

Dakota Resource Council
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Testimony in support of HB1255

To the Honorable Chairman of the Senate Agriculture and Veterans Committee, DRC would like to offer support to this bill with one small request.

It feels like today our world and our markets are being filled with products that are mimicking other foods. Most of you can probably remember a time when margarine first first came out but that was only the beginning. We now live in a world with Impossible Meats, lab grown meats, and a host of alternatives to milk and cheese products. Because of that, there are many corporate interests that are looking at using the names that consumers trust in order to sell their products. Words like meat, cheese, chicken, eggs, and milk are needed by companies to convince consumers to buy their products. Consumers probably wouldn't buy Almond Hydrate or Almond Filtrate, but call it milk and the consumer will at least have an idea of what it's to be used for and consider spending their money on it.

Labeling is extremely important to our organization. It can be abused by many bad actors and this is why we need clear laws to ensure that consumers know what they are buying and what is in the products they buy. In August of 2011, the FDA [issued](#) a warning letter to the company Cytosport about the fact that their flagship protein supplement, Muscle Milk, contained no actual milk. Ultimately dairy farmers need to be protected, to ensure that their products are not confused for synthetic products. Consumers also have the right to know exactly what they are purchasing.

However, It would seem that this bill wants to broaden the definition of Milk beyond that of just cows. The FDA definition of milk is currently defined as follows:

Sec. 133.3 Definitions. (a) Milk means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows, which may be clarified and may be adjusted by separating part of the fat therefrom; concentrated milk, reconstituted milk, and dry whole milk

Some of our members milk goats and we applaud the inclusiveness. We would humbly suggest that an amendment be added that all milk in North Dakota be labeled properly with the animal it was obtained from so consumers can make responsible decisions regarding their milk purchases. We understand that our regulators have stated regulations do exist for many animals to label milk properly but with such a broad spectrum of animals this bill covers it might be prudent to add language to this section of the bill to make sure that no animal is left out. Our

amendment would address labeling of raw, cooled, pasteurized, homogenized, recombined, or concentrated, and grade requirements.

Possible Language to consider

14. "Labeling" means any display of written, printed, or graphic matter upon the immediate container of any article

10. Labeling All milk products should be clearly labeled which animal or animals the milk was obtained from and specify if the product is raw, cooled, pasteurized, homogenized, recombined, or concentrated, and applicable grade requirements.