



# An Update from the National Milk Producers Federation



7.16.2024

NADRO  
Tucson, AZ

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Director, Nutrition and Regulatory Affairs

# Federal Milk Marketing Order Update



# NMPF Recommendations

Unanimously  
**APPROVED** by  
NMPF Board of  
Directors

1. Return to the “higher-of” **Class I mover**
2. Updated **Class I differentials** throughout the United States
3. Discontinue use of **barrel cheese** in the protein component price formula
4. Extend current 30-day reporting limit to 45 days on **forward-priced sales of NFDM and dry whey**
5. Update the **milk component factors** for protein, other solids, and nonfat solids in the Class III and Class IV skim milk price formulas
6. Develop a process to ensure make allowances are reviewed on a more frequent basis by enacting legislation authorizing USDA to conduct **mandatory plant cost studies** every two years and report results to the dairy industry
7. Proposed interim **make allowance adjustments:**

Cheese (\$/lb)		Dry Whey (\$/lb)		Butter (\$/lb)		NFDM (\$/lb)	
\$0.2003	▶ \$0.2400	\$0.1991	▶ \$0.2300	\$0.1715	▶ \$0.2100	\$0.1678	▶ \$0.2100

# Remaining Steps and Timeline

- April 1, 2024: Parties file post-hearing briefs
- July 1, 2024: USDA issues recommended decision
- **Sept. 1, 2024: Parties file comments**
- Nov. 1, 2024: USDA issues final decision
- Dec. 1, 2024: USDA holds referendum
- March 1, 2025: If approved, amended orders become fully effective

# USDA Recommended Decision

	Current	USDA Proposal	NMPF Position
Milk Composition Factors	Protein: 3.1% Other Solids: 5.9% Nonfat Solids: 9.0%	Protein: 3.3% Other Solids: 6.0% Nonfat Solids: 9.3%	3.39% Protein 6.02% Other Solids 9.41% Nonfat Solids (With automatic updates)
Surveyed Commodity Products	Weighted average of 40# blocks and 500# barrels	Remove 500# barrels from Class III calculation	Remove 500# barrels from Class III calculation
Make Allowances	Cheese: \$0.2003 Butter: \$0.1715 NFDM: \$0.1678 Dry Whey: \$0.1991 Butterfat recovery: 90%	Cheese: \$0.2504 Butter: \$0.2257 NFDM: \$0.2268 Dry Whey: \$0.2653 Butterfat recovery to 91%	Cheese: \$0.2400 Butter: \$0.2100 NFDM: \$0.2100 Dry Whey: \$0.2300
Class I Mover	Average of + \$0.74	Revert to Higher Of for most Class I products ESL: Average of with a rolling 24-month adjuster with a 12-month lag	Revert to the Higher Of
Class I Differentials	See map	Kept \$1.60 base differential and adjusted specific counties higher based on model	Raise Class I differentials based on model + real world conditions

# Farm Bill Update



# NMPF Priorities

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NMPF is seeking evolutionary improvements across the farm bill, instead of proposing a revamp of dairy policy as in the last two farm bills

- Restoring the previous “higher of” Class I mover in the most expeditious manner possible.
- Directing USDA to conduct mandatory plant cost studies every two years to help inform make allowance discussions.
- Continuing Dairy Margin Coverage program and updating production history calculation.
- Maintaining and strengthening access to risk management programs.
- Maintaining funding for voluntary conservation programs, with added emphasis on feed and manure management.
- Increasing funding for trade promotion programs.
- Seeking language to protect common food names in trade negotiations.
- Continuation of federal nutrition programs, with enhancements to increase dairy consumption among beneficiaries.

# State of Play

- House Ag Committee passed its farm bill on May 23
  - Includes many bipartisan bills, but two sides still far apart on funding
- Senate leaders issuing frameworks
  - Dems and GOP rolled out last month
- Major funding disputes persist
  - Use of CCC to boost safety net
  - Climate-smart ag guardrails on conservation funds
  - Changes to SNAP Thrifty Food Plan updates
- Post-election lame duck session is best chance to complete the bill



# Regulatory Updates



# Special Supplemental Nutrition Program for Women, Infants and Children (WIC)

- WIC serves half of all infants born in the United States
- Dairy products are 3 of the top 5 redeemed products
- Final Rule to Update the WIC Program was released at the beginning of April



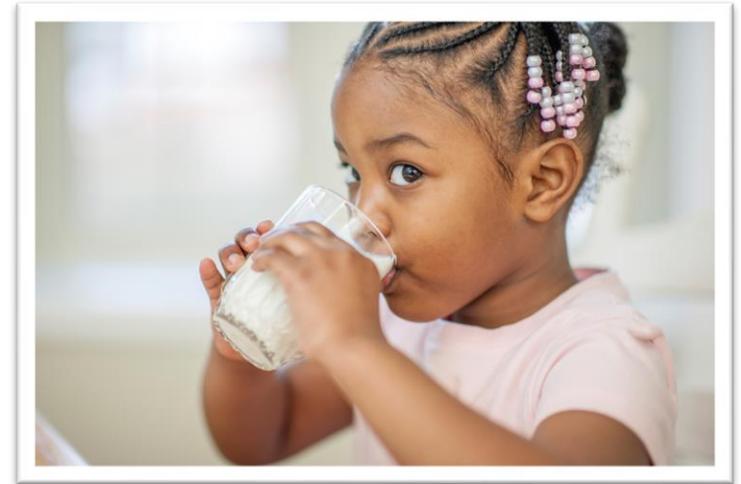
## • Changes included:

- Yogurt container flexibility
- Greater substitution of cheese and yogurt for milk
- Authorizing lactose-free milk
- Decreasing dairy across all packages to 71-96% of the daily recommended amount of dairy
- Increased plant-based options



# 2025-2030 Dietary Guidelines for Americans

- **Advisory Committee is reviewing the science**
  - Comment period currently open for input to Committee
  - 3 servings of dairy recommendation seems to be at risk
- **HHS and USDA will then use Scientific Report to draft DGAs**
  - Another comment period will open for input on the DGAs
- **NMPF advocating for:**
  - 3 servings of dairy continuing to be recommended
  - New science on full-fat dairy included in Committee's review process
  - Continuation of a distinct dairy group without the inclusion of plant-based products
  - Emphasis on lactose-free dairy products as an equitable option for those that are lactose intolerant



# Plant-Based and Synthetic Products Using Dairy Terms

- Synthetic foods are now picking up where plant-based left off in terms of unlawful use of dairy terms
- A single whey protein does not turn a concoction into “milk”
- “The Perfect Day beverage is not milk. Milk is a complex food system with proteins, lipids, lactose, vitamins, minerals, enzymes, and other minor components” FDA Nov. 2016
- Next steps: Engage the new Deputy Commissioner for Human Foods and the Office of Chief Counsel



Bored Cow (plain): INGREDIENTS: Water, animal-free whey protein (from fermentation), sunflower oil, sugar, less than 1% of: vitamin A, vitamin B12 (cyanocobalamin), vitamin D2, riboflavin, citrus fiber, salt, dipotassium phosphate, acacia, gellan gum, mixed tocopherols (antioxidant), calcium potassium phosphate citrate, natural flavor.

# Traceability Rule- Cottage Cheese Exemption

- Final Food traceability rule, published in 2022, establishes additional recordkeeping requirements
- FDA issued proposed exemption for cottage cheese products regulated under the PMO
  - Comments due September 12



# FDA Front-of-Pack Labeling Efforts

- Part of the White House Conference on Hunger, Nutrition and Health National Strategy, FDA is supposed to conduct research and propose standardized front-of-package (FOP) labeling system
- Many countries have already implemented FOP
- Dairy products typically do not fair well
- FDA has been conducting consumer research to explore the FOP labeling schemes
  - Still analyzing results from experimental study
  - Focus group outcomes favored monochromatic approach
- Schemes are focused on saturated fat, sodium and added sugars
- Supposed to be released by end of year

# FDA Front-of-Pack Labeling

Copy of group A with FDA.gov

Nutrition Tips		Per serving
Saturated Fat	<b>Med</b>	
Sodium	<b>High</b>	
Added Sugars	<b>Low</b>	

FDA.gov

A4

Nutrition Tips		Per serving
Saturated Fat	<b>Med</b>	
Sodium	<b>High</b>	
Added Sugars	<b>Low</b>	

FDA.gov

A5

Nutrition Tips		Per serving
Saturated Fat	<b>15% DV</b>	
Sodium	<b>33% DV</b>	
Added Sugars	<b>5% DV</b>	

FDA.gov

A6

% Daily Value

Nutrition Tips		Per serving	% Daily Value
Saturated Fat	<b>15% Med</b>		
Sodium	<b>33% High</b>		
Added Sugars	<b>5% Low</b>		

FDA.gov

C1

Nutrition Tips		Per serving	% Daily Value
Saturated Fat	<b>15%</b>		
Sodium	<b>33%</b>		
Added Sugars	<b>5%</b>		

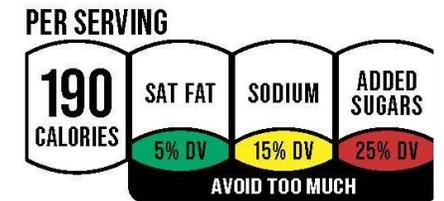
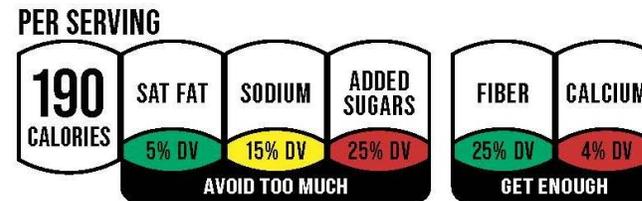
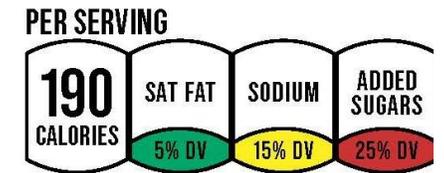
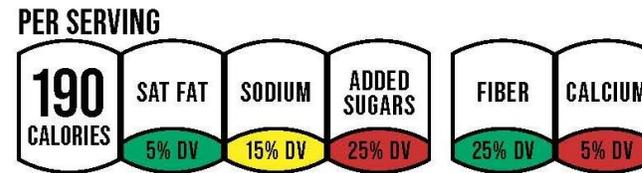
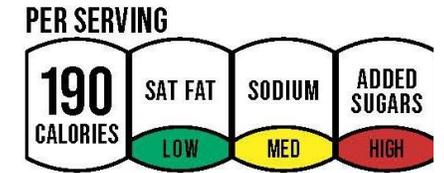
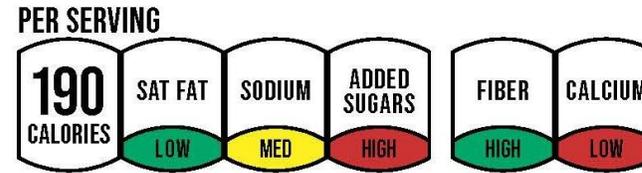
FDA.gov

C2

Nutrition Tips		Per serving	% Daily Value
Saturated Fat	<b>15% Med</b>		
Sodium	<b>33% High</b>		
Added Sugars	<b>5% Low</b>		

FDA.gov

C3



# PFAS- The Gift that Keeps on Giving

- EPA finalized National Primary Drinking Water Regulation for six PFAS chemicals

Compound	Final Max. Contaminant Level Goal	Final MCL (Enforceable Levels)
PFOA	Zero	4.0 ppt
PFOS	Zero	4.0 ppt

\*showing only 2 of the 6

- Designating PFOA and PFOS as CERCLA Hazardous Substances (Superfund)
- Consumer Reports released study on PFAS in milk
- FDA conducting PFAS packaging study

# Zero Draft 2024 UNGA HLM on AMR Political Declaration

## Doable

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**Phase out use of medically important antimicrobials for growth promotion**

Done in the U.S. in 2015

Should not impact ionophore use in dairy

## Helpful

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**Increase investment in animal health technology**

Next generation vaccines for common diseases

Improved diagnostics

Develop new animal only antimicrobials

## Problematic

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**Reduce AMU in livestock 30-40% by 2030; Eliminate Routine AMU for Prevention**

Baseline year not yet specified

Not tied to animal health and welfare outcomes

May be used by customers for their own SRS targets

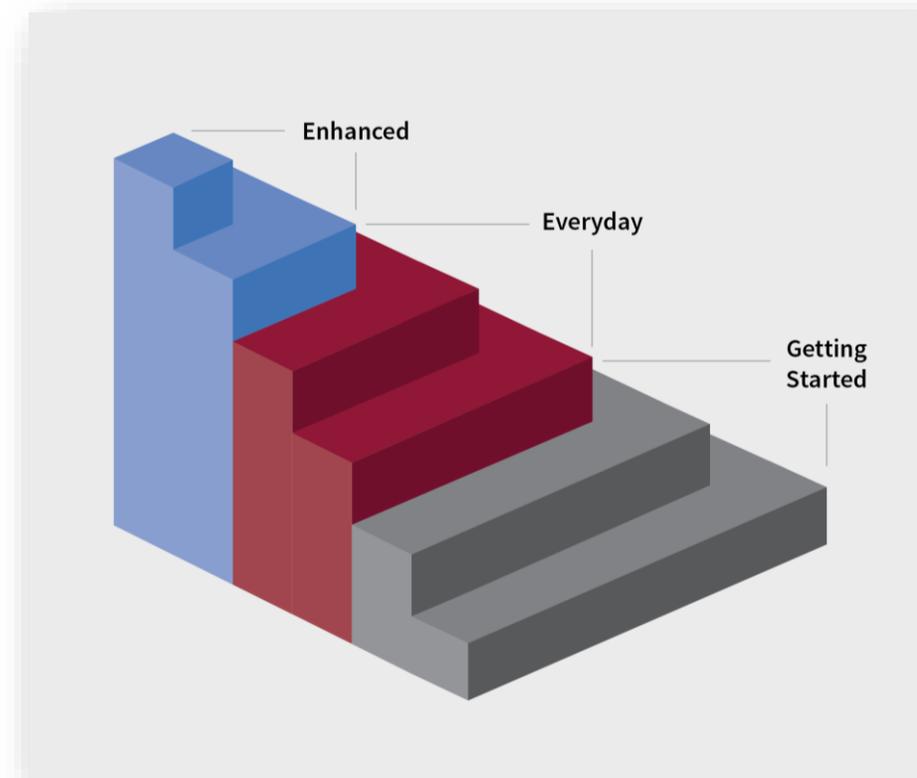
# FARM Biosecurity

## Everyday Biosecurity

- FARM Animal Care Evaluation includes Biosecurity standards
- Includes daily steps to protect cattle and employees from disease exposure
- Reference manual to outline best practices

## Enhanced Biosecurity

- Voluntary participation
- Provides farmers with tools to ensure business continuity should foreign animal disease outbreak occur
- *Received two NADPRP grants to-*
  - *Expand FARM Biosecurity Resources*
  - *Develop FMD Bulk Tank test implementation white paper*

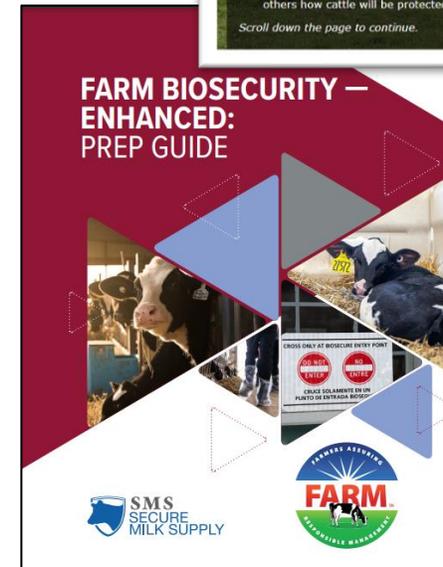
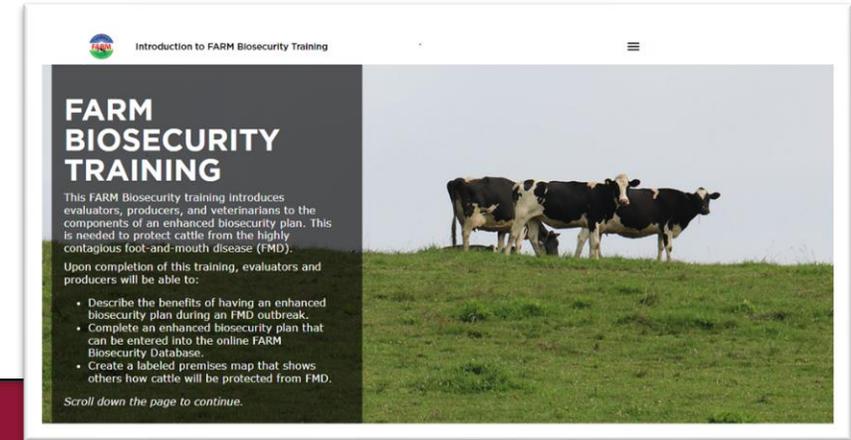


BIOSECURITY



# FARM Biosecurity- Enhanced Training

- Focused on how to develop an enhanced biosecurity plan
- Is available to evaluators, dairy farmers, veterinarians, vet students, etc.
  - Must reach out to FARM to be enrolled
- Online, 45-minutes covering-
  - Introduction to biosecurity
  - Preparing to create an Enhanced Biosecurity Plan
  - Protecting dairy operations
  - Managing Movements
- Prep Guide available online



# FARM Biosecurity- Enhanced Database

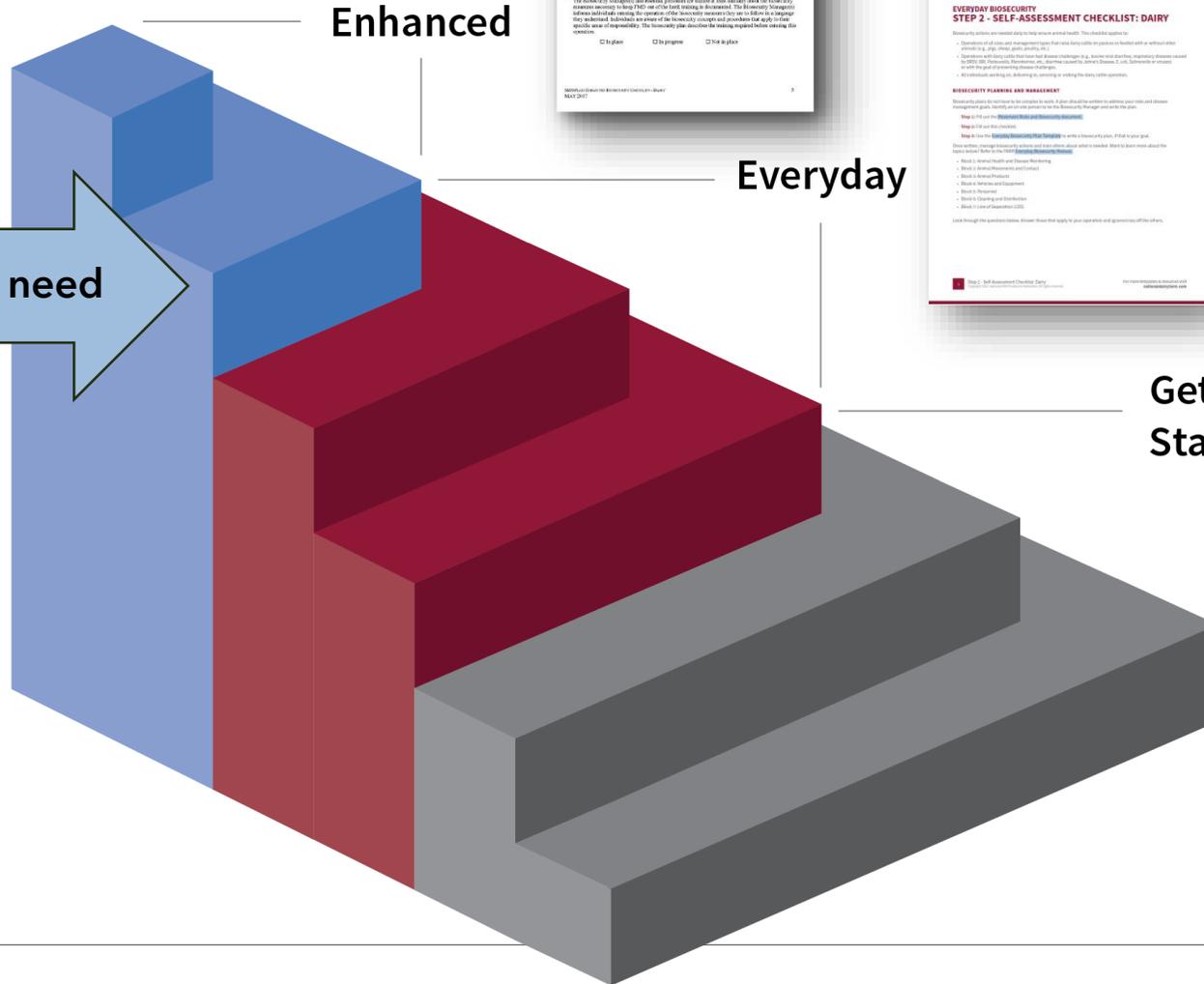
- Opportunity for producers to develop an online Enhanced Biosecurity Plan (EBP)
- Aligns with SMS EBP checklist, template
- User-friendly, step-by-step tool
- Training required to access
- Producers will have the option to share with their state animal health officials for review
- Database User Guide and Tutorial videos now available online

***Voluntary***

The screenshot displays the 'Evaluation Information' and 'Facility Information' sections of the FARM Biosecurity- Enhanced Database web application. The interface is a step-by-step form with a navigation menu on the left and a main content area. The 'Evaluation Information' section includes fields for 'Creation date of the original plan' (09/16/2022) and 'Date of most recently submitted plan' (09/16/2022). It also features a 'SELECT' dropdown for 'Evaluator Name' with 'Danelle Bickett-Weddie' selected. A note states: 'NOTE: Only the Evaluator may submit this evaluation.' Below this, there is a paragraph of text and two dropdown menus for 'Secure Milk Supply (SMS) Plan Self-Assessment Checklist for Enhanced Biosecurity' and 'Biosecurity Performance Standards (BPS) for Raw Milk Collection and Transport'. The 'Facility Information' section has a 'SELECT FACILITY' dropdown and a confirmation prompt: 'Please confirm the Facility and Manager information below. Changes will be stored in the FARM database.' It includes fields for 'Facility Name' (EVAL TRAINING FARM 10), 'Premises ID Number (PIN)' (00XQR12), 'Address' (110 Fake Farm Way), 'City', 'State', and 'Zip'. The interface also shows a 'SUBMIT' button and a 'Next' button.

# Biosecurity Steps

H5N1 in dairy cattle need



**Self-Assessment Checklist for Enhanced Biosecurity for FMD Prevention: Dairy**

**Recommendations for Biosecurity**  
The self-assessment checklist has five possible responses, described below. A critical and overarching indicator is if a recommendation is essential to prevent disease and protect the health and well-being of the animals on the operation.

- In place:** All items are addressed in the biosecurity plan and implemented in the daily operation as required. It is essential to the overall health of the operation. The biosecurity plan is updated as needed.
- In progress:** All items are addressed in the biosecurity plan and implemented in the daily operation, as indicated by visual inspection or by signed and dated documentation, as applicable.
- Not in place:** The item has not been addressed in the biosecurity plan or not implemented on the dairy operation.

**1. Biosecurity Manager and Written Plan**  
The biosecurity manager is essential for the operation. The biosecurity manager is responsible for creating the biosecurity plan with the assistance of a veterinarian if they are not a veterinarian and ensuring biosecurity measures are implemented. The biosecurity manager must have all additional roles and the operation. The biosecurity manager has the authority to ensure compliance with biosecurity plans and their respective roles and responsibilities.

**2. Training**  
The biosecurity manager and essential personnel are trained at least annually about the biosecurity measures designed to prevent FMD and other high-consequence diseases. The biosecurity manager is responsible for ensuring that all personnel are trained and that the training is documented. The biosecurity manager must ensure that all personnel are trained and that the training is documented. The biosecurity manager is responsible for ensuring that all personnel are trained and that the training is documented.

**EVERYDAY BIOSECURITY STEP 2 - SELF-ASSESSMENT CHECKLIST: DAIRY**

Biosecurity involves an essential daily to help ensure animal health. This checklist applies to:

- Operations of all sizes and types of operations (small to large)
- Operations with dairy cattle that have had disease challenges (e.g., bacterial and viral diseases)
- Operations with dairy cattle that have had disease challenges (e.g., bacterial and viral diseases)
- Operations with dairy cattle that have had disease challenges (e.g., bacterial and viral diseases)

**BIOSECURITY PLANNING AND IMPLEMENTATION**  
Biosecurity planning is essential to the success of a dairy. A plan should be written to address your risks and disease management goals, identify an on-farm person to be the biosecurity manager and write the plan.

**Step 1: Plan the Biosecurity Program**

**Step 2: Implement the Biosecurity Program**

- Block 1: General Health and Disease Monitoring
- Block 2: Animal Movement and Contact
- Block 3: Personnel
- Block 4: Equipment
- Block 5: Cleaning and Sanitation
- Block 6: Other (e.g., Fencing, etc.)

**EVERYDAY BIOSECURITY Reference Manual Version 1**

Getting Started

**EVERYDAY BIOSECURITY STEP 1 - MOVEMENT RISKS AND BIOSECURITY: DAIRY**

Check the box that best describes the frequency of movement risks in the biosecurity plan. The biosecurity plan should be updated as needed.

APPLICABILITY	NEVER	RARELY	SOMETIMES	OFTEN	VERY OFTEN
Personnel					
Animals					
Equipment					
Personnel					
Other					

**Animal Care Reference Manual Version 4 2020-2022**

# NMPF H5N1 Resources

[View as a Web page](#)



## MEMBER ALERT

UPDATES AND ANALYSIS FOR NMPF MEMBERS April 19,

### Top 10 Tips to Protect Dairy Farms from HPAI

Implementing biosecurity measures is essential to safeguarding dairy farms from the serious threat posed by Highly Pathogenic Avian Influenza (HPAI). This guide outlines the top ten biosecurity tips for dairy farms, emphasizing the importance protecting cattle and their environment from potential sources of HPAI infection.

**1. LIMIT MOVEMENTS OF CATTLE**

USDA strongly recommends minimizing movement of cattle as much as possible. If cattle must be moved, [premovement testing](#) of milk samples from lactating cows and nasal swabs for non-lactating cattle, by PCR for Influenza



Highly Pathogenic Avian Influenza (HPAI) has been confirmed by USDA on dairy farms in several U.S. states. NMPF continues to closely monitor the rapidly evolving issue and is working with federal and state partners to share updates and guidance as it becomes available. **NMPF members, associate members and sponsors are [subscribe to alerts on this developing issue](#).**





## Dairy Cattle: Biosecurity Recommendations for HPAI and More

**V1 - APRIL 5, 2024**

It is suspected that wild bird exposure led to Highly Pathogenic Avian Influenza (HPAI) A H5N1 infected U.S. dairy cattle in Texas and Kansas. Additional cases have been found in other states after dairy cattle were moved from a state that had reported HPAI in cattle. The recommendations below are based on what is known about the HPAI virus and best management practices for cattle and caretaker health. The recommendations are subject to change as more information is gathered.

Dairies are encouraged to appoint a **Biosecurity Manager**, someone familiar with the operation to:

- Monitor the changing situation,
- Work closely with their herd veterinarian to set up an operation-specific biosecurity plan to protect cattle health, and
- Ensure biosecurity steps are put in place.

### Spread of Virus

The exact spread of HPAI to cattle is unknown at this time. It may be through:



Direct contact



Oral consumption



Inhalation (breathing in the virus)



Fomites (contaminated inanimate objects)

**Waterfowl and other birds** can shed HPAI virus in their oral, nasal and fecal secretions.

**Infected cattle** shed HPAI in milk based on initial samples. Other secretions (saliva, respiratory, feces) are unknown but plausible. These may serve as a source of virus for other cattle. Raw milk seems to be the most likely secretion for disease spread to cattle at this time.

**Small mammals** (cats, raccoons, skunks) are susceptible to the wild bird strain of H5N1. Often referred to as a dead-end host, their role in transmission to cattle is unknown.

Initial testing of the cattle samples did not find virus changes that would make this strain of H5N1 more transmissible to humans. The USDA and CDC state that the current risk to the public remains low. Precautions are warranted for people with direct contact with infected animals (cattle, birds, small mammals) and raw milk to lower the risk of infection.

DAIRY CATTLE BIOSECURITY RESOURCE 1

# Protect Cattle, People

- Generally, show animals are very healthy and serious animal disease is ***unusual*** at animal exhibitions
  - Can still shed HPAI virus when they look healthy
- Focus on
  - Cleanliness!
  - Separation!
  - Isolating after!

## Recommendations to Minimize Influenza

### Transmission at Dairy Cattle Livestock Exhibitions

June 24, 2024

#### Background

Since late March 2024, the U.S. Department of Agriculture, Food and Drug Administration, Centers for Disease Control and Prevention (CDC), and state veterinary and public health officials have been investigating the detection of highly pathogenic avian influenza in dairy cows. This disease is deadly to domestic poultry. While it causes less severe illness in cattle than in poultry, the disease remains of concern for all livestock and also for humans who come into contact with infected animals.

USDA has identified spread of this disease between cows within the same herd, spread from cows to poultry, spread between dairies associated with cattle movements, and cows without clinical signs that have tested positive.

Fairs and exhibitions provide an opportunity for learning and to showcase the hard work invested in agricultural animals. Unfortunately, these exhibitions also provide an opportunity for illness to spread among animals from multiple herds. Appropriate measures should be taken to minimize the potential for spread of influenza. It may not be possible to prevent all transmission of influenza viruses at livestock exhibitions. The measures described here are offered for careful consideration depending on the needs of the specific exhibition.

#### Considerations for State Animal Health Officials

- Coordinate early and often with event organizers and state public health officials.
  - Ensure that all are up to date on animal health reporting requirements.
  - Establish a communication plan for human illnesses with state and local public health.
- Consider restricting exhibition of lactating dairy cattle, based on local circumstances.
- Consider establishing testing requirements for non-lactating cattle, based on local circumstances.
- Develop a plan for exhibition animals that develop clinical signs consistent with influenza. The plan should:
  - Ensure that testing for animals that develop clinical signs of influenza is conducted.
  - Outline movement restrictions if an animal tests positive during the exhibition.
    - Lactating dairy cows are not eligible to move interstate for 30 days from the most recent collection of any sample that tests positive, although movement under specific circumstances may be discussed and agreed upon with the respective state animal health officials and the U.S. Department of Agriculture Animal and Plant Health Inspection Service.
  - Set expectations for distributing test results to the appropriate animal health and public

[www.aphis.usda.gov/sites/default/files/guidance-dairy-cattle-livestock-exhibition.pdf](https://www.aphis.usda.gov/sites/default/files/guidance-dairy-cattle-livestock-exhibition.pdf)



# Biosecurity Plan for Dairy Cattle at Exhibitions, Fairs

1. Limit commingling
2. Plan for milk from healthy cows
3. Designate isolation area for sick cows
  - Plan for discarding milk
4. Limit direct contact with public
5. Outline cleaning, disinfection steps

USDA Recommendations for Dairy Cattle Exhibitions