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Agriculture

FDA Wants to Address Udder Confusion on Milk Labeling Rules

BY TEAGANNE FINN

The FDA is taking the first step in deciding if products from plant-based sources, like almonds or cashews, should be allowed to be labeled “milk” when the source isn’t a cow or other animal.

Food and Drug Administration Commissioner Scott Gottlieb said he expects lawsuits against the FDA on the issue and will begin the decision process “very soon,” he said at a Politico Pro event in Washington today. He said the process will most likely take a year or more to finalize.

Dairy farmers are facing increased competition from plant-based producers who sell alternatives to cow milk, including from sources like almonds, soy, and cashews. The dairy proponents have pushed Congress to stop these companies from being allowed to define their products as “milk,” “yogurt” or “cheese.”

FDA regulations define milk as a “lacteal secretion” from an animal, typically a cow, Gottlieb said. The government’s definitions for foods are known as “stan-

dards of identity” and are used to inform consumers of the origin of what they’re eating or drinking.

Dairy Fights Back The omnibus spending bill Congress approved in March contains language expressing concern that dairy-labeling standards need to be properly enforced.

The dairy industry has said that naming alternative products in the same way as cow milk will make customers think that what they’re consuming has the same nutritional value as milk.

Groups like the National Milk Producers Federation supported the language in the omnibus and called out the FDA for turning “a blind eye toward fake foods that deliberately flout federal standards of identity,” said Jim Mulhern, president and CEO of NMPF in a statement in March.

Gottlieb admitted today that the FDA is “probably not” enforcing the standard of identity and quipped that an “almond doesn’t lactate.”

With assistance from Shira Stein

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