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**Testimony of
Matt Perdue
North Dakota Farmers Union
Before the
Senate Agriculture and Veterans Affairs Committee
March 9, 2023**

Chairman Luick and members of the committee,

Thank you for the opportunity to testify on House Bill No. 1255. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's (NDFU) members. NDFU strongly supports HB 1255

NDFU's member-driven Policy and Action supports "the word 'milk' only be used on products coming from an animal." HB 1255 is consistent with that policy statement and would clarify the definition of "milk" under state law.

HB 1255 is an extremely timely piece of legislation. In February, the federal Food and Drug Administration (FDA) released draft guidance on the labeling of plant-based alternatives. In that guidance, FDA suggested the use of the term "milk" to describe plant-based beverages, as long as the term is accompanied by the plant source of the product.¹ For example, FDA recommends that a beverage derived from almonds be labeled "almond milk." If finalized, this guidance is a major setback in the 50-year fight over the use of the term "milk."

Given developments at the federal level, NDFU believes it is important for the state legislature to take a strong stance on use of the term "milk." We encourage the committee to give HB 1255 a "Do Pass" recommendation. I will stand for any questions.

¹ Food and Drug Administration, Center for Food Safety and Applied Nutrition. (2023, February). *Labeling of Plant-Based Milk Alternatives and Voluntary Nutrient Statements: Guidance for Industry [Draft Guidance]*. Retrieved from <https://www.fda.gov/media/165420/download>.