

NEWS/BUSINESS

Stakeholders testify in support of DAIRY PRIDE Act, CURD Act at House subcommittee hearing

WASHINGTON — Several dairy industry stakeholders shared testimony in support of legislation clarifying the use of dairy-related terms on products during a House hearing this week.

The hearing, “Improving Safety and Transparency in America’s Food and Drugs,” was held Wednesday by the House Committee on Energy and Commerce Subcommittee on Health.

In his testimony, Tom Balmer, executive vice president of the National Milk Producers Federation (NMPF), says Congress needs to pass the DAIRY PRIDE Act soon to ensure FDA does its job to ensure consumers have accurate information for informed decisions about what to feed themselves and their families.

The DAIRY PRIDE Act—introduced by Reps. Peter Welch, D-Vt., and Mike Simpson, R-Idaho, in the House and Sens. Tammy Baldwin, D-Wis., and Jim Risch, R-Idaho, in the Senate—would designate foods that make an inaccurate claim about milk contents as “misbranded” and subject to enforcement of labeling rules. It would require FDA to issue guidance for nationwide enforcement of mislabeled imitation dairy products within 90 days of its passage and require FDA to report to Congress two years after enactment to hold the agency accountable in its enforcement. The legislation also would force FDA to act against plant-based imitators of milk, cheese, butter and other products that “brazenly flout” FDA rules, NMPF says.

“Allowing non-dairy products to use dairy terms to promote goods with wildly different nutritional values has undermined public health and directly flouts the FDA’s own rules,” Balmer says, adding that proper labeling benefits consumers by drawing clear distinctions among products, encouraging better-informed choices.

He notes that federal regulations clearly state that a product labeled as “milk” comes from a cow or certain other lactating animals and that other dairy products are likewise made from animal milk.

FDA has not been enforcing these regulations, NMPF says. (For more on this topic, see NMPF President and CEO Jim Mulhern’s guest column in this week’s issue.)

FarmFirst Dairy Cooperative echoed the same concerns at the hearing.

“Today’s consumers are inundated with ads and sales pitches, especially when it comes to purchasing products that support a healthy lifestyle and provide quality nutrition. Imitators of real dairy products are no exception to portraying themselves in this light, although they pale in comparison to the nutrition package and overall taste profile that real dairy provides,” says John Rettler, a dairy farmer from Neosho, Wisconsin, and president of FarmFirst.

He adds that the DAIRY PRIDE Act would allow for much-needed clarity in the dairy case and remind consumers

that often, substitutes just can’t compare.

“This issue has gone on far too long, and it’s truly American consumers that continue to be misguided,” Rettler says. “FarmFirst urges Congress to pass this legislation as soon as possible and require the FDA to enact a regulation they’ve ignored.”

Also at the hearing, J. David Carlin, senior vice president of legislative affairs and economic policy for the International Dairy Foods Association (IDFA), testified in support of the Codifying Useful Regulatory Definitions (CURD) Act, which would establish a definition of the term “natural cheese” in federal statute. The legislation was introduced late last year by Rep. Ron Kind, D-Wis., and Sen. Ron Johnson, R-Wis.

The CURD Act defines “natural cheese” by identifying the types of cheeses covered by the “natural cheese” definition, as well as the permitted basic ingredients and processing techniques that would be used to make a cheese that meets the definition of “natural cheese.”

The bill also sets forth the types of cheeses that do not meet the definition of “natural cheese.” These include process cheeses, process cheese foods, process cheese spreads, cold pack cheeses and grated American cheese food as currently defined in the Code of Federal Regulations.

The CURD Act also contains clarifying language that “natural cheese” is a factual descriptor of a category of cheese and may not be used to make a product claim that is inconsistent with regulations, guidance or policy statements issued by the Secretary of Health and Human Services. Finally, the bill expressly preempts non-federal definitions of the term “natural cheese.”

Carlin notes the term “natural cheese” has been used extensively over the years by FDA, USDA, Congress and the courts to describe a particular category of cheese.

Unfortunately, the ability of U.S. cheesemakers to continue to use the term “natural cheese” on their packaging is now threatened, Carlin says.

“Four years ago, the FDA initiated a separate process to define how the term ‘natural’ may be used to make product claims such as ‘all natural.’ Even though the term ‘natural cheese’ is not a product claim and is only used to define a particular category of cheese, U.S. cheesemakers find themselves caught up in an

unrelated policy debate that could force them to change decades worth of labeling practices that generations of consumers have come to rely on when choosing the right cheese for every occasion,” he says.

Defining the term “natural cheese” in statute will clarify its specific meaning and narrow the scope of FDA’s work so that it can focus on how the term “natural” may be used to make product claims, Carlin says, adding that the CURD Act specifically provides that any cheese that does make a product claim such as “100 percent natural” or “all natural” must continue to comply with FDA’s current policy and any future regulations governing the use of that term. CMN

Genmac acquired by 5 Point Fabrication

GREEN BAY, Wis. — Genmac, Sheboygan, Wisconsin, last week announced that after more than 70 years in business, it has been purchased by 5 Point Fabrication LLC, a provider of custom metal fabrication based in Green Bay, Wisconsin.

5 Point Fabrication, which opened in 2013, has an extensive background in producing stainless steel products. The company’s focus is to provide quality, on-time delivery and competitive pricing to its customers, says Ron Herring, co-owner, 5 Point Fabrication.

“We believe understanding the value of our vendors, employees and customer is the key to our success,” Herring says.

Genmac notes that over the past seven years, 5 Point Fabrication has been its top fabricating vendor and has played a large part in Genmac’s success in providing its customers

with high-quality machines and parts.

“Genmac has always focused on the importance of our customers and vendors, and 5 Point Fabrication shares the same beliefs,” Genmac says. “This change will bring the two companies under one roof and will allow Genmac to provide its customer base with a product made front to back in-house, ensuring the high quality our customers are accustomed to. We are excited to see what new innovations and tried and true can create in the future.”

Michael Horwitz and his family have owned Genmac since 1949. He, along with Marsha Binversie and Greg Rechlicz, will be following Genmac to Green Bay, Wisconsin, to ensure a seamless transition.

“We look forward to serving and working with our customers in the future, and we are all confident that this transition will be beneficial to all parties involved,” Horwitz says. CMN



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- Manual Swing Harp can be added for additional cuts
- Reduced footprint and production time with compact design



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