



National Milk Producers Federation

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Agri-Mark, Inc.
Associated Milk Producers Inc.
Bongards' Creameries
Burnett Dairy Cooperative
California Dairies, Inc.
Cayuga Marketing
Cooperative Milk Producers Association
Dairy Farmers of America, Inc.
Ellsworth Cooperative Creamery
FarmFirst Dairy Cooperative
First District Association
Foremost Farms USA
Land O'Lakes, Inc.
Lone Star Milk Producers
Maryland & Virginia Milk Producers Cooperative Association
Michigan Milk Producers Association
Mount Joy Farmers Cooperative Association
Northwest Dairy Association
Oneida-Madison Milk Producers Cooperative Association
Prairie Farms Dairy, Inc.
Scioto Cooperative Milk Producers' Association
Southeast Milk, Inc.
Tillamook County Creamery Association
United Dairymen of Arizona
Upstate Niagara Cooperative, Inc.

November 17, 2022

The Honorable Ron Wyden
Chairman
U.S. Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Mike Crapo
Ranking Member
U.S. Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Richard Neal
Chairman
U.S. House Committee on Ways and Means
1102 Longworth House Office Building
Washington, D.C. 20515

The Honorable Kevin Brady
Ranking Member
U.S. House Committee on Ways and Means
1139 Longworth House Office Building
Washington, D.C. 20515

Dear Chairmen Wyden and Neal and Ranking Members Crapo and Brady:

On behalf of thousands of dairy farmers across America and our farmer-owned cooperatives that manufacture high-quality dairy products – including multiple dairy ingredients used in the production of infant formula – in this country, I write to express the National Milk Producers Federation's appreciation for the careful and measured approach that Congress brought earlier this year to the issue of enacting temporary tariff-free treatment for imported infant formulas and infant formula base powder to address a dire and unique short-term gap in domestic formula production capacity.

Due to the carefully tailored and time-limited nature of those bills, the National Milk Producers Federation was pleased to be able to support the Formula Act and did not oppose passage of the subsequent Bulk Infant Formula to Retail Shelves Act. Both pieces of legislation rightfully expire at the end of this year, in recognition of the fact that the height of the temporary infant formula production crisis would have passed by December 31, 2022.

Congress's judgement on this timeline was entirely appropriate. Reports indicate that the facility that experienced production disruption earlier this year has resumed operations and that supplies have largely been restored. As early as September FDA noted positive resumption of available supplies, while also observing that consumer purchasing and store stocking practices at that time were still on the path to recovery.

Given that the temporary production shortfall that gripped American families in need of formula earlier this year has abated, we urge Congress to ensure that the unique, unilateral tariff benefits granted to our trading

partners under the Formula Act and the Bulk Infant Formula to Retail Shelves Act end as scheduled at the close of this year. We respectfully request your opposition to any effort to extend these preferential tariff benefits beyond the end of this year.

In the coming year, we hope to work with the Administration and with all relevant Congressional committees to foster a constructive focus on improving the ability of U.S. formula manufacturers to produce more infant formula here at home in order to create a net-exporter footing and continue to support the many good American jobs involved in this essential sector of the U.S. economy.

Sincerely,



Jim Mulhern
President and CEO

Cc:

Secretary Tom Vilsack, U.S. Department of Agriculture
Commissioner Robert M. Califf, M.D., MACC, Food and Drug Administration
Ambassador Katherine Tai, U.S. Trade Representative's Office
Senate Agriculture, Nutrition, and Forestry Committee Chairwoman Debbie Stabenow
Senate Agriculture, Nutrition, and Forestry Committee Ranking Member John Boozman
House Agriculture Committee Chairman David Scott
House Agriculture Committee Ranking Member Glenn "GT" Thompson
Senate Health, Education, Labor & Pensions Committee Chair Patty Murray
Senate Health, Education, Labor & Pensions Committee Ranking Member Richard Burr
House Energy & Commerce Chairman Frank Pallone
House Energy & Commerce Ranking Member Cathy McMorris Rodgers