

State Agriculture and Rural Leaders

Resolution 11-2

Resolution in Support of Cooperation between FDA and State Partners on Dairy Testing

WHEREAS: SARL is composed of state agriculture legislative chairs that come together to address agriculture related issues; and

WHEREAS: the dairy industry is a keystone US agricultural industry that provides jobs in rural communities, supports the essential infrastructure that enables other sectors of agriculture, provides open space for recreation, sportsmen and women, and tourism; and

WHEREAS: the dairy industry provides an economic impact of an estimated \$14,000 per cow per year, primarily in the local economy; and

WHEREAS: the US dairy industry is one of the most highly regulated food producing industries in the country and provides a fresh, healthy, food consumed by millions of people every day; and

WHEREAS: for many years the FDA and states have cooperatively enforced food and milk safety laws to assure the wholesomeness and quality of the US Food supply; and

WHEREAS: the US Food and Drug Administration (FDA) recently proposed a testing plan related to residual antibiotics in milk without an adequate communication strategy with its state partners thereby making it difficult for states to have timely information to respond to their key stakeholders; and

WHEREAS: the testing protocol and lack of clear information potentially created a regulatory bind for states forcing them to act on preliminary results from a screening test; and

WHEREAS: the original testing protocol is a process of several days or weeks and would result in the likelihood that a dairy might have to dump milk while waiting for the test results, creating an economic hardship for farms; and

WHEREAS: it is essential that such a significant loss of income should equate to the level of risk; and

WHEREAS: FDA has taken input from national stakeholders and now placed the original plan on hold and is working to determine alternate means of moving forward; and

WHEREAS: NASDA has agreed to convene a committee to identify pitfalls and determine solutions so an assessment of the additional antibiotic residues, if any, in milk can be determined and then develop an enforcement strategy if a problem exists; and

NOW THEREFORE BE IT RESOLVED: that State Agricultural and Rural Leaders commend FDA for recognizing the value of additional technical and programmatic input from its state partners to scientifically determine the likelihood of illegal residues being found in milk before implementing an enforcement program; and

BE IT FURTHER RESOLVED: we commend NASDA for convening the committee and encourage NASDA to include at least one SARL member on the committee; and

BE IT FURTHER RESOLVED: we encourage FDA in partnership with the state agencies and legislatures to implement an outreach and education program that can help assure the validity of the rationale for the project and increase the assurance of voluntary compliance wherever possible, including outreach directly with the producers who have been identified as likely in violation; and

BE IT FURTHER RESOLVED: that we encourage FDA to create a system of timely and thorough communication and partnership with state agencies and legislatures as it approaches this and other regulatory issues: and

BE IT FURTHER RESOLVED: we encourage NASDA members to provide timely information to their respective legislative committees regarding this and other federal regulatory issues; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to The United States Congress, Secretary of Agriculture, Secretary of FDA, NASDA and the agricultural committees of the state legislatures.