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You Name It

Some dairy farmers want certain drinks to stop using ‘milk’ label

By Gina Harkins

THERE'S A BATTLE BREWING over nut- and plant-based milk labels, and dairy farmers say it's not a fair fight.

Consumers are seeing more options than ever when they hit their grocer's dairy case. It's no longer about whole, low-fat or skim. Now there are nondairy beverages made from cashews, coconuts, almonds, rice, oats — even hemp and peas. The products are also used to make coffee creamers, cheeses, ice creams and yogurts — and the uptick in sales in the last five years shows Americans appreciate the choices.

But seeing these products labeled “milk” has some seeing red. Cow's milk must meet a host of federal regulations. When the word “milk” is used on products that don't meet those same standards, it discounts dairy farmers who are adhering to the government mandates, said Sen. Tammy Baldwin, a Wisconsin Democrat representing the state with the most dairy farms. To ensure product labels are more accurate, Baldwin introduced the “Defending Against Imitations and Replacements of Yogurt, Milk, and Cheese To Promote Regular Intake of Dairy Everyday Act,” or Dairy Pride Act, in the Senate last year.

“(Dairy farmers) already face the uncertainties of Mother Nature and the challenges of low crop and milk prices,” Baldwin said. “The last thing

they should see in the grocery store is a product labeled ‘milk’ that doesn't include the product they work so hard to produce.”

Jessica Almy, director of policy at the Good Food Institute, a Washington, D.C., nonprofit that promotes plant-based options, disagreed, saying that consumers understand the difference. While the government has the authority to enforce labeling rules when consumers are confused or being misled, she said, that's not the case with plant- and nut-based products.

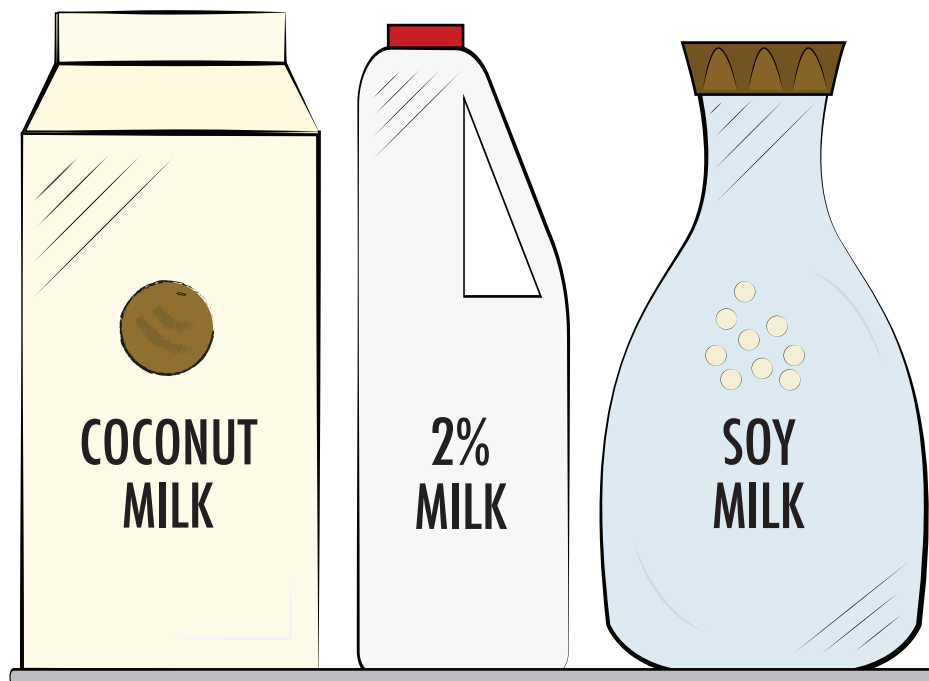
“With products like soy milk, almond milk and coconut-milk ice cream, consumers are intentionally choosing those products (for themselves and their families) because they understand what they are,” Almy said. “Consumers aren't confused. Nobody thinks that soy milk comes from soy cows or almond milk comes from almond cows.”

WHAT'S IN A NAME?

The Food and Drug Administration has a regulation establishing a standard of identity for milk: “The lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows.”

That definition is at odds with products that don't come from cows but are sold as a form of milk, said Rep. Peter Welch, a Democrat from Vermont who introduced the Dairy Pride Act in the House of Representa-

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MARISA WOJCIK/ASSOCIATED PRESS

Sen. Tammy Baldwin, D-Wis., visits the Five Star Dairy Farm in Elk Mound, Wis. The Dairy Pride Act, backed by Baldwin and dairy industry representatives, aims to remove the term “milk” from the packaging of products not derived from animals.

tives last year. The House and Senate versions of the bill have bipartisan support.

“This is not a big lift for the FDA,” Welch said. “It’s just taking action to enforce what is their existing rule.”

The FDA takes enforcement action “in accordance with public health priorities and agency resources,” said Deborah Kotz, an agency spokeswoman. She declined to comment on whether the FDA was considering updates to its definition of milk to include plant- or nut-based products.

“As a general rule, we don’t ... discuss any plans to issue new regulations,” she said. “Creating new standards of identity for milk and plant products would require new rule-making.”

If passed, the Dairy Pride Act would give the FDA 90 days to issue nationwide guidance about how it would enforce proper labeling on products that don’t come from cows, but use the word milk. The FDA would also be required to update Congress on the status of those enforcement measures two years after

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— TAMMY BALDWIN,
Wisconsin senator

the Dairy Pride Act went into place, Baldwin said.

Labels are important business when it comes to plant-based foods, Almy said. A product like soy milk has been around for decades, she explained, and consumers easily recognize it. That wouldn’t be the case if new rules meant it suddenly had to be labeled “bean-derived beverage.”

“We want a free market and free speech approach to labeling,” Almy added. “As long as consumers are not confused, we think that producers have a right under the Constitution to communicate with consumers on their labels.”

and plant-based, making clear references to ‘dairy,’ ‘dairy free’ or alternatives as appropriate.”

Janet Clark, a fifth-generation dairy farmer who — along with her family — runs Vision Aire Farms, in Eldorado, Wis., about 80 miles northwest of Milwaukee, said the government’s guidelines are clear. Companies such as Silk and So Delicious shouldn’t be allowed to call their products milk for that reason.

“The FDA has already defined that milk comes from a dairy animal,” Clark said. “I would like them to enforce this definition and not allow them to use the word milk or cheese for their products.”

Clark said she’s glad that Baldwin, Welch and other lawmakers are pressing for that enforcement. Dairy farmers work tirelessly to produce quality products that are subject to tight regulations and inspections, she added. Someone making cashew milk doesn’t play by the same rules.

While Welch said he respects a consumer’s right to choose, it’s vital that labels differentiate between products that come from animals and plants. Europe and Canada have cracked down on what he calls the misbranding of nondairy milks, he said, and the FDA owes it to U.S. dairy farmers to do the same: “It’s really important to the dairy industry to have integrity in labeling.”

IT DOES A BODY GOOD

Dairy sales have been on the decline for decades. Clark said the effects were first seen on family farms in the 1970s. Because that milk is mostly used for cheese production, though, they haven’t slowed down.

“That demand continues to grow as more consumers seek out protein snacks and ingredients, like cheese, and healthy sources of probiotics, such as yogurt,” she noted.

Some nondairy products tout higher protein levels or less sugar than dairy. Almy said the products are just as delicious, affordable and convenient as animal-based products. She sees more Americans wanting to incorporate plant-based options into their diets as a positive step toward healthy lifestyles.

Neuwirth agrees. Plant- and nut-based milks have continued to dramatically improve, he said.

“Dairy alternatives have continued to dramatically improve and provide real taste appeal that is often more interesting and delicious, in addition to offering a range of health and nutritional benefits,”

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Neuwirth said. Silk's latest product, Protein Nutmilk, is a mix of almond- and cashew-milk that packs 10 grams of soy-free protein from peas and comes in chocolate or vanilla flavor. "Consumers have been excited about the taste and texture of this product."

Nondairy milk labels can be inconsistent, though, and often vary by brand, said Chris Galen with the National Milk Producers Federation, acknowledging the interest in new products. Dairy farmers welcome the competition, he said, but they want the other producers to play fair. Nondairy milk labels are inconsistent and often vary by brand.

Milk from a cow offers nine essential nutrients: calcium, potassium, phosphorus, protein, riboflavin, niacin and vitamins A, D and B12. Galen said he worries about people giving their babies plant- or nut-based products thinking they're providing the same essential nutrients because "milk" is in the name.

With more options in the dairy aisle, it can be tough to know which is healthiest. Registered dietitian Kim Larson, a spokeswoman for the Academy of Nutrition and Dietetics, said that cow's milk is "the gold standard" when it comes to naturally occurring vitamins compared with other options. Dairy farming aside, Clark said milk is at the center of her family's table because it remains the healthiest choice.

"When comparing the nutritional value of the plant-based products to dairy, dairy wins," she said.

Those nutritional values are a top reason that Baldwin said it's important for Congress to pass the Dairy Pride Act.

"Dairy farmers work every day to ensure that their milk meets high standards for nutritional value and quality, represented in FDA's existing standards of identity for dairy products," she said. "Unfortunately, imitation products have gotten away with using dairy's good name for their own benefit, taking advantage of the effort our farmers put in with none of the same work."



CHOICES, CHOICES

Diversity in the modern milk market makes choosing a half-gallon a bit more complicated. Kim Larson, a spokeswoman for the Academy of Nutrition and Dietetics, and Angela Lemond, a Texas-based registered dietitian nutritionist, break down some of the most popular types of milk.

"Consumers are always looking for what's new and also demand more choices in the marketplace. Never before have we seen an increase like this in alternative milks," said Larson. "The nutritional profile of these will vary, especially in the protein area, but also in terms of vitamins and minerals."



DAIRY

Cow's milk, both Lemond and Larson point out, is the healthiest option because of its naturally occurring vitamins, which include vitamin D, potassium and calcium, phosphorus, vitamin B12 and even melatonin. It's the "gold standard," Larson said.

Lemond recommends 1 percent and skim milk. However, she added that whole milk, which contains more calories, will work for people who are very active and lack cholesterol issues.



SOY

For those who have difficulty digesting dairy, Lemond and Larson look to soy milk.

The liquid is the closest consumers can get to a naturally occurring milk, Lemond said, adding it's "nutritionally equivalent." It includes vitamin B12, calcium and vitamin D.

It's high in healthy polyunsaturated fats, compared with the saturated fats in cow's milk, and contains more of its main ingredient — soybeans — than almond milk contains almonds, Lemond said.



ALMOND

Larson said almond milk is the No. 1 selling plant-based milk, despite having little of one key ingredient: almonds. It contains only about four to six almonds per 8-ounce glass. The rest is water and added vitamins. Sweeteners also need to be added to make it palatable.

If consumers want the benefits of almonds, eat almonds, Lemond said, calling the nuts a "nutrition powerhouse" high in vitamin E, calcium, fiber, magnesium and omega-3 fatty acids.



RICE

For those who can't have dairy or nuts, Lemond recommends rice milk, which has added vitamins, though she ranked it lower than almond milk for nutrition, citing its lack of protein, typical in many alternative milks.

"Often consumers mistakenly believe (plant-based milks) are healthier, which is not true," Larson said. "This 'health halo' has blurred the lines so much that other plant-based milks jumped on the wave and are enjoying the ride."

— Sean Rossman