



January 31, 2008

Division of Dockets Management (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
Room 1061  
Rockville, MD 20852

RE: Docket No. 2000P-0586

Dear Sir:

On behalf of the family farmers, ranchers and rural residents of National Farmers Union (NFU), I am pleased to respond to the Food and Drug Administration's (FDA) request for comments on the proposed rule to amend its regulations to provide for the use of fluid ultrafiltered (UF) milk in the manufacture of standardized cheeses and related cheese products. I offer the following comments that specifically address the practicability for cheese manufacturers to comply with labeling requirements and the labeling information that is conveyed to consumers purchasing cheese.

FDA regulates standards of ingredients for over 70 different cheeses. Current standards do not allow for the use of UF milk, which is a highly concentrated product resulting from separation by filtration, commonly referred to as milk protein concentrates (MPC). Milk is a wholesome and nutritious product containing biodynamic properties that enhance health. It is milk itself that provides health benefits to consumers of all ages. The process of ultra-filtration chemically alters milk and decreases its nutritional value.

Milk should not be an interchangeable ingredient during the manufacturing of cheese products. Milk is defined as the lacteal secretion, free from colostrum, obtained by the complete milking of one or more healthy cows. Changing the definition of milk will drastically change America's dairy production as we know it. Processors will seek low-cost, low-quality imported product, not the high-quality, locally produced milk upon which American consumers depend.

There is very little domestic production of UF milk and UF nonfat milk, indicating that if the proposed changes were adopted by FDA, such products would be imported from other countries, raising concerns about the safety of dairy imports. Imported dry ultra-filtered milk and milk protein concentrates have flooded the U.S. dairy market, displacing domestic fluid milk and nonfat dry milk due to a substantial price advantage. FDA's proposal contains no economic impact analysis on what this action will do to America's dairy producers. We encourage the agency to complete an economic impact statement on dairy producers before changing the definition of milk.

An International Trade Commission report indicated 62 percent of MPC imports are dominated by processed cheese products. The overwhelming amount of MPC and casein being used as food products is a clear demonstration that the flood of foreign imports is substituting U.S. production, and reinforces National Farmers Union's call to balance unfair levels of competition.

Under current FDA rules, standardized cheese products are identified as being of high nutritional quality and play an integral role in the USDA Food Pyramid recommended to American consumers to maintain a healthy and balanced diet. Cheese makes a very important contribution to the nutritional well-being of Americans. It is irresponsible to change the nutritional composition of a major class of food, like standardized cheeses, without a thorough consumer education program. Consumers will be misled about the nutritional value of the cheese they consume and the health of Americans, particularly adolescents and seniors, will be jeopardized. Due to the diminished nutritional value of cheese made from UF milk, it will be necessary for consumers to increase consumption of these products to achieve the same nutritional benefit as cheese produced from milk.

National Farmers Union opposes any effort to allow ingredients other than real milk from dairy cattle to be used in the manufacture of cheese and related cheese products. America's dairy producers have dedicated years of effort and billions of dollars to establish high standards for their products to meet consumer expectations and establish an honest and fair relationship with their customers. Permitting the use of non-milk ingredients in the production of cheese is misleading and threatens the long-standing relationship between America's dairy producers and consumers.

Thank you for consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Tom Buis". The signature is written in a cursive style with a large, sweeping initial "T" and a distinct "B".

Tom Buis, President  
National Farmers Union