



News Release

2101 Wilson Blvd., Suite 400, Arlington, VA 22201
703.243.6111 • www.nmpf.org

"Connecting Cows, Cooperatives, Capitol Hill, and Consumers"

FOR IMMEDIATE RELEASE
Thursday, April 29, 2010

Contact: Christopher Galen
(703) 243-6111 ext. 356
E-Mail: CGalen@nmpf.org

FDA SHOULD STOP IMITATION PRODUCTS FROM MILKING DAIRY TERMS, SAYS NMPF NMPF Renews Effort to Have Federal Government Enforce Proper Use of Dairy Terms

ARLINGTON, VA – A decade after it first asked the federal Food and Drug Administration to crack down on the misappropriation of dairy terminology on imitation milk products, the National Milk Producers Federation today sent another petition to the FDA, asserting that the practice has gotten worse in the past 10 years.

In its petition submitted April 29th, NMPF contends that not only have the terms "soy milk" and "soymilk" continued to proliferate, but also other dairy-specific terms like "yogurt," "cheese," and "ice cream" are now being used by products made out of a wide variety of non-dairy ingredients.

"The FDA has allowed the meaning of 'milk' to be watered down to the point where many products that use the term have never seen the inside of a barn," said Jerry Kozak, President and CEO of NMPF. "You don't got milk if it comes from a hemp plant, you can't say cheese if it's made from rice, and faux yogurt can't be made from soy and still be called yogurt," he said.

This matter was originally brought to the attention of the FDA in February 2000, when NMPF sent a letter asking that the agency make clear to manufacturers of imitation dairy products that product names permitted by federal standards of identity, including dairy terms such as "milk," are to be used only on foods actually made from milk from animals like cows, goats, and sheep. The FDA has failed to act on that petition, so NMPF "is again asking our regulators to defend the letter and the spirit of regulations intended to prevent false and misleading labeling on consumer products," Kozak said. "The use of these terms shouldn't just be determined by the common and convenient vernacular that marketers prefer; they should be used according to what the law allows."

As NMPF had predicted ten years ago when it first brought this issue to the attention of FDA, soy "milks" continue to be marketed and sold right along with dairy milks, and now, a bevy of new artificial dairy products has reached store shelves in the past decade. In many cases, these products don't contain the equivalent levels of nutrients that real milk does.

-more-

NMPF NEWS RELEASE///PAGE TWO

NMPF's petition cites examples including imitation milks made from hemp, rice, almonds, and other plants, legumes and vegetables; yogurts made from soybeans and rice; and cheeses made from soy, rice, and nuts. In some cases, marketers use superficial word changes, such as "cheeze," in an apparent attempt to skirt the standards of identity regulations.

Non-dairy products "can vary wildly in their composition and are inferior to the nutrient profile of those from dairy milk – although they are marketed as replacements for foods that consumers are familiar with and which have a healthful image," Kozak said. "Although some phony dairy foods may have a passing resemblance to their authentic counterparts, they are very different in nutritional value, composition, and performance from standardized dairy products."

Examples of products that exploit the lax enforcement of dairy product labeling can be found here: www.facebook.com/theydontgotmilk. Consumers who have examples of what they believe are improperly-labeled imitation dairy products can post examples at that Facebook page. Additionally, consumers can use a webform on the NMPF website to send examples directly to the Food and Drug Administration and/or urge the agency to take action on the matter at: www.nmpf.org/fda-form.

The National Milk Producers Federation, based in Arlington, VA, develops and carries out policies that advance the well being of dairy producers and the cooperatives they own. The members of NMPF's 30 cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of more than 40,000 dairy producers on Capitol Hill and with government agencies.