NMPF
NATIONAL MILK
PRODUCERS FEDERATION

National Milk Producers Federation Update

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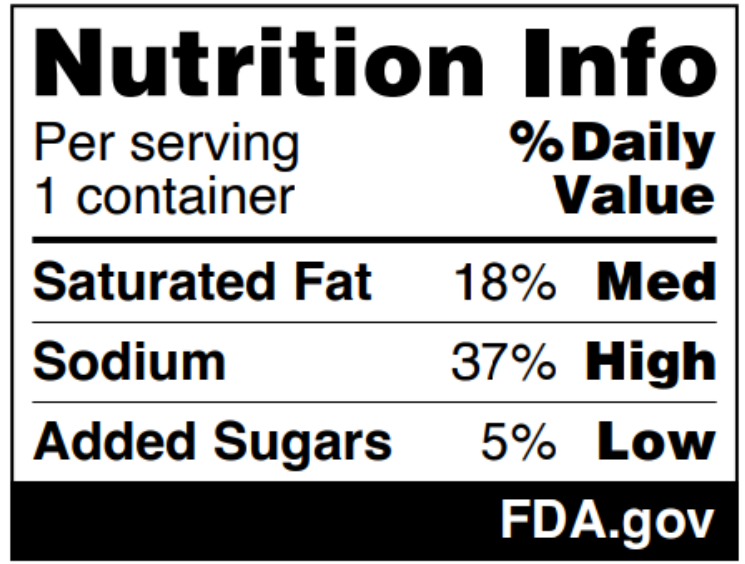
Front-of-Package Labeling Proposed Rule

- **Proposed Front-of-Package Nutrition Labeling**
  - Issued Jan. 16, comment period open until July 15
  - Focuses on saturated fat, added sugars and sodium
  - Low: 5% DV or less; Med: 6% to 19% DV; High: 20% DV or more
- **NMPF Opposed Proposed Rule**
  - In comments filed Jan. 17
  - Via the Administration's MAHA Docket open until July 14
- **Basis of Opposition**
  - Unconstitutional 1st Amendment compelled commercial speech violation



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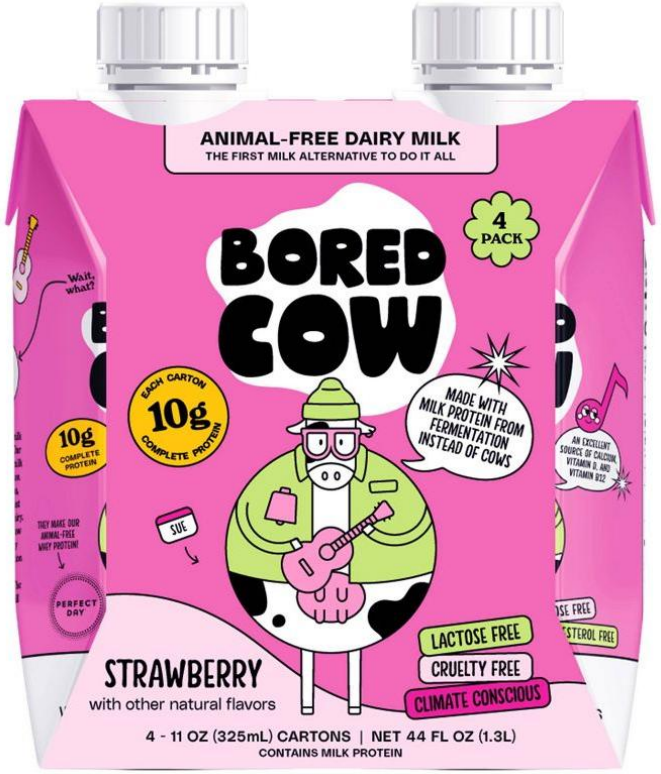
Plant Based & Synthetic Labeling Issues

- **NMPF continues to address unlawful plant-based and synthetic imitation dairy labels**
  - Filed comments in opposition to 2nd plant-based on Jan. 15
  - Met with Deputy Commissioner Human Foods Program May 27
  - Sent recent letter to Commissioner Makary
- **Synthetic dairy: Perfect Day, Bored Cow and Brave Robot all struggling**
  - Numerous litigation actions – two new suits
  - Questions* about what the precision fermented protein is
  - Questions* about the purity of said protein
  - Questions* about the GRAS status

* Questions raised by NMPF to FDA numerous times



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Food Traceability & Partnership for Food Traceability (PFT)

- **FSMA Section 204, Requirements for Additional Traceability Records for Certain Foods**
  - Rule created in response to Peanut Corporation of America fiasco
  - Final rule issued in November 2022 with a compliance date of January 2026, now extended to July 2028
  - For dairy, applies to all cheese except for hard
  - In June 2024, FDA proposed and NMPF supports a long-anticipated exemption for cottage cheese

- **PFT comprises trade associations and food companies with associate supplier members and government collaboration**
  - NMPF is a founding member, as well as Costco, Amazon, Pepsico and many others
  - Groups meets once a week to identify compliance solutions
  - See www.pftraceability.org

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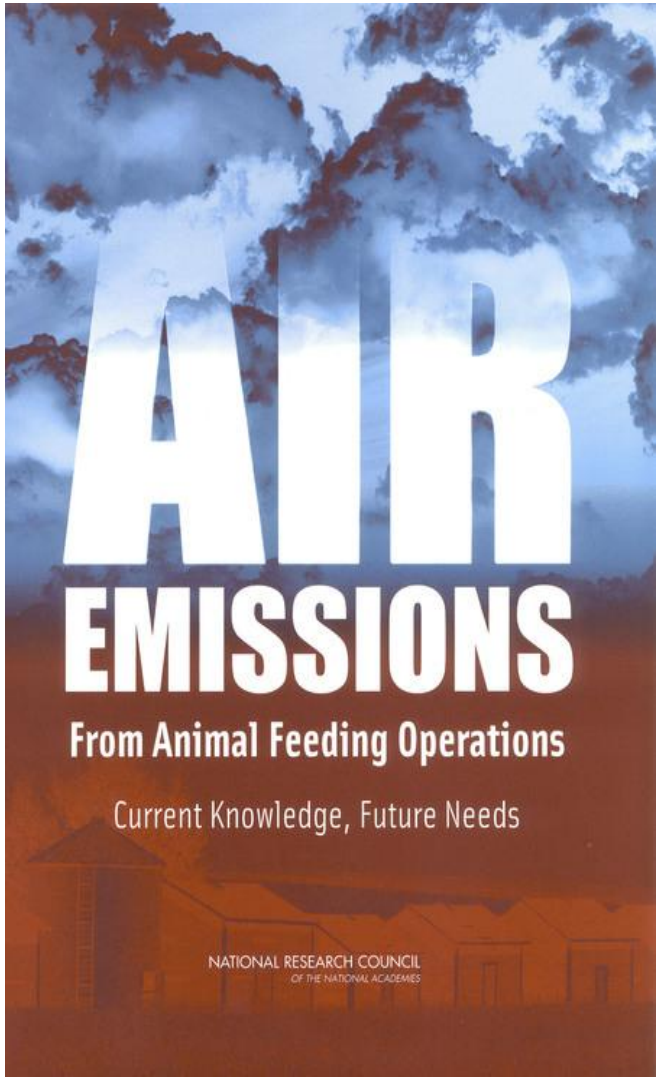
Status of National Air Emission Monitoring Study (NAEMS)

- Created in response to National Academy of Sciences call for emission modeling methodologies in 2002
- Funded by revenue generated from 2005 Voluntary AFO Air Compliance Agreements
- Initial draft emission estimating methodologies proposed in 2012, subsequently rejected as flawed
- New draft emissions methodologies for dairy proposed in Summer 2022
- Revised draft methodologies proposed in fall 2024
- Comment period on draft emission modeling methodologies open until Aug. 18
- NMPF has enlisted the support of Dr. Robert Burns, University of Tennessee



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NAEMS Air Emission Calculating Tool

- Released May 2
- The EPA's Web Tool estimates air emissions using:
  - Farm- and process-level data (e.g., farm location, animal inventory) provided by the tool user.
  - Meteorological data (e.g., ambient temperature) from the National Weather Service database.
  - Emissions estimating methodologies from Section 9.4 (Livestock & Poultry Feed Operations) of EPA's AP-42, Compilation of Air Emissions Factors (https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-fifth-edition-volume-i-chapter-9-food-and-0).
- Results may determine Clean Air Act (CAA) implications

American Farmland Trust - Federal Recommendations to Address PFAS Contamination on Agricultural Land

- Multi-organizational (ag and states) effort to establish beneficial federal policies to address farm PFAS issues
- Draft policy document to be issued in June:
  - Provide relief and long-term support for impacted producers
  - Protect producers from unreasonable liability
  - Reduce additional PFAS contamination of agricultural land
  - Coordinate and invest in PFAS research
  - Implement a coordinated education and risk communications strategy

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PFAS and the Safe Drinking Water Act, Getting Better but Not There!

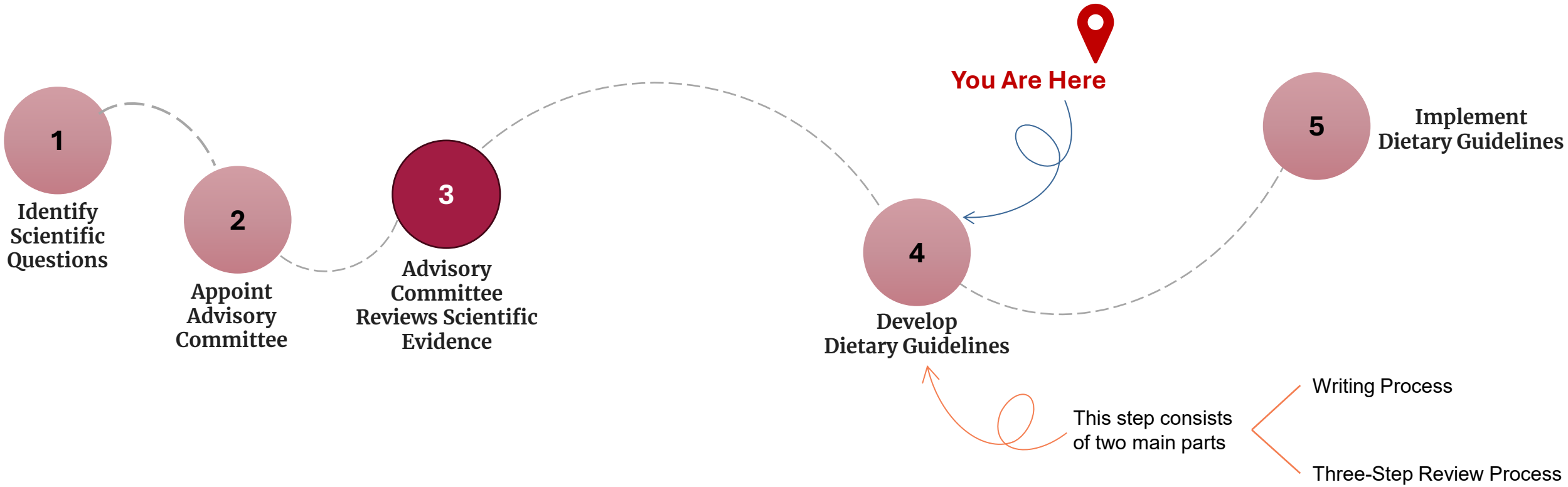
- Maximum Contaminant Levels finalized in April 2024
- Revised in May 2025, now just PFOA and PFOS
- Compliance for public water systems extended to 2031
- Compliance will be costly to public water systems and their communities
- SDWA applies to a "public water system" as an entity that provides "water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year.
- Some dairy farms are Public Water Systems!

Compound	MCLG	MCL (Enforceable)
Perfluorooctanoic acid ("PFOA")	Zero	4.0 parts per trillion ("ppt")
Perfluorooctane sulfonic acid ("PFOS")	Zero	4.0 ppt
Perfluorohexane sulfonate ("PFHxS")	10 ppt	10 ppt
Perfluorononanoic acid ("PFNA")	10 ppt	10 ppt
Hexafluoropropylene Oxide Dimer Acid ("HFPO-DA") (also referred to as "GenX")	10 ppt	10 ppt
Mixtures containing two or more of the following: PFHxS, PFNA, HFPO-DA, and perfluorobutane sulfonate ("PFBS")	1 (unitless) Hazard Index	1 (unitless) Hazard Index

PFAS Biosolids Risk Assessment Working Group

- Dairies are being viewed as the first model
  - Modeled dairy is:
    - 80 acre, next to a lake
    - Grazing dairy
    - Spreads sewage sludge that contains 1ppb PFAS, no till
    - Farm family consumes milk from bulk tank every day
    - Farm family consumes all food from farm and lake

Dietary Guidelines for Americans



Expected to be released late Summer

Dietary Guidelines for Americans

- *“We have let the industry tell us as a government what’s healthy and what’s not healthy,”* Dr. Makary warned in a recent interview, calling for an overhaul of the pyramid.

- *"We're going to have four-page dietary guidelines that tell people essentially, eat whole food, eat the food that's good for you,"* Kennedy said.

- …they are often presented in technical language that can be difficult for the average person to understand. This complexity may contribute to the worrying statistic that less than 10% of Americans follow a diet that aligns fully with the DGA. Additionally, there are more fundamental criticisms of the DGA’s approach that warrant serious consideration. – MAHA Report

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Whole Milk for Healthy Kids Act (H.R. 649 and S.222)

- The Whole Milk for Healthy Kids Act would provide schools with the choice to serve whole and reduced fat (2%) unflavored in the school lunch program
  - Exempts whole and 2% milk from the saturated fat limit set for school meals but not the overall caloric limit
- House: Introduced by Representatives GT Thompson (R-PA) and Kim Schrier (D-WA) as H.R. 649
  - Passed House Education and Workforce Committee by bipartisan vote 24-10
- Senate: Introduced by Senators Roger Marshall (R-KS), Peter Welch (D-VT), Dave McCormick (R-PA), and John Fetterman (D-PA) as S. 222
  - Hearing on April 1, passed Senate Ag Committee June 3
- To reach compromise with Dems, text added that would allow schools to offer substitute beverages if they are nutritionally equivalent as laid out in current law (includes calcium, vitamin D, vitamin A and protein)
  - Language maintains use of current law term ‘nondairy beverages’

MAHA Commission Report

- **Key Takeaways:**
  - Whole milk and other dairy products as rich sources of calcium, vitamins and bioactive fatty acids
  - Industry funding nutrition research has led to skewed outcomes
  - The DGAs are “compromised,” too technical, and influenced by corporate interests
  - Consolidation of the food system has played part in driving chronic disease
  - Schools are required to meet meal standards but doesn’t account for how foods are produced or processed
    - Do not explicitly address ultraprocessed foods leading to excessive intake of sugar, carbs, processed fats and sodium
  - Cumulative load of chemicals in our environment
    - Discusses PFAS, nitrates, pesticides, phthalates
  - **Next steps:** Laid out action steps, strategy due in August, RFI for definition of UPF at OMB

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