

January 28, 2008

Dear Representative,

We, the undersigned consumers, dairy farmers, farm and agricultural organizations, public health, animal protection and environmental groups, food processors and retailers are writing to urge the Indiana General Assembly to vote no on HB 1300, which would prohibit farmers from telling consumers that they aren't using artificial hormones on their dairy cows. We urge you not to prohibit labels such as "Our farmers' pledge: no artificial growth hormones," "From cows not treated with the growth hormone rBST," and "free of artificial growth hormones." These labels are not misleading, and would be made illegal if HB 1300 is passed. Recently similar labeling rules have been considered in Pennsylvania and New Jersey, and have been dismissed due to overwhelming consumer opposition.

We urge you not to prohibit claims about the non-use of hormones for the following reasons:

- Consumers have the right-to-know about the foods they eat. Many consumers prefer to buy milk produced by cows not treated with artificial hormones, as evidenced by the success in stores across the country of such milk. Consumers have a basic right to choose about the characteristics of the food they buy.

- Any prohibition would be a serious infringement on the free speech rights of farmers who want to inform the public about their agricultural practices. Some claim that these labels can be misleading because they cannot be verified by a test. However, many label claims, including "locally grown" and "Indiana Grown" cannot be verified by a laboratory test. In addition, all required country-of-origin labels cannot be verified with a test; rather, they are verified by simple written statement/declaration.

- In 1994, after the US Food and Drug Administration (FDA) approved use of Monsanto's recombinant bovine growth hormone (rbGH), the FDA also said that the following label statement, in proper context, is acceptable: "from cows not treated with rbST." In 2007, Monsanto asked FDA and the Federal Trade Commission (FTC) to declare these labels to be misleading. In late August, the FTC wrote to Monsanto, "The FTC staff agrees with FDA that food companies may inform consumers in advertising, as in labeling, that they do not use rBST." Thus, Indiana HB 1300 contradicts long established federal policy on this matter.

- The use of rbGH remains controversial and was not approved in Canada, Japan, and the European Union because of negative effects of rbGH use on animal health. Codex Alimentarius, the United Nations main food safety body, twice decided that it could not endorse the safety of rbGH for human health.

We urge the Indiana General Assembly not to interfere with the rights of farmers, dairies and consumers.

Milk processors that have signed this letter simply want to be able to respond with truthful labeling to these concerns expressed by consumers and their corresponding desire to buy milk that is from cows not treated with rbGH.

Consumers have a right to know what's in their food and how it's produced. Farmers and dairies have the right to tell them.

Yours,

Indiana Farmers Union

Indiana Campaign for Family Farmers

Steve Bonney, Sustainable Earth, Indiana

American Agriculture Movement

Keith Bolin, President, American Corn Growers Association

Mark Retzloff, President and Chief Organic Officer, Aurora Organic Dairy

Christine Phillips, Director, BioVision2020

Marc Zammit, Director, Culinary Support and Development, Bon Appetit Management Co.

Scott Roy, President, Boulder Ice Cream

Barbara A. Brenner, Executive Director, Breast Cancer Action

Craig Winters, President, The Campaign

Charlie Cray, Director, Center for Corporate Policy

Kevin Golden, Staff Attorney, Center for Food Safety

John Stauber, Executive Director, Center for Media and Democracy

Frank Herd, Executive Director, Citizens for Health

Lynne Genter, Chair of the Board, Clintonville Farmers Market

Community Farm Alliance, Kentucky

Rhonda Clark, Executive Director, Community Food Initiatives

Christopher Waldrop, Director Food Policy Institute, Consumer Federation of America

Charles Margulis, Center for Environmental Health

Mark A. Kastel, Cornucopia Institute

Darwin Kelsey, Executive Director, Countryside Conservancy

Beth Burrows, Edmonds Institute

Dan Silver, Executive Director, Endangered Habitats League Los Angeles

John Peck, Executive Director, Family Farm Defenders

Gene Baur, Farm Sanctuary

Bill Wenzel, National Director, Farmer-to-farmer Campaign on Genetic Engineering

Marty Mesh, Executive Director, Florida Organic Growers and Consumers

Wenonah Hauter, Executive Director, Food & Water Watch

Mark Squire, President, Good Earth Natural Foods, Fairfax, CA

Jacqueline Ostfeld, Food and Drug Safety Officer, Government Accountability Project

Carrie Hahn, Hahn Natural Foods

Kelly Shea, VP Government and Industry Relations/Organic Stewardship, Horizon Dairy

Erica Liss, Humane Farming Association

Miyun Park, Vice-President, Farm Animal Welfare, Humane Society of the United States

Sylvia Zimmerman, President of the Board, Innovative Farmers of Ohio

David Wallinga, Director Food and Health Program, Institute for Agriculture and Trade Policy

William H. Mellor, President and General Counsel, Institute for Justice

Jeffrey Smith, Executive Director, Institute for Responsible Technology

Frederick Kirschenmann, President, Kirschenmann Family Farms Medina, North Dakota

Michael Jones, Executive Director, Local Matters

Joel Gill, President, Mississippi Livestock Markets Association

Bernadette Unger, President of the Board, MOON Cooperative Services

Annette M. Higby, Policy Committee Coordinator, National Campaign for Sustainable Agriculture

National Family Farm Coalition

Tom Buis, President, National Farmers Union

Sarah Janssen, Science Fellow, Natural Resources Defense Council

Ed Maltby, Executive Director, Northeast Organic Dairy Producers Alliance

Steve Gilman, Policy Coordinator, Northeast Organic Farming Association representing 7 states (NOFA-VT, NOFA-NH, NOFA-MASS, NOFA-CT, NOFA-NY, NOFA-NJ and NOFA-RI)

Jim Goodman, Northwood Farms, Wonewoc, WI

Sandy Buchanan, Executive Director, Ohio Citizen Action

Carol Goland, Executive Director, Ohio Ecological Food and Farming Association

Ellen Mee, Director of Environmental Health Programs, Ohio Environmental Council

Joe Logan, President, Ohio Farmers Union

Liz Rog, Oneota Community Co-op Decorah, Iowa

Tom Gleason, President, Oregon Ice Cream Company

Rick North, Project Director, Campaign for Safe Food, Oregon Physicians for Social Responsibility

Ronnie Cummins, Executive Director, Organic Consumers Association

Mark Lipson, Policy Program Director, Organic Farming Research Foundation

Caren Wilcox, Executive Director and CEO, Organic Trade Association

Brian Snyder, Executive Director, Pennsylvania Association of Sustainable Agriculture (PASA)

Francis Thicke, Radiance Dairy Fairfield, Iowa

Jeff Milchen, Founder, Reclaim Democracy

Timothy LaSalle, CEO, Rodale Institute

Ted Schettler, Science Director, Science and Environmental Health Network

Albert Straus, President, Straus Family Creamery Marshall, CA

Laurel Hopwood, Chair, Agriculture Committee Ohio Sierra Club

Nancy Hirshberg, Stonyfield Farms

Margaret Mellon, Director Food and Environment Program, Union of Concerned Scientists

Jill Davies, Western Sustainable Agriculture Working Group Victor, MT

Andrew Altman, Executive Director, White Dog Community Enterprises Philadelphia, PA

Patrick Lewis, Regional Buyer, Whole Foods Market Emeryville, CA

Chuck Deichmann, Willow Creek Farm Belmont, New York

George Wright, Wright Way Dairy Hermon, New York