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NMPF to File Comments on Traceability Records

NMPF plans to file comments on a proposed rule setting requirements on traceability records for certain foods, urging FDA to limit the rule to only raw milk soft and semi-soft cheeses.

When the Food Safety Modernization Act was passed in 2010 (FSMA), Congress recognized a need for greater traceability for certain high-risk foods. FSMA section 204, “Enhancing Tracking and Tracing of Food and Recordkeeping,” tells FDA to develop additional recordkeeping requirements for certain foods to help establish clear tracing of a food product’s source when needed to address food safety risks. This proposed rule, when finalized, will implement this key component of the landmark food safety law.

FDA states it recognizes that to fully realize the public health benefits envisioned by FSMA, it needs to improve its ability to rapidly and accurately identify foods that may be causing illness; this rulemaking is intended to be part of that effort. FDA’s proposed approach, in theory, would allow it to better establish linkages throughout the food supply chain during a foodborne illness outbreak investigation, allowing it to more quickly identify potential sources of contamination and prevent additional illness and death.

The availability of the traceability records set out in the proposed rule would also help limit the scope of recalls, and in some instances would allow the FDA to better target consumer advice, avoiding blanket alerts on entire commodities. For instance, in some past outbreaks involving leafy green vegetables, FDA has had to call for all romaine lettuce, to cite one example, to be removed from the marketplace when the available supply chain information could not pinpoint a specific entity that produced the lettuce linked to the illnesses. With this proposed rule, FDA would potentially be able to better avoid such situations.

NMPF supports enhanced traceability for certain foods; still, the FDA’s specific requirements respecting certain dairy foods will need revision. For example, FDA has slated soft and semi-soft cheeses for additional requirements. While that may make for a potentially sensible approach for raw-milk cheeses, it is likely unnecessary for pasteurized cheeses, which, although not well-defined by FDA likely includes cream cheese, cottage cheese and ricotta cheese. Comments are due Jan. 21.

Jonker Named Chair of Science and Program Coordination Committee

Jamie Jonker, NMPF’s Vice President of Sustainability and Scientific Affairs, was elected Chair of the International Dairy Federation’s Science and Program Coordination Committee (SPCC) Nov. 2 during IDF’s annual meeting. This position also serves on the IDF Board and is the second-highest elected leadership position within IDF. In this role, Jonker will help lead overall management of the more than 150 scientific and technical projects currently being conducted by IDF experts in food safety to animal welfare, economics to sustainability, and everything in between. This role also will assist with alignment between U.S. dairy practices and those in other nations.

IDF is the leading source of scientific and technical expertise for all stakeholders of the dairy chain. Since 1903, IDF has provided a mechanism for the dairy sector to reach global consensus on how to help feed the world with safe and sustainable dairy products. A recognized international authority in the development of science-based standards for the dairy sector, IDF has an important role to play in ensuring the right policies, standards, practices and regulations are in place to ensure the world’s dairy products are safe and sustainable

In his current role, Jamie has general responsibilities in sustainability and scientific affairs, including animal health and welfare, animal biotechnology, dairy farm bio-security, dairy farm air and water quality, dairy farm sustainability, and technical service issues. Dr. Jonker is active representing the Federation on numerous national and international committees, including the U.S. Animal Health Association, the International Dairy Federation, the World Animal Health Organization, and Codex Alimentarius. In 2019, he was appointed to the USDA Secretary’s Advisory Committee on Animal Health. Prior to joining NMPF, his career included 6 years of experience in agricultural policy including service at the National Academy of Sciences, the EPA, and the U.S. House of Representatives Committee on Agriculture.



2021 NCIMS Conference Being Postponed

As the COVID-19 Pandemic continues to disrupt the world, the National Conference on Interstate Milk Shipments has been postponed. The next conference, which is held every two years, was scheduled for next April, but has been postponed, with an anticipated rescheduling for Sept. 10-15.

The conference is held to discuss updates and changes to the Pasteurized Milk Ordinance which allows the interstate shipment of Grade A milk products. The NCIMS Executive Committee will handle any changes that may be needed which cannot wait, and the current Pasteurized Milk Ordinance will be extended. NMPF will continue to provide updates on the state of the conference.



2020 NMPF “Virtual” Cheese Contest Results Are In

The 2020 NMPF “virtual” cheese contest provided once again the opportunity for NMPF’s cooperatives to highlight their tremendous cheeses. While the contest looked different due to NMPF’s first-ever virtual annual meeting, the contest still received nearly 190 entries of delicious cheese and cottage cheese – a tale of resilience spotlighted in an NMPF [Dairy Defined Podcast](#).

The 2020 NMPF Chairman’s Award winner, announced on Oct. 27, for the best cheese in the contest was the Aged Asiaigo entered by Associated Milk Producers Incorporated from the cooperative’s plant in Hoven, South Dakota. The 2020 NMPF Chairman’s Reserve Award

winner for the second-best cheese in the contest was the Smoked Gouda entered by Select Milk Producers Incorporated from the cooperative’s plant in Monticello, Wisconsin.

The contest wouldn’t have been possible without help from the cheese judges- Allison Reynolds with USDA, Tim Meyers with the College of DuPage and Gina Mode and Marianne Smukowski with the University of Wisconsin-Madison. NMPF thanks the cooperatives for their continued participation and support for the contest, especially in a year when things looked slightly different. The full list of winners can be found [here](#).

FDA Must Enforce Fake-Dairy Rules, NMPF Tells Agency Ombudsman in New Advocacy Phase

With FDA giving little indication of [promised action](#) on proper labeling of imitation dairy products, NMPF on Oct. 29 asked the agency’s ombudsman to ensure that rules are properly enforced.

“Allowing unlawfully labeled ‘plant-based’ imitation dairy foods to proliferate poses an immediate and growing risk to public health; it is a clear dereliction of the FDA’s duty to enforce federal law and agency regulations,” wrote NMPF President and CEO Jim Mulhern in [the letter](#) sent to Dr. Laurie Lenkel, ombudsman for the U.S. Food and Drug Administration. “The FDA’s Office of the Ombudsman must intervene to break the bureaucratic logjam that is adversely affecting consumers. Doing so would fit squarely within the Office’s own mission to ensure even-handed application of FDA policy and procedures.”

The FDA ombudsman, based in the agency commissioner’s office, “serves as a neutral and independent resource for members of FDA-regulated industries when they experience problems with the regulatory process,” according to [the agency](#). NMPF is urging the ombudsman’s office to take appropriate action to remedy the FDA’s lax approach to enforcing its own rules on the use of dairy terms on products containing no dairy ingredients, which have proven impacts on public health – a new phase of advocacy brought about by the agency’s regrettable inaction. The American Academy of Pediatrics and other organizations have [offered evidence](#) of nutritional deficiencies caused by confusion over the contents of plant-based versus dairy beverages.

[NMPF last year](#) released its own road map offering solutions to how public health, product integrity and free speech could be protected through updated regulations. NMPF also supports the [DAIRY PRIDE Act](#), a potential legislative prod for FDA action, and has [asked FDA commissioner](#) Dr. Stephen Hahn to follow up on [the pledge](#) he made nearly one year ago to make fake-dairy labeling a high-priority FDA issue.

House Sends Bipartisan Message Calling for Consideration of Dairy Fat Science in Dietary Guidelines

Reps. Anthony Brindisi (D-NY) and Glenn “GT” Thompson (R-PA) led a bipartisan coalition of 55 members of the House of Representatives in a letter to the Secretaries of USDA and the Department of Health and Human Services (HHS) on Oct. 9 [urging](#) the agencies to consider the most recent nutrition science and health research on the effects of dairy fat when finalizing the 2020 Dietary Guidelines for Americans (DGAs).

The DGAs are updated every five years, after a review process that includes the Dietary Guidelines Advisory Committee (DGAC) written recommendations and advisory report and multiple opportunities for both public and stakeholder input. Recent science indicating beneficial or neutral effects of dairy fat is again missing from the studies the committee considered when making its recommendations to USDA and HHS earlier this year, as it was from its 2015 report.

“As clearly demonstrated by its recommendations, the DGAC identified the importance of dairy foods for good diets and health,” the group said in its letter. “However, we were surprised to see that the committee did not appear to thoroughly consider several recent scientific studies and analyses that show benefits of dairy foods at all fat levels – not just low-fat or fat-free varieties.”

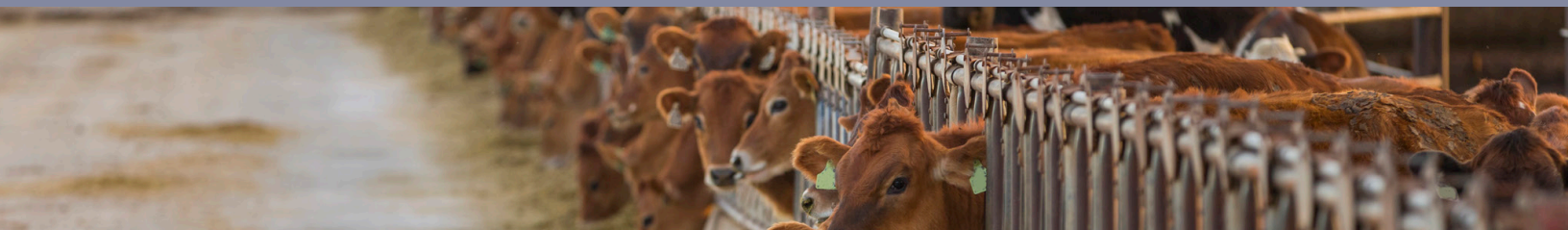
The group then urged the USDA and HHS secretaries to “review studies that have demonstrated beneficial or neutral effects of dairy foods at all fat levels” when drafting the 2020 DGAs, noting again the Advisory Committee’s own finding that “[a] major part of encouraging healthier diets is to increase Americans’ dairy

consumption.”

NMPF applauded Reps. Brindisi, Thompson, and the other members for calling for the inclusion of the most recent science on dairy fat. “Since the guidelines are only updated once every five years, it’s critical that they reflect the most updated nutrition science,” said NMPF President and CEO Jim Mulhern.

NMPF has actively participated in every step of the 2020 DGA review process. NMPF’s advocacy for fair treatment and consideration of the most up-to-date dairy scientific studies in the 2020 review includes submitting multiple rounds of written comments to USDA and HHS, delivering oral comments at DGAC public meetings, engaging directly with key department staff, and providing ways for dairy farmers and others to make their voices heard through NMPF’s Call to Action resource. It also collaborated with the International Dairy Foods Association on a video featuring NMPF member cooperative farmers explaining why they want dietary guidelines to reflect the latest science on fats. That [video](#) was shown directly to the White House and USDA on Oct. 30.

USDA and HHS are in the final stages of drafting the 2020 DGAs, which should be issued later this year or in early 2021. The guidelines have significant implications for numerous government policy areas, including guiding the types of milk allowed in school meal programs and setting the parameters for how nutrition programs are implemented and developed.



NMPF Supports USDA Efforts to Modernize Animal ID and Disease Traceability Requirements

NMPF submitted comments Oct. 6 supporting the USDA’s Animal and Plant Health Inspection Service (APHIS) proposal on the Use of Radio Frequency Identification (RFID) Tags as Official Identification in Cattle and Bison. APHIS has proposed to require the use of official 840-RFID tags for all dairy cattle involved in interstate commerce starting Jan. 1, 2023.

“We commend USDA-APHIS for taking this next step in moving animal identification forward, with the use of RFID tags for official animal identification for dairy cattle,” said Jim Mulhern, president and CEO of NMPF. “A national animal identification system can provide immediate access to relevant information in an animal disease or food safety crisis that could endanger the entire dairy chain, while protecting farmers’ privacy.”

The U.S. dairy industry has long advocated modernizing animal ID and disease traceability systems. Farmer organizations including

NMPF, the American Jersey Cattle Association, Holstein Association USA, Inc., National Association of Animal Breeders, National Dairy Herd Information Association and Dairy Calf and Heifer Association formed a group called IDairy to collectively advance official mandatory animal identification to aid disease traceability.

IDairy in received a USDA-APHIS cooperative agreement on premise registration and animal ID education that propelled the use of RFID tags in the U.S. dairy industry. Since 2009, the National Dairy FARM Program: Farmers Assuring Responsible Management (FARM) Program has also recommend use of official 840-RFID tags for all dairy cattle.

Animal ID and disease traceability needs may be different for other livestock sectors, so NMPF encouraged APHIS to carefully consider comments from those other livestock industries when finalizing requirements and implementation timelines.

NCIMS Plant-Ownership Issue Resolved to NMPF Satisfaction

NMPF is pleased with FDA's response to an Interstate Milk Shipment (IMS) listing issue for dairy processing plants that change ownership. On Sept. 28 FDA responded to an NMPF [letter](#) challenging an agency Memorandum of Information (M-I) which stated that a change in ownership of a Grade "A" plant would trigger revocation of the IMS status and require the facility to be re-inspected and re-rated prior to being relisted.

The M-I, drafted five years ago, held the potential for real problems for Grade "A" dairy plants in situations in which ownership was changing, especially as, according to the M-I, after delisting "the facility would need to await the issuance of a new permit to operate after the facility is re-inspected and re-rated." The process, as described, could take a week or more depending on state workload and staff availability, during which time the facility would be shut down.

After identifying 58 dairy plants and 56 Bulk Tank Units (BTU's) that could be impacted by this complicated process, NMPF wrote to FDA to question the validity of the M-I and the legal authority it was based upon. NMPF also reminded FDA of the challenging times the industry is facing, an argument for flexibility. Finally, NMPF reminded FDA of a recent interpretation by the Department of Justice that guidance documents, such as M-I's, should not be treated as creating legal rights or obligations.

FDA in its response agreed that the process needed to be streamlined and that the dairy industry should not suffer economic hardship due to a change of ownership. FDA has agreed to rescind the language. NMPF questioned and is informing FDA Milk Specialists, State Regulatory/Rating Agencies, State Rating Officers and dairy industry stakeholders to provide [immediate clarification](#).



NMPF Submits Comments Supporting FMD Vaccine Production in the US

NMPF submitted comments on September 14 supporting the petition to manufacture Foot and Mouth Disease (FMD) Vaccine in the United States as the next step in further protecting dairy herds from a damaging FMD outbreak. The petition calls for a vaccine manufactured from an attenuated, leaderless strain of the FMD virus, which would prevent the risk of a vaccine-induced outbreak from vaccine virus replication, shedding and transmission. NMPF states in the comments that "the safety of manufacturing an FMD vaccine in the U.S. is paramount to protect the health of the U.S. dairy industry."

NMPF has led advocacy for FMD preparedness. NMPF's Board of Directors in 2014 endorsed FMD preparedness priorities that included modernizing the FMD vaccine bank and developing the next generation FMD vaccines with production in the United States. As a result of 2018 Farm Bill funding, USDA announced in July an initial purchase of FMD vaccine antigen to help modernize the FMD vaccine bank, making vaccine production the next step.

NMPF looks forward to continuing to work with USDA to further protect not only our own herds, but domestic and international confidence in purchasing U.S. dairy products. The full comments can be read [here](#).

USDA Ag Innovation Agenda Furthers Dairy Sustainability Goals

NMPF submitted [comments](#) to USDA's Agriculture Innovation Agenda Aug. 1, highlighting the U.S. dairy industry's sustainability goals and the need for technology and innovation to help us get there.

The agenda was seeking comments in four innovation areas identified in the [2019 National Academies of Sciences, Engineering and Medicine Report](#). Topics identified in which research and innovation would be the most helpful for the dairy industry include economic and environmental sustainability; producing more competitive dairy products; and increasing job availability.

The comments supported and aligned with comments from Newtrient and DMI to support the 2050 Sustainability Goals and Net Zero Initiative.

"One of the greatest opportunities that exists for dairy farmers is their ability to provide real solutions to many of today's biggest environmental challenges like carbon emissions, soil health, water quality, and water quantity," the comments state. These comments are a part of NMPF's work for the Net Zero Initiative, which aims to reach carbon neutrality across the entire U.S. dairy industry by 2050.



NMPF Supports USDA Animal-Disease Efforts, Recommends Improvements

NMPF submitted [comments](#) to the USDA's Animal and Plant Health Inspection Service (APHIS) Aug. 21 supporting enhancements to the *National List of Reportable Animal Diseases*. These proposed changes will streamline state and federal cooperative animal disease detection, response, and control efforts.

In addition to supporting the proposed enhancements to the *National List of Reportable Animal Diseases*, NMPF comments included detailed suggestions to provide additional clarity including:

- Clarity to ensure protection to individual privacy and confidential business information while collecting and reporting critical epidemiological information;
- Including the reporting of notifiable diseases in wildlife;
- Clarity on enforcement authority; and
- Recommendations to improve definitions for reporting requirements including "emergency," "emerging," "regulated,"

and "immediate reporting."

NMPF also encouraged USDA-APHIS to rapidly develop a single portal for both federal and state personnel to receive notifiable disease reports simultaneously, which would minimize paperwork for accredited veterinarians and laboratories. Dual reporting requirements would be made much less burdensome for the states, diagnostic laboratories, and other animal health professionals with such a new information technology system.

Zoonotic and foreign animal diseases remain an ever-present risk to U.S. dairy farmers and their animals, and domestic and international confidence in purchasing U.S. dairy products is intimately tied to the health of the U.S. dairy herd. A foreign animal disease incursion would disrupt the nation's ability to maintain or expand exports of US dairy products valued at \$6.02 billion, or 14.5 percent of production, in 2019.

Joint Comments to FDA Docket Support Ultrafiltered Milk

NMPF and IDFA submitted [joint comments](#) Aug. 13 to the re-opened docket on permitting the use of ultrafiltered milk in cheese, saying that the practice should be allowed.

This docket, originally opened in 2006, has been dormant for the past 14 years, but was revived to receive information and further comment on current industry practices regarding the use of fluid UF milk and fluid UF nonfat milk in the manufacture of standardized cheeses and related cheese products, and the declaration of fluid UF milk and fluid UF nonfat milk when used as ingredients in standardized cheeses and related cheese products.

"Our position is based on the simple fact – which FDA has already recognized in proposing to allow for the use of UF milk in standardized cheese – that the use of ultrafiltration in the cheesemaking process "has no material effect on the final cheese process," NMPF and IDFA stated in their comments. The comments go on to touch on three main points:

- Liquid Ultrafiltered and liquid microfiltered milk should be permitted in making standardized cheeses;
- Ultrafiltered and microfiltered milk should just be labeled as "milk" on the ingredient statement; and
- The ultrafiltered and microfiltered milk may be made in the same plant or brought in from another dairy plant in liquid form only.

The use of ultrafiltered milk has many benefits in cheese processing. It creates an efficient way to get milk to cheese plants that are a large distance apart. Transportation of UF milk is often more cost-efficient, because unnecessary water is removed through filtration before shipment. Finally, it reduces the environmental impact of cheese making by shipping more milk in fewer loads.

NMPF urges FDA to re-evaluate its temporary enforcement discretion position on ingredient labeling of ultrafiltered milk and make it permanent and expand the proposal to include microfiltered milk in cheesemaking.

2020 Scholarship Winners Announced

At its June meeting, the NMPF Scholarship Committee selected three graduate students to receive scholarships as part of the 2020 NMPF National Dairy Leadership Scholarship Program. These students are conducting research in areas that will benefit dairy cooperatives and producers. Scholarship were awarded to:

- Ellen Lai, a PhD candidate in Integrative Genetics and Genomics at the University of California, Davis, whose research focuses on improving production and welfare of Holstein cattle by providing genetic tools to reduce lameness caused by foot warts and sole ulcers.
- Conor McCabe, a MS candidate in Animal Science at Purdue University, studying tissue mobilization in transition dairy cows.
- Mateus Peiter, a PhD candidate in Animal Science at the University of Minnesota studying the use of automated technologies to improve animal health and herd management on dairy farms.

Congratulations!



FARM Program Recognized Again for International Quality Certification

The USDA Agricultural Marketing Service once again approved the FARM Animal Care Program's animal welfare standards, determining that the program's 4th version meets the requirements of the International Organization for Standardization (ISO) Technical Specification. FARM was the first animal-care program in the world to have its updated standards verified through this process.

"The ISO certification for the FARM Program demonstrates its importance and validates our industry's commitment to animal care not only domestically but also in the world market," said Jim Mulhern, president and CEO of the National Milk Producers Federation, which administers the FARM program.

The assessment to the ISO standard determines whether animal welfare programs meet international standards for animal care as set by an independent standards-setting organization. FARM was evaluated to ensure that the standards in Version 4.0 of its Animal Care program meet the highest quality in species-specific welfare practices.

The USDA verification signifies to FARM Program participants that its standards are among the best in the world. It also signals to consumers they can have confidence their dairy products were produced in accordance with the highest level of science-based animal care.

FARM was the first livestock program in the world recognized for the technical specification in 2018. It repeated the USDA verification process to provide an additional level of assurance for the improvements made to the program in its fourth iteration.

FARM Program to Host "Quick Convo" Informational Sessions

The National Farmers Assuring Responsible Management (FARM) Program began a series of "Quick Convo" online informational sessions Nov. 4, featuring FARM staff and industry stakeholders discussing program components, expectations, and available resources.

"These conversations will be an opportunity for farmers to really engage," said Emily Yeiser Stepp, vice president for the FARM Program at the National Milk Producers Federation, which administers FARM. "Our staff can answer whatever questions the participants might have about program standards and expectations."

Each 30-minute, livestreamed segment will be hosted on Zoom and streamed via Facebook. Future convo topics will include animal care, environmental stewardship, antibiotic stewardship and workforce development. Registrations, recordings of the conversations, supplementary material, and the full schedule of topics are available on the [FARM Quick Convo webpage](#).



FARM Program Releases ES Evaluation Preparation Guide

The National Dairy FARM Program released the [FARM Environmental Stewardship Evaluation Preparation Guide](#) on Nov. 6. This new resource assists farmers in preparing for a FARM Environmental Stewardship (ES) evaluation.

The FARM ES program helps track and communicate a farm's environmental achievements. The evaluations are administered by trained second-party evaluators and involve data collection to estimate a farm's environmental footprint. 36 dairy cooperatives and processors participate in FARM ES and have implemented the evaluation on over 1,300 dairy farms. For more information on the FARM ES Program or to participate, please visit the [FARM website](#).



National Dairy FARM Program Conducts Nationwide Labor Survey

In 2019, the National Dairy FARM Program made a decision to commission a [nationwide survey](#) to better understand current labor practices on U.S. dairies that was even more timely than FARM realized at the time. Before the reports of [COVID-19 outbreaks on farms](#), the survey, which included questions for farmers about their workforce, identified how U.S. dairy farms are implementing human resources and safety best management practices. For example:

- Dairies participating in the survey offer over 13 hours of training per year on average, covering a wide breadth of content including general orientation, safety, and job-specific technical skills.
- Surveyed dairies use a wide variety of methods and processes to ensure accurate employee pay. For example, 83% of dairy employees work on a farm that uses electronic time tracking.
- The average dairy, weighted by number of employees, pays an average hourly wage of \$13.90 and an average salaried wage of \$65,301, excluding any benefits like housing.
- The average dairy, on a weighted basis, offers employees 1.4 days off in a typical week.

Dairies offer a wide variety of non-wage benefits, including paid vacation leave and housing or a housing allowance.

The research, conducted in 2019, also revealed heartening news- close to half of surveyed dairies take steps to provide their workers with a sense of community. They hold social events at work, keep workers informed of local events, and introduce workers to neighbors. Some even provide recreational facilities like soccer fields. In a year when a sense of community has been challenging to maintain dairy farms across the country have been building it in their workforces.

FARM is also expanding industry resources as part of FARM [Workforce Development](#), the newest program area which was developed alongside farmers, academics, cooperative and processor staff and other experts. FARM currently offers free [producer resources](#) and a [2nd Party Evaluation Tool](#) that helps dairies with labor-related best management practices. FARM will be developing additional valuable tools for farms in the upcoming months.

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