff, the National Dairy Farmers Assuring Responsible Management (FARM) Program developed a Coronavirus Prevention and Management Dairy Farmer Handbook for producers released March 19 as the coronavirus crisis took shape. A Spanish-language version followed within a week. Both are posted on the NMPF coronavirus website.

The handbook, developed largely by NMPF Vice President of Sustainability and Scientific Affairs Jamie Jonker from an NMPF podcast – the first of its coronavirus-related interviews -- provides an overview of COVID-19, including symptoms, preventive measures, and action steps that employers can take on-farm for their employees. A major goal of the handbook is to help ensure business continuity, with best practices to prevent illness on the farm and manage any dairy-farm disruptions that might result from employee sickness or supply-chain disruptions, Emily Yeiser Stepp, vice president of the FARM Program, said in an NMPF podcast released shortly after the document was published.

Despite the unique challenges that coronavirus presents to a program that's been based on person-to-person contact, “in agriculture, in our industries, we figure things out,” said Yeiser Stepp in a March 24 podcast. “And that is the beauty of being part of this community, is that we will figure out how to do this in the most effective manner that provides those assurances long-term,” Yeiser Stepp said. “We're all in this together.”

FARM also has managed the coronavirus threat by adapting its rigorous inspection and evaluation programs by following Centers for Disease Control and Prevention (CDC) recommendations regarding social distancing and immediately adjusting its operations. FARM strongly recommends that program participants (cooperatives and processors) do the same. These adjustments will be reevaluated periodically based on the latest CDC recommendations.



National Dairy FARM Program Launches 2020 Initiatives and Updates

FARM Animal Care

On Jan. 1, the National Dairy Farmers Assuring Responsible Management (FARM) Program began implementing Version 4.0 of the program's animal care component. Already, more than 350 farms have been evaluated under the new provisions. Over the past three years, 33,000 farms were evaluated under Version 3.

FARM Environmental Stewardship

The new year also marked the launch of Version 2.0 of the program's environmental stewardship component, which includes several important updates including:

- New data input options related to manure management strategies, nutrient management plans, energy generation on-farm and the overall evaluation period
- Revised algorithms for crop emissions factors using more recent production data
- GHG results now broken down by gas type, which is key for reporting to the Carbon Disclosure Project

Participation is also growing with Version 2.0 in place; 36 cooperatives and processors are committed to evaluating at least a portion of their milk supply under FARM Environmental Stewardship (ES), with more than 1,400 FARM ES evaluations conducted on 1,200 farm facilities to date.

FARM Workforce Development

In March, the National Milk Producers Federation (NMPF) Board of Directors, which oversees implementation of the FARM Program, voted to make the FARM Workforce Development (WFD) second-party evaluation tool available to all participants. Similar to Environmental Stewardship, FARM WFD is already an opt-in element of FARM through which it provides guidance and helps answer questions about human resources and safety on dairy operations. The new evaluation tool is focused on best practices and has already been piloted by several NMPF member cooperatives. The FARM Program will begin development of a Version 1.1 FARM WFD evaluation tool that offers additional guidance tailored to smaller operations that may not employ multiple non-family workers.

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