

Issues Briefing

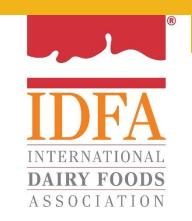
for Members of the IDFA Executive Council & Industry Segment Boards



Welcome and Roll Call



Antitrust Statement





Issues Briefing

for Members of the IDFA Executive Council & Industry Segment Boards





Delivering Value for Members

Advocacy

Regulatory

Communications



IDFA Delivers for You





Farm Bill – Historic collaboration with NMPF



School Meals— 1% flavored milk back in school



Fluid milk - part of USDA \$135 million purchase



IDFA Represents Dairy at the White House



FMMO Reform– 3 working groups formed



FDA modifies yogurt standard after 20 years



SNAP - \$1 million appropriated for **SNAP** milk incentive program



Trade – Priorities achieved in USMCA, Section 232 tariffs lifted



Governance – representing all segments of growing dairy industry

IDFA Strategic Priority Review



IDFA Executive Council

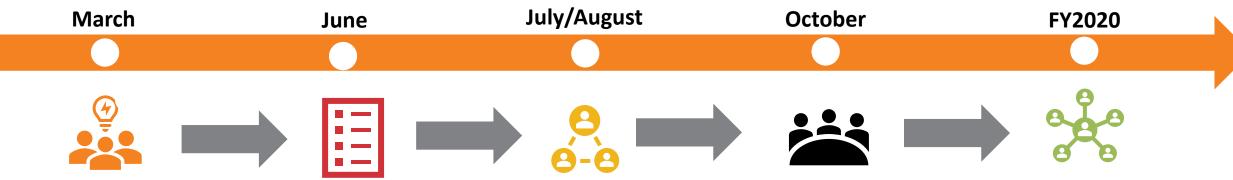
Industry Segment Boards

IDFA Fluid Milk Board IDFA Ice Cream Board IDFA Cheese Board IDFA Yogurt and Cultured Products Board IDFA Ingredients Board



Process for Strategic Priority Review





Industry segment boards launched – now representing entire dairy industry Strategic work
plans—develop a
clearly articulated
work plan for each
segment board

Feedback – solicit leadership input

October Meetings of the Industry Segment Boards final plans presented to board members Align and Execute—
final priorities are
carried out as
outlined and
modified as
necessary

IDFA Strategic Priorities

Nutrition

Research & Education

Standards

Food Safety

Trade

Labor

FMMO

Natural Cheese



IDFA Strategic Priorities Summary (1/2)

Nutrition

- Change government programs (WIC, School Meals, SNAP, Fluid milk purchase program, competitive foods program) to allow more dairy options
- Defend role of milk and cheese in dairy food group in the 2020-2025 Dietary Guidelines for Americans (DGA)
- Promote dairy ingredient consumption: Educate policy makers on positives of dairy-derived proteins to ensure appropriate recognition in Federal standards and feeding programs

Standards

- Labeling and use: Urge FDA to allow innovation and greater flexibility in labeling and use of novel nutritious dairy ingredients and products; Streamline FDA regulatory process for ice cream standards
- Facilitate finalization of FDA standard of identity for yogurt and initiation of FDA work to modernize other cultured product standards; Advocate for greater clarity on allergen labeling in ice creams
- Ensure the Pasteurized Milk
 Ordinance is updated to reflect current market needs
- Update Live and Active Cultures Seal program

Trade

 Expand global market opportunities for cheese and dairy-derived ingredients

FMMO

- Modernize FMMO system to encourage greater innovation and investment
 - Consensus Class I, Class III, Class IV and spot market rules priority issues are identified and changes are adopted in a federal order hearing or legislatively.

IDFA Strategic Priorities Summary (2/2)

Research and Education

- Provide funding for USDA's
 Agricultural Research Service
 (ARS) for research on ice
 cream co-product
- Coordinate with USDA ARS to assist researchers in developing a cost-effective solution to ice cream coproduct
- Highlight critical new research, technologies and approaches to innovation and marketing in the yogurt and cultured product sector through multiple platforms

Food Safety

Develop and promote food safety education and training tools through www.safeicecream.org for small scale & artisan ice cream/frozen dessert manufacturers and allied industries

Labor

 Advocate for changes to immigrant visas through Agriculture Workforce Coalition (AWC) and Essential Worker Immigration Coalition (EWIC) that accommodate the needs of the dairy industry

Natural Cheese

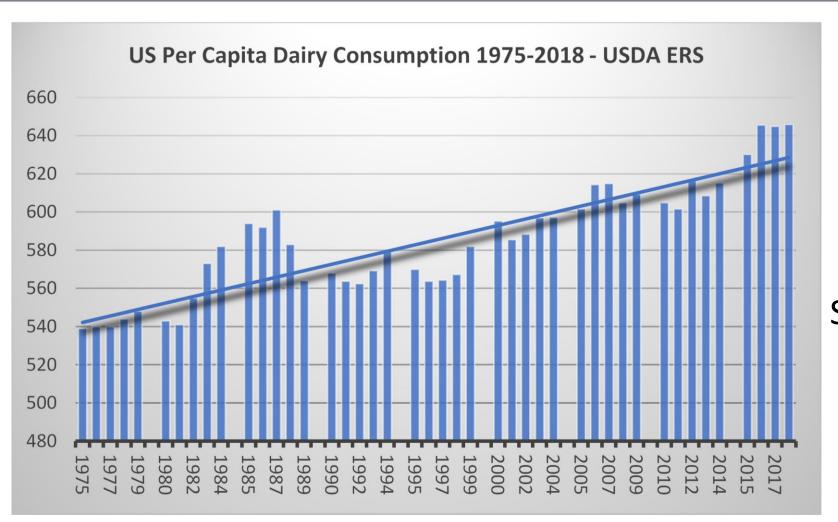
Protect members from frivolous **lawsuits related to natural cheese** by helping pass the CURD Act

State of the Industry



Let's Start With Good News





Per Capita Consumption

Fat +1.3% CAGR 2008-2018

Skim: +0.6% CAGR 2008-2018

State of the Industry



Ag Economy Under Stress

Trade policy unclear

Consolidation continues

Consumer demands changing

Our Vision for the Future



A dynamic industry "growing the pie" for stakeholders across the supply chain.

- High-value participation in global markets
- Embrace sustainability
- Seek (and reward) innovation
- Spotlight dairy's wholesome, healthy image
- Informed & educated policy makers
- People-Centric organizations









THE POWER OF PEOPLE IN DARY MAKING A DIFFERENCE FOR DAIRY



State of the Industry





Trade Updates Beth Hughes



Trade Policy in the Trump Era





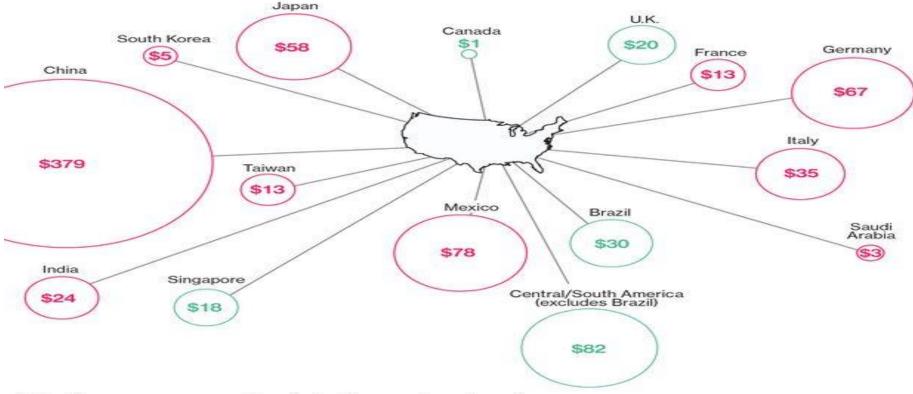
Trade Deficit



The Gap in Trade

U.S. 2018 exports minus imports with top trading partners, in billions

Countries the U.S. has deficits with Countries the U.S. has surpluses with

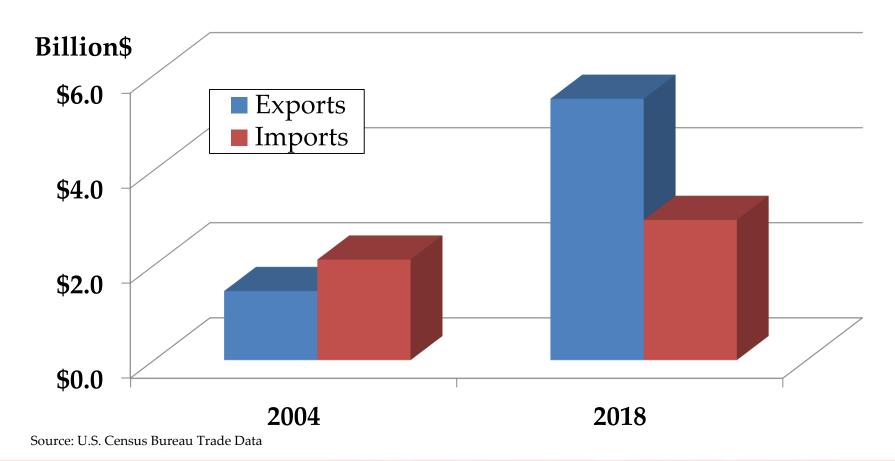


Note: Figures are seasonally adjusted for goods and services Source: U.S. Department of Commerce

BloombergQuickTake

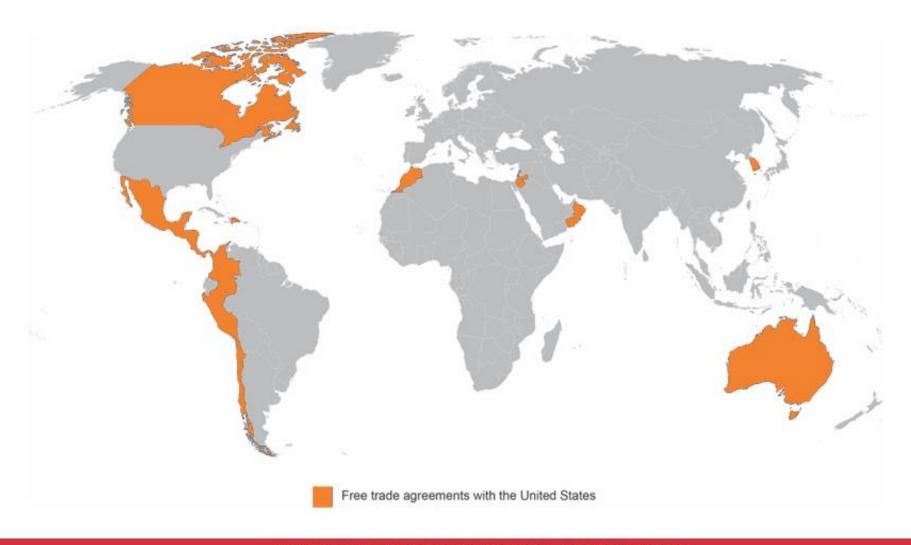
U.S. Dairy Exports vs. U.S. Dairy Imports





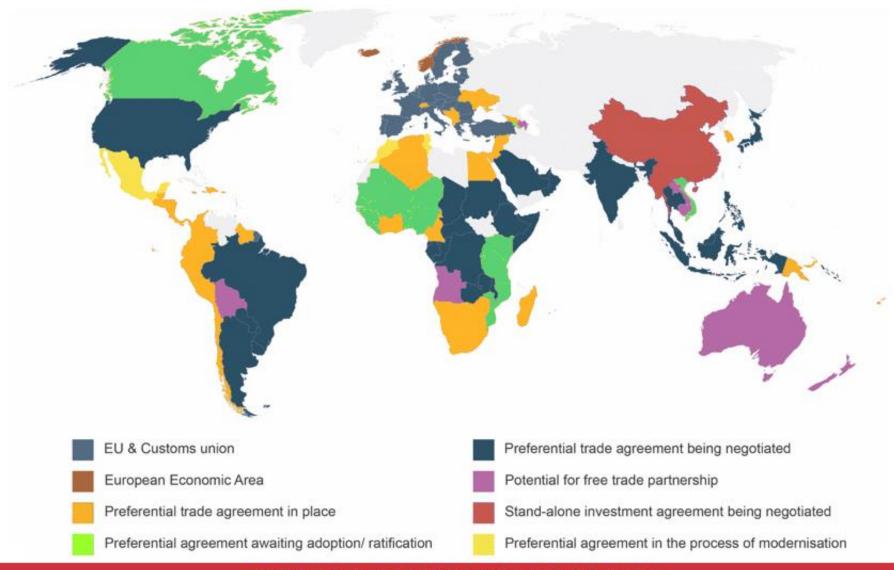
U.S. Free Trade Agreements





EU Free Trade Agreements





U.S.-Mexico-Canada Agreement



Status update:

- Section 232 tariffs were lifted on May 20th
- Draft Statement of Administration Action (SAA) on May 30th
- Working group formed to resolve enforcement, labor, environment and biologics issues
- Implementing bill sent in next few weeks
- Congressional vote later this fall

USMCA Grassroots Efforts



- USMCA Coalition created a "text your legislator" campaign to promote Congressional passage of USMCA
- By texting "HelpAg" to 52886, constituents can tell their elected officials why ratification of USMCA is so important



U.S.-Japan Bilateral Agreement



U.S. Dairy Priorities:

- Agreement must lower Japan's tariffs and increase TRQs for all dairy products
- Presentation to USTR regarding need to include "best of" provisions from CPTPP and EU/Japan agreement to put U.S. dairy on level playing field with NZ, Australia and the EU

Status:

- Agreement in principle announced in August
- Signing of Phase 1 deal on September 25



U.S.-Japan Bilateral Agreement

IDFA INTERNATIONAL DAIRY FOODS ASSOCIATION

U.S. Dairy Outcomes:

Two Tariff Rate Quotas (TRQs)

- Processed Cheese
 - Year 1: 105 mt 32.7% in-quota duty
 - Year 5: 125 mt 18.1% in-quota duty
 - Year 10 & on: 150 mt 0% in-quota duty
- Whey
 - Year 1: 5,400 mt
 - Year 5: 7,000 mt
 - Year 10 & on: 9,000 mt

Most whey products: 0% in-quota duty





US Japan Phase 1	Current Duty	Tariff Reductions
Shredded Cheese, Pizza Cheese	22.4%	duty reduced; Year 15: 0%
Cream Cheese < 45%	29.8%	duty reduced; Year 15: 0%
Grated/Powdered Cheese, Parmesan	40.0%	duty reduced; Year 15: 0%
Cheddar, Gouda	29.8%	duty reduced; Year 15: 0%
Lactose & Lactose syrup	8.5%	0% duty on Year 1
Milk Albumin	2.9%	0% duty on Year 1
Other outcomes:		
Skim Milk Powder/NFDM (side letter)	750 mt within the WTO TRQ	
Butter	No preferential access	
Evaporated Milk		
Condensed Milk		
Food Prep Cont. Sugar & Dairy		
Infant Formula		
Ice Cream		

U.S.-UK Free Trade Agreement



Brexit will determine if/when deal with the U.S.

U.S. Dairy priorities:

- Increase market access across all dairy tariff lines
- Eliminate tariffs
- Strong SPS measures
- Protect the use of common cheese names



China

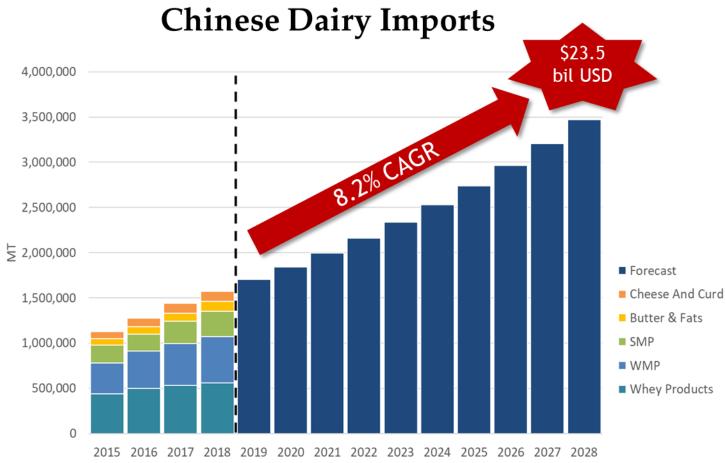




China



- Impact on U.S. Dairy:
- Potential \$23B market for U.S. dairy
 - Since July 2018, U.S. whey sales are down 43%
 - So far in 2019, the value of U.S. cheese exports is down 42%
- Goals for U.S. dairy:
 - Elimination of retaliatory tariffs
 - Meaningful access to Chinese market for U.S. dairy products



European Union



- May 2018, WTO found that EU subsidies for Airbus airplanes adversely affect U.S. industry
- April 2019, USTR releases preliminary list totaling \$11.2 billion in tariffs on EU imports
- July 2019, USTR releases another preliminary list totaling \$4 billion
- WTO Arbiter has determined U.S. can retaliate up to \$7.5 billion
- Imports of EU butter, cheese, yogurt will be impacted



FMMO Reform

Dave Carlin



FMMO Reform



Develop incremental plan to continue to improve the FMMO system for processors and producers

- Economic Policy Committee meeting June 11th
 - Presentations by AFBF and NMPF representatives
 - Identified policy priorities and organized working groups
- Working group calls in July and August



FMMO Reform



- Economic Policy Committee meeting –
 September 5th
 - Grouped pending issues into 3 categories:
 - Consensus
 - No consensus
 - Further study needed
 - Established Longer Term Issues Working Group



September 5th Meeting Participating Organizations









INTL FCStone®































Natural Cheese

Dave Carlin



Natural Cheese Legislation - Senate



- Senate CURD Act re-introduced on May 23rd (S. 1669)
- 6 bipartisan cosponsors: Sen. Johnson (R-WI), Sen. Wyden (D-OR), Sen. Risch (R-ID), Sen. Baldwin (D-WI), Sen. Braun (R-IN) and Sen. Sinema (D-AZ)
- Developing HELP Committee support for Senate "hotline" process



Natural Cheese Legislation - House



- House CURD Act re-introduced on September 25th
- 3 bipartisan cosponsors lead by Rep. Kind (D-WI), Rep. Schrader (D-OR) and Rep. Long (R-MO)
- Develop additional Democratic support for the legislation among members who serve on the Energy & Commerce Committee and in House leadership



Child Nutrition Reauthorization Tony Eberhard



Chocolate Milk on the Defense in Arizona





1% Low Fat Flavored Milk Back in Schools



- Final Rule "Child Nutrition Program Flexibilities for Milk, Whole Grains, and Sodium Requirements"
 - Effective February 2019, permanently allows schools to serve 1% low-fat flavored milk.

"USDA is committed to serving meals to kids that are both nutritious and satisfying... we continue to listen to schools... to ensure they can meet the needs of their students based on real-world experience."

– Secretary Perdue



Child Nutrition Reauthorization Bill



IDFA Child Nutrition Reauthorization bill priorities include:

- Reinstate reduced-fat (2%) milk into the WIC program (kids 2 & up)
- Allow WIC families to purchase yogurt in different container sizes "up to" 32 ounces
- Preserve ability of schools to offer low-fat (1%) flavored milk
- Increase milk container size in high school competitive foods program



SCHOOL MILK BILLS

Representatives Joe Courtney (D-CT) and G. T. Thompson (R-PA) introduced the "School Milk Nutrition Act" (H.R. 3125).

Representatives Thompson and Collin Peterson (D-MN) introduced the "Whole Milk for Healthy Kids Act of 2019" (H.R. 832)

Sen. Pat Toomey (R-PA) is set to introduce the "Milk in Lunches for Kids (MILK) Act" as a Senate companion to the Thompson-Peterson bill.



Appropriations Update Tony Eberhard



IDFA FY19 Appropriations Wins



✓ \$1.5 million for Agricultural Research Service (ARS) ice cream waste solutions

✓ \$2 million increase in funding for FDA's Office of Nutrition and Food Labeling for SOI regulations

Status: The FY2019 Consolidated Appropriations Act included both IDFA priorities and was signed into law February 15, 2019.





- ✓ Successful February Legislative Fly In
- ✓ Build on last year's success with Ice Cream & FDA Funding



Additional funding requests:

- NEW SNAP Milk Incentive Program







House

- -Passed through full House Appropriations Committee with all IDFA priorities:
 - Provide new \$1 million for SNAP milk incentive
 - Additional \$3 million for FDA standards of identity work
 - Protect \$1.5 million for ARS ice cream research

Senate

- -Passed through full Senate Appropriations Committee with all IDFA priorities:
 - Provides new \$1 million for SNAP milk incentive
 - Maintains FY19 increase for FDA standards of identity work
 - Protects \$1.5 million for ARS ice cream research

Immigration Tony Eberhard



IDFA Immigration Principles



Year-Round Ag Guestworker Program



Include Dairy Processing in Visa Program



No Touchbacks

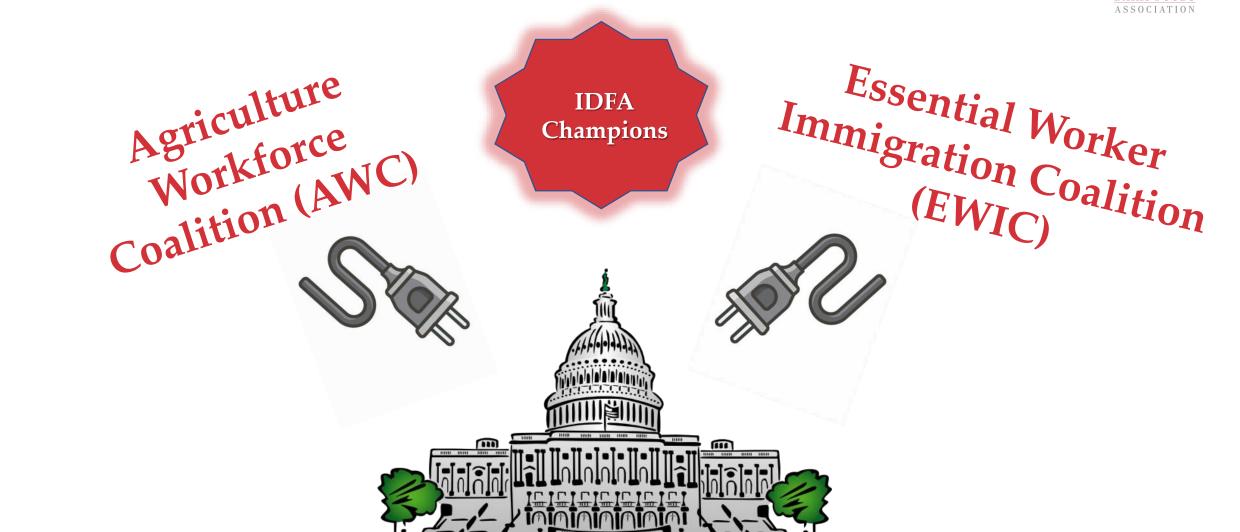


Accommodation for Ag Worker Families



Plugging Into the Immigration Debate





Transportation

Dave Carlin



Transportation



- IDFA is a member of the Safer Hauling & Infrastructure Protection Coalition
- **Primary SHIP Goal:** Pass legislation requiring DOT to conduct a pilot program that will demonstrate the safety record of 91,000 pound trucks on interstate highways

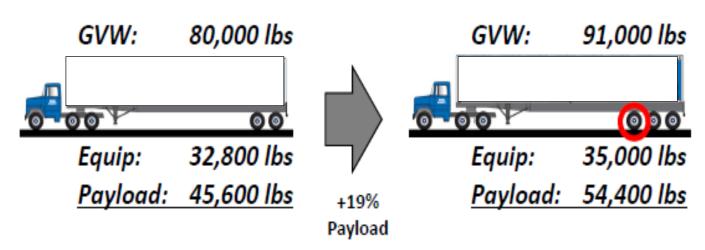


Transportation



- Allowing 91,000 pound trucks with 6 axles on interstate highways would benefit the dairy industry
 - Cheese, butter, and milk powder shippers could save \$167 million annually*
 - Plant to plant and farm to plant haulers would also benefit

Proposed Configuration



^{*}June 2019 analysis by Blimling and Associates

Transportation |



Status

- House Transportation and Infrastructure Committee held a hearing in June
- Congressional letter supporting change currently has 44 signatures
- Goal is to add pilot program language to a broader "vehicle" bill sometime during this congress



Transportation |



- IDFA will continue to participate in the SHIP coalition efforts
- We will also support other transportation and infrastructure priorities that are identified by members of the Environment, Sustainability and Safety Committee and our Segment Boards (e.g., hours of service changes, truck driver shortage)









IDFA Political Affairs Advocacy & PAC Report



IDFA Advocacy Programs

- Strategic Fly-Ins
 - ✓ Focus on 1-2 issue areas
 - ✓ IDFA executive leadership only
 - ✓ Meetings with top decision makers



- ✓ Tour & roundtable discussion
- ✓ Congressional delegation meets with entire industry

Congressional Dairy Tours

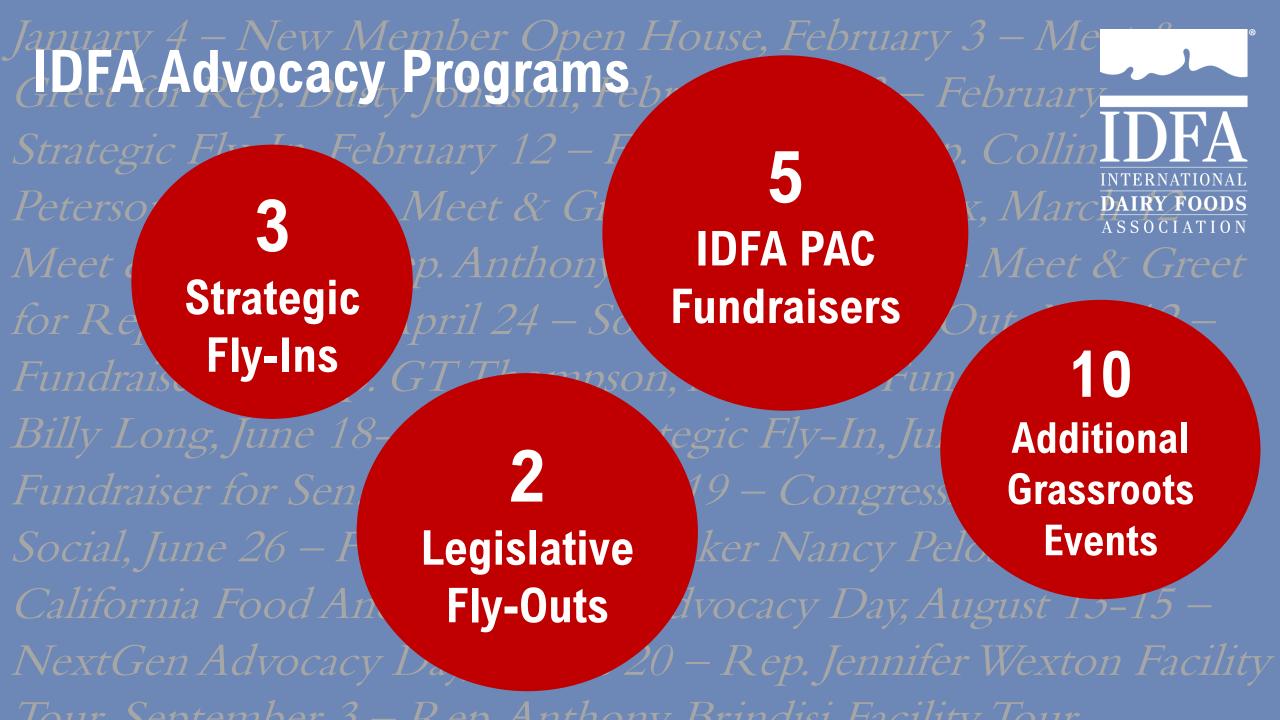
- ✓ IDFA can help facilitate
- √ 1 on 1 meeting with your elected official











IDFA Advocacy Programs - Fly-Outs

The Fly-Out is IDFA's newest advocacy program. Our inaugural fly-out was hosted by Lactalis in Nampa, ID last November. (11 out 11 ID dairy companies participated)



2nd event in Milbank, SD at Valley Queen.

Location selection

- ✓ Significant dairy presence (state or region)
- ✓ IDFA member companies within proximity
- ✓ Secure a key legislator
- ✓ Assemble a political delegation

IDFA Advocacy Programs - Fly-Outs







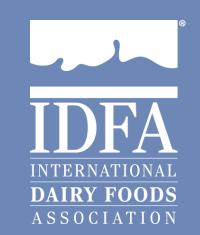
"When I arrived today, dairy was in my top 100 issues, after today's discussion it is now in my top 20" – Sen. John Thune

IDFA Advocacy Programs

2019 Upcoming Events

California, Central Valley Fly-Out

October 9, 2019

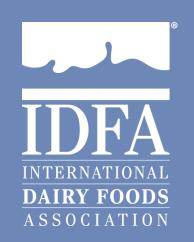


December Strategic Fly-In and Celebration of Dairy December 3-4, 2019

*Things change frequently in Washington. Please note that this schedule may be modified

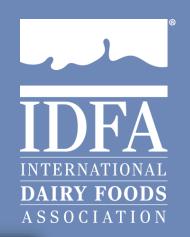


- Important tool in IDFA's legislative toolbox
- The IDFA PAC is funded 100% by voluntary individual contributions
- Unlike IDFA's other advocacy efforts, IDFA
 PAC can not be funded through the
 support of corporate accounts or
 membership dues.



• IDFA PAC supports a bipartisan group of Congressional leaders

- ✓ Pro-business
- ✓ Pro-trade
- ✓ Pro-jobs
- ✓ Shown support for the dairy products industry
- 2019 disbursements
 57% Republican 43% Democratic











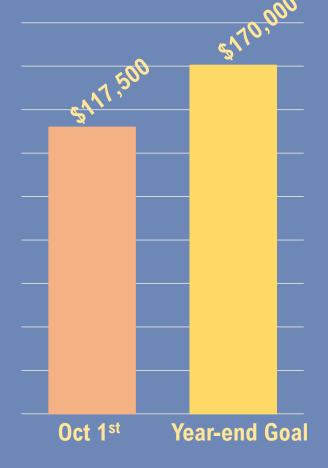
IDFA PAC has disbursed \$117,500 to 55 candidates and has raised an additional \$63,500 through IDFA hosted fundraisers.

2019 Political Footprint - **\$181,000**.

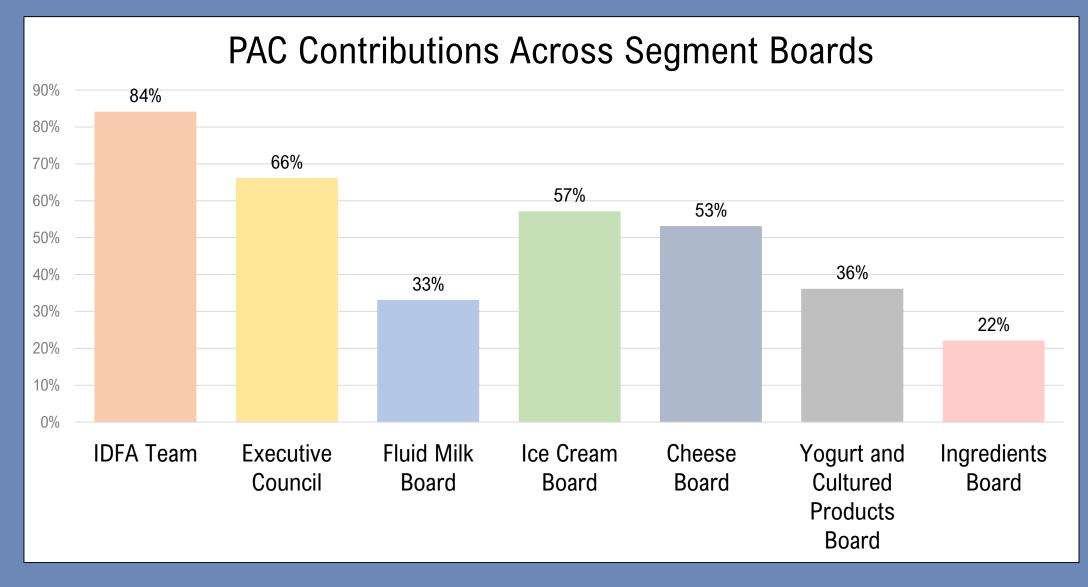
We have plans to disburse an additional \$52,500 by year end.

To be successful IDFA PAC needs to raise an additional \$45,000.











Please Support IDFA's Political Affairs







Questions/Discussion



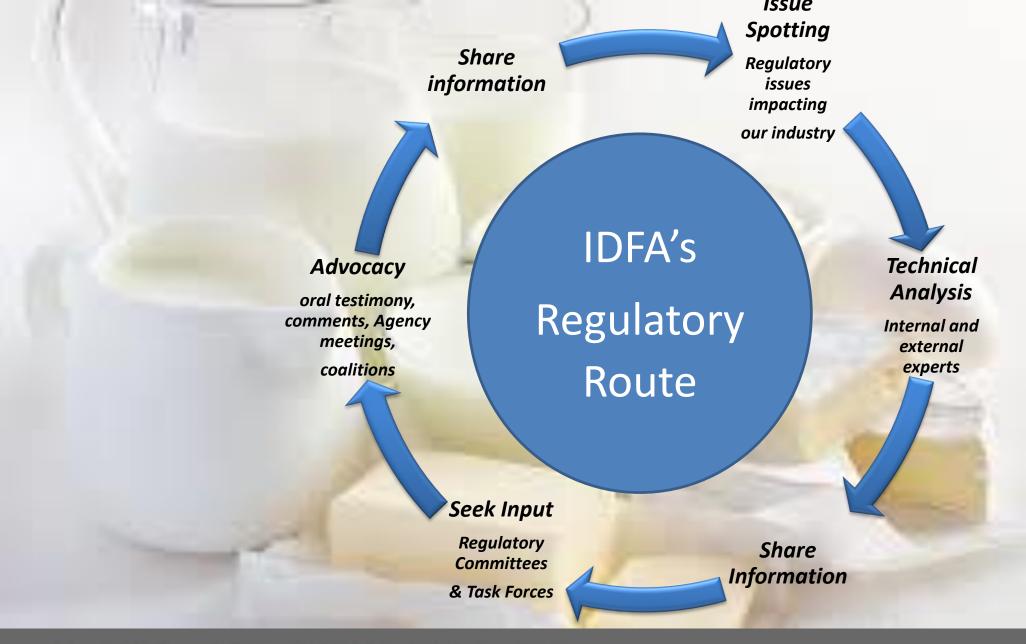
Break



Regulatory Priorities









Regulatory Priorities – FY 2020



IDFA Regulatory Committees

- **Food Safety Committee**
 - NCIMS Subcommittee
- **Standards and Labeling Committee**
 - Standards Modernization Task Force
 - Bioengineered Food Labeling Task Force
 - International Standards Task Force
- **Nutrition and Health Committee**
- **Environment, Sustainability & Safety Committee**
 - Food Waste Task Force













With the major rulemaking related

inspections and enforcement of the

new requirements. IDFA is working

to ensure guidance aligns with the

flexibility provided for under the

rules and inspection activities are

appropriately and efficiently

to FSMA now complete, FDA is

issuing guidance and beginning





IDFA'S 2019 REGULATORY POLICY P	RIORITIES
MARCH 10, 2019	

Issues Area	New Committee Assignment	Status	Goals	Actions
Dietary Guidelines for Americans 2020-2025	Nutrition and Health Committee	The members of the Dietary Guidelines Advisory Committee (DGAC) have been named. The topics for consideration by the DGAC have also been identified. The first public meeting of the DGAC will be held on March 28-29, 2019.	Defend dairy's role in 2020-2025 update of Dietary Guidelines for Americans to maintain current number of servings and expand choices to higher fat levels	IDFA regulatory staff will coordinate with the Nutrition and Health Committee and other organizations on comments supporting a strong role for dairy in a healthy eating pattern. These comments will include written and oral input to the DGAC and USDA and the Department of Health and Human Services.

Ensure FDA's intentional

allows for flexibility in

the food industry.

implementing and verifying

is a new area for regulation of

• IDFA submitted comments on the 1st

IDFA is co-signing a Food and Beverage Industry Alliance letter requesting an you regulate" approach, as this extension of the July 2019 compliance date to allow time for all relevant FDA guidance

Implementation

of FDA's Food

Modernization

Food Safety

Committee

Nutrition Policy



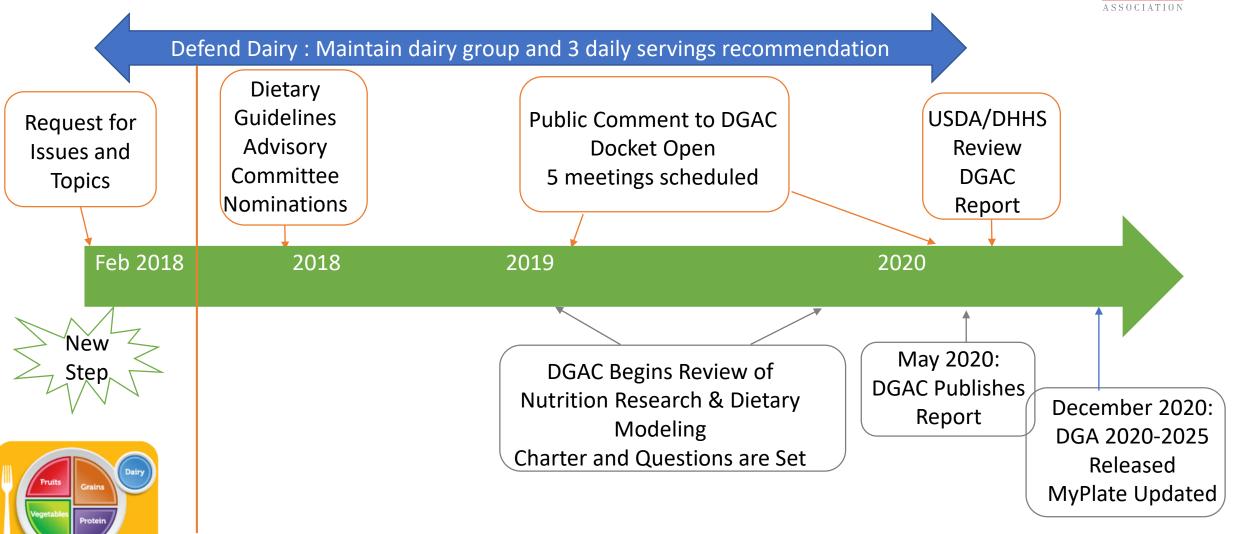
2020-2025 Dietary Guidelines for Americans



Dietary Guidelines 2020 Process

Choose MyPlate.gov





Dietary Guidelines for Americans 2020-2025



Dietary Guidelines Advisory Committee Public Meetings

Meeting 1: March 28-29, 2019 (Washington, DC)

Meeting 2: July 10-11, 2019 (Washington, DC) - Oral Comments

Meeting 3: October 24-25, 2019 (Washington, DC)

Meeting 4: January 23-24, 2020 (Houston, TX) – IDFA Comments

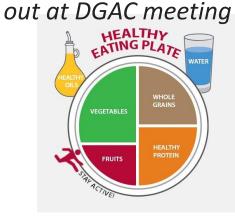
Meeting 5: March 12-13, 2020 (Washington, DC)







Olympic Athlete and PCRM Urges USDA To Ditch Dairy From DGA Plant-based foods get shout-







IDFA Priorities for DGA 2020-2025



Major Goals:

- Maintain dairy as a separate food group
- Maintain recommendation for 3 servings every day

Additional Goals:

- Recommendations include dairy at a range of fat levels
- Yogurt and dairy as complementary foods for infants and toddlers

IDFA will be submitting written comments to Advisory Committee and agencies.





3 cups

FDA Voluntary Sodium Reduction Targets



FDA's Voluntary Sodium Reduction Targets

IDFA
INTERNATIONAL
DAIRY FOODS

- 2016 FDA proposed draft guidance short term (2 year) and long term (10 year targets) for 150 food categories
 - 13 types of cheeses, cheese sauces, dips and butter
 - Cheese reductions were ~5% (2 yr.), ~15% (10 yr.) and processed cheese (11% and 22%)
- IDFA and NMPF filed joint comments
 - Urged FDA to remove the cheese and butter category
 - Salt plays a critical role in food safety, quality, and function of cheese
 - Sodium based emulsifiers are needed for process cheese
 - Unsalted butter is already available
 - Also provided suggestions for category and target revisions if FDA proceeds
- Met with FDA challenges of sodium reduction for cheese
- FDA renewed interest in issuing revised sodium reduction targets
 - Commissioner's Nutrition Innovation Strategy



FDA's Voluntary Sodium Reduction Targets

- IDFA
 INTERNATIONAL
 DAIRY FOODS
 ASSOCIATION
- IDFA with the Sodium Coalition working to have FDA reconsider sodium targets
- Policy Navigation Group Economic Impact (process cheese and white bread) cost of:
 - Reformulating, lost customers, lost demand, higher price, social costs
 - Results in >\$ billions per year Not compliant with E.O. 13771
- Meetings with HHS, FDA, FSIS, OMB, SBA
- Seeking reconsiderations of targets
 - FDA should use administrative procedures to issue targets that allow for notice and comment and include an economic impact
 - Only have first tier targets
 - Allow 4 years for implementation









NYC-National Salt & Sugar Reduction Initiative



NYC-National Salt & Sugar Reduction Initiative

- Second phase of voluntary sodium reduction plan for restaurants and retail food
 - Partnership with 100 city and state health departments
 - Sodium levels decreased in a sample of top selling packaged foods by about 7% from 2009 - 2016
- Proposed targets based on total sugar not added sugar



Flavored Milk (per cup, with

sugar allowance)

Baseline: 24 g

2023 Target: 22.6 g, 30.5 g max 2026 Target: 21.1 g, 25.2 g max

Flavored Yogurt (per 170 g,

with sugar allowance)

Baseline: 17.9 g

2023 Target: 16.8 g, 22.6 g max

2026 Target: 15.6 g, 19.2 g max





Frozen Desserts (per 100 g)

Baseline: 20.7 g

2023 Target: 18.7 g, 23.9 g max

2026 Target: 16.6 g, 21.5 g max

NYC-National Salt & Sugar Reduction Initiative

INTERNATIONAL DAIRY FOODS

- IDFA's written comments filed Sept 30th
- Dairy foods should be excluded due to nutrient density and providing, Calcium, Vitamin D and Potassium
- Education and other efforts should be considered before requiring reformulation of products
- Didn't fully account for natural lactose in milk
- Need to consider functional and technical role of sugar in food and standards of identity requirements
- Targets if enacted should be based on "added sugars"





FDA Food Standards Modernization



FDA's Nutrition Innovation Strategy



"Facilitate industry innovation towards healthier foods that consumer's want"



Dairy standards are outdated Petitioning for changes takes decades

Horizontal approach to allow for deviations should be considered for long term

Act on pending petitions now





FDA Nutrition Innovation Strategy



IDFA Written Comments

- Input from IDFA's Regulatory Committee and Standards Modernization Task Force member
- Food standards modernization a must!
- Adopt a horizontal approach reexamine GMA 2006 petition principals that allow flexibility to current standards
- Push for action on long pending dairy petitions
 - Completion of yogurt standards (2009)
 - Finalize regulation for the use of UF (2000) and allow MF milk for cheese with labeling of milk



Horizontal Standards Modernization Principles



Ingredients for technical effects – stabilizers, emulsifiers, antimycotics

Flavors & flavor enhancers – sweeteners, salt substitutes

Advanced processing technologies – ultrafiltration

Alternative make procedures – all foods

Changes to basic shape

Improvements in nutritional properties

FDA Hosted Listening Session with IDFA



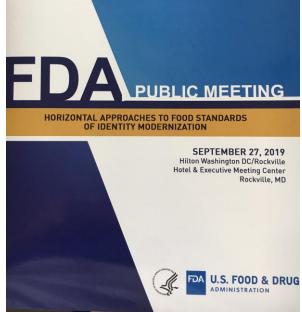
- Meeting May 6, 2019 Nestle USA, Danone N.A., Great Lakes Cheese
- Outcomes
 - FDA reexamining 2006 GMA petition and interested in stakeholder ideas for horizontal approaches for standards modernization
 - Fall public meeting on standards modernization and opening up docket for comments
 - IDFA will follow up with written request to extend regulatory discretion to allow for microfiltered milk for cheese with labeling as "milk."
 - Yogurt standard final rule on Unified Regulatory Agenda going to OMB!

Modernizing Standards of Identity



- FDA hosted a public meeting & webinar
 September 27th
- Horizontal Approaches to Food Standards Modernization
 - Break out sessions
 - Changes for more nutritious foods
 - Flexibility to accommodate industry innovation
 - Consumer expectations and standardized foods
- IDFA worked with regulatory committees on oral testimony and will submit written comments by November 12th





Labeling Policy Update IDFA Resources for Nutrition Facts Rules



BREAKING NEWS!!

- We heard your need for more time as the January 1, 2020 compliance date approaches – Extensive packaging inventory would be wasted
- IDFA worked with the FBIA with 11 other food trade associations
- Requested six month extension for Nutrition Facts label changes by issuing regulatory discretion letter – Sent to FDA Commissioner September 30th
 - or enforcement discretion on a case-by-case basis
 - or a process for companies to su by-case basis
- Follow up for quick action



Nutrition 8 servings per conta	_
	2/3 cup (55g
Amount per serving	
Calories	230
	% Daily Value
Total Fat 8g	10%
Saturated Fat 1g	5%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 160mg	7%
Total Carbohydrate	37g 13%
Dietary Fiber 4g	14%
Total Sugars 12g	
Includes 10g Adde	d Sugars 20%
Protein 3g	
Vitamin D 2mcq	10%
Calcium 260mg	209
Iron 8mg	459
Potassium 235mg	69
* The % Daily Value (DV) tells yo	-

Food & Be erage

Updated IDFA Labeling Manuals















IDFA Resources

IDFA
INTERNATIONAL
DAIRY FOODS
ASSOCIATION

- Introduction to Dairy Product Labeling
 October 15-16, 2019 | 1:00 3:00 p.m. EST (each day)
 - Day 1 Dairy labeling 101 and Bioengineered Food Disclosure Standard
 - Day 2 New Nutrition Labeling Regulations and Labeling Claims
- Personal consultation for your question
- New frequently asked labeling questions and answers in IDFA Knowledge Center – October 2019





FDA's New Era of Smarter Food Safety



Smarter Food Safety



Strategic Blueprint for "New Era of Smarter Food Safety"

- ✓ People-led
- **✓ FSMA-based**
- ✓ Technology-enabled

Industry/Public Input Wanted



- Public meeting:
 - October 21, 2019; Rockville, MD (DC area)
- IDFA seeking input from Food Safety Committee on priority areas
 - Comments due: October 11th
- Written comments due to FDA: November 20th

National Conference on Interstate Milk Shipments



Dual-Grade Plant Inspections



Goals



- IDFA requested consolidation of inspections for "dual-grade" plants inspection 1 inspection
- Goal: Coordinate an approach to non-Grade "A" Preventive Controls inspections and Grade "A" check ratings to maximize Federal-State resources and minimize the burden of inspections in IMS-listed facilities.

Options for States



Option A

Fed-State Partnership



State:

Grade A + non-Grade A



FDA:

"Audit" of State inspections

Option B

FDA Only



Grade A + limited PC inspection of non-Grade A

Next Steps



Conduct pilot

Present final plan at 2021 NCIMS Conference

New inspections begin

Repackaging Cultured Grade "A" Products



Repackaging Cultured Grade "A" Products





- NCIMS Proposal 112: Allow transport of yogurt to another plant for repackaging without repasteurization, as for cottage cheese.
- IDFA objective: Carve out short shelf-life parfaits and similar products made with cultured dairy from PMO coverage.

International Standards



Defending Science-based Standards



- Codex standards should be:
 - Science- and risk-based
 - Informed by Codex expert bodies
- Under threat: Codex standards and US exports
- IDFA wins at Codex

Defending Science-based Standards



- Other battlegrounds:
 - Defending against WHO policy overreach
 - Anti-"processed" food policies
 - Nutrient profiling & Front-of-Package Nutrition Labeling





IDFA Actions



- Ensure U.S. government aligned with industry and taking appropriate action
 - Meetings & comments: FDA, USDA, USTR, US Codex Office
- International Dairy Federation
 - Amplify concerns throughout global dairy industry, then with foreign governments
- Meetings with Embassies in DC

PFAS Update



PFAS Still High Priority



- PFAS in milk/dairy remains in news headlines and before Congress
- No major federal PFAS regulatory actions many "task forces" and research
- IDFA Actions
 - 1. Closely monitoring Congress, FDA, EPA and DOD
 - 2. Advocating for a science-based approach
 - 3. June 18 webinar with FDA knowledge center
 - 4. Communications talking points
 - 5. Regulatory/Communications team collaboration with individual members
 - 6. Collaboration with NMPF and NCBA
 - 7. Supporting State Depts. of Agriculture pushing back on calls to set state milk screening numbers

Federal Activities



FDA:

- Continued retail dairy product testing through Total Dietary Study (TDS)
- Reviewing all 62 PFAS/food contact materials
- No intent to establish tolerance levels

EPA:

- Determine whether to set mandatory MCLs for drinking water by end of 2019
- New testing methodologies for short-chain PFAS, testing for 29 compounds total

USDA/FSIS: Oct 1-

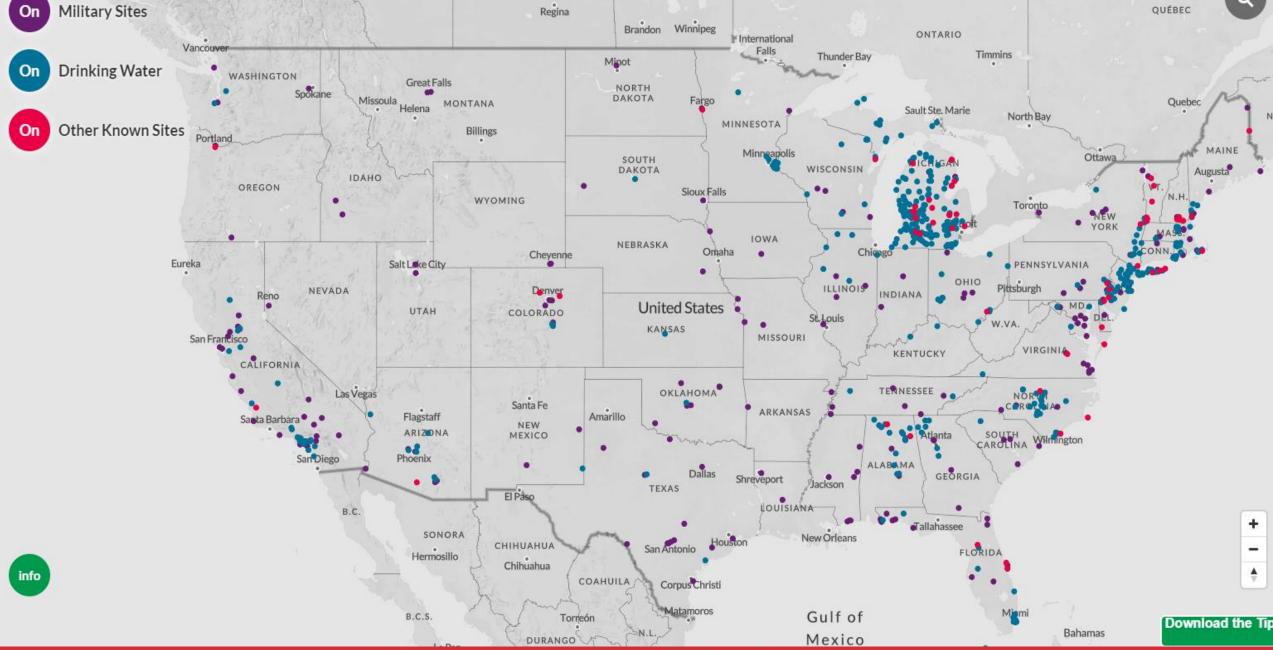
- Begins enhanced residue testing for 16 PFAS in beef muscle
- Establish baseline and examine depletion & elimination rates

FDA Testing Guidance



Per June 18 IDFA PFAS Webinar with FDA

- Testing of raw milk and foods is expensive, technically challenging
- No processor milk testing
- Consider testing at higher risk farms:
 - Near industrial or military facilities with known contamination
 - Near "hotspots" on EWG map https://www.ewg.org/interactive-maps/2019 pfas contamination/map/
 - History of spreading sewage sludge from industrial sources
- Detection levels above 70 ppt (PFOA+PFOS) consult state department of agriculture to determine if milk testing via FDA is necessary



MAKING A DIFFERENCE FOR DAIRY

Next Steps?



- Expect FSIS sampling to result in more PFAS detection in dairy
- Congress NDAA and stand-alone bills
- Public distrust of EPA, FDA, all PFAS manufacturers
- States leading the charge and lobbying Congress
 - Clean Water Act effluent limits, water quality & pretreatment standards
 - State drinking water MCLs lower than 70 ppt
 - Testing water/milk/sludge at dairy farms
- Caution news articles claiming that regulators avoid testing at dairies because it leads to bankruptcy

National Bioengineered Food Disclosure Standard



BE Labeling Rule



- Rule applies to all foods and supplements for retail sale
- Narrow definition of "bioengineered food"
- Dairy products labeled on *Jan. 1, 2022* must comply with rule
- Meanwhile, companies should be
 - Examining sourcing of ingredients/communicate with suppliers
 - Obtaining records/spec sheets/letters from suppliers
 - Providing similar records to customers

BE Rule Resources



- Microbial fermentation inputs as incidental additives seeking consensus with FDA to minimize disclosure mandates
- Assisting individual members with compliance questions
- Questions to AMS updates on AMS website
- Regulatory Update
- March 12, 2019 webinar "National Bioengineered Food Disclosure Standard What Dairy Needs to Know"
- October 31, 2019 1 p.m. (ET) webinar "Future Innovations in Gene Editing and Novel Applications in Food"

AMS Disclosure Determination Tool



Yes, the ingredient contains detectable modified genetic material.

Does the bioengineered substance in the ingredient fall below the threshold amount?

Yes, the bioengineered substance in the ingredient falls below the threshold amount.

No, the bioengineered substance in the ingredient does not fall below the threshold amount.

If an ingredient includes an inadvertent or technically unavoidable amount of a bioengineered substance, in an amount less than five percent, then that specific ingredient does not trigger disclosure.

Any intentional use of a bioengineered ingredient requires disclosure.

Litigation Update



Class Action Lawsuit Trends



- IDFA litigation trends Regulatory RoundUP
- "Natural" Claims some judges lifting prior stays entered in anticipation of FDA action
- Trend in false advertising and labeling claims hitting dairy
- Common claims consumers are deceived
- State unfair trade practices consumer protection laws
- Goals differ monetary settlement & publicity and policy change

Vanilla and Ingredient Labeling



- IDFA email alert sent in August/personal consultation
- Food Fraud Advertising, front of pack "vanilla" ice cream, but ingredient statement includes "natural flavors" other than "vanilla"
- Allege false advertising in violation of state unfair trade practice, consumer protection laws and tort
- Are consumers deceived?
- 2-3 new lawsuits p/week, including ice cream, yogurt and other products
- Remedy \$\$ damages & restitution

Career plaintiffs' lawyers
Spencer Sheehan &
Michael Reese – "right of
citizens to band together
and settle grievances with
bigger companies"

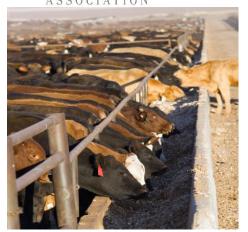


Animal Welfare Litigation Trends

IDFA
INTERNATIONAL
DAIRY FOODS

- Not new, but new focus on CAFO/feedlots
- Claims based on unfair trade practices and consumer protection laws
- Consumers purchase and paid extra \$ based on deceptive marketing and advertising featuring humane and sustainable practices
- Remedy restitution, compensatory damages & injunctive relief











Culture of Food Safety in the Boardroom



- *Marchand v. Barnhill* Can corporate directors be held personally liable for breach of their duty of care and loyalty to shareholders if they lack a system to monitor and oversee key corporate risks?
- Delaware Supreme Court sets key precedent for corporations
- Food safety is the No.1 risk for food companies
- Fact specific case not yet at conclusion but court has advice for corporate boards:
 - Establish a board-level system of monitoring and reporting on food safety
 - > Regularly schedule, receive, deliberate and act on food safety
 - > Develop a system to ensure all food safety issues reported to the board
 - > Seek advice of outside advisors for guidance and best practices
 - ➤ Memorialize Board oversight, including reports, guidance and minutes



IDFA Legal Community



- Membership: company in-house counsel
- Purpose:
 - Identify priorities important to dairy company legal departments
 - Share best practices
 - Networking at in-person meeting
 - IDFA distribution list for litigation/legal information

Executive & Strategic Communications



Team Members





Matt Herrick – Senior Vice President, Executive & Strategic Communications mherrick@idfa.org, 202-220-3537

- Design/execution of strategic communications strategy
- Refresh IDFA's branding, messaging, and external communications and marketing tools; grow IDFA's key events; developing research
- Protect and enhance reputation of members and industry
- Position IDFA experts and members as thought leaders



Jenny Martin – Director, External Relations & Member Communications jmartin@idfa.org, 202-220-3536

- Messaging and media relations
- Member and executive communications
- Event and product marketing
- Monitoring and reporting
- Project manager for website redesign (idfa.org)



Michael Goodin – Manager, Digital & Multimedia Content mgoodin@idfa.org, 202-220-3528

- Social media management
- Digital content creation and distribution
- Digital and email marketing
- Video, audio, photo, graphic production; manage of vendors

Executive & Strategic Communications

IDFA
INTERNATIONAL
DAIRY FOODS

- Execute integrated executive & strategic communications & organizational marketing strategy:
 - 1. Team & Tools
 - 2. Plan & Brand
 - 3. Reputation & Issues Management
 - 4. Thought Leadership & Network Building



Communications Objectives





1. Develop an integrated communications and advocacy platform



2. Shape perception of IDFA as premiere member association in dairy industry



3. Position IDFA members and experts as knowledgeable, innovative and driving impact



Objective 2





Shape perception of IDFA as premiere member association in dairy industry

- ➤ Develop, launch & manage three tentpole advocacy campaigns: Dairy Innovates, Dairy Delivers, Dairy Nourishes
 - Create conditions for dairy products in U.S. to be perceived as safe, nutritious, affordable and indispensable

Communications Campaigns



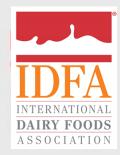


The Power of Dairy

Dairy Innovates Dairy Delivers Dairy Nourishes



Telling the story of the dairy industry's economic impact at the national, state and local level in the United States.



Michael Dykes: Wisconsin's dairy industry needs trade deal with Mexico, Canada

Jun 29, 2019

SALE! \$3 FOR 13 WEEKS







QUOTE Wisconsin's dairy industry pumps about \$82,500 per minute into the state economy Imagine if that economic productivity - those jobs, businesses and even the ousiness taxes that support nools and roads - were to



The United States and Mexico averted a major disruption in trade a few weeks ago by reaching an agreement to help stem migration at the southern border.

On behalf of America's dairy industry: Thank goodness!

Mexico is the No. 1 market for many American-made and -grown products. Last year, we shipped \$1.4 billion of milk, cheese, whey, ice cream and other dairy items to Mexico. But as this year has worn on, ongoing trade disputes with Mexico have begun to take a toll, biting into U.S. exports and squeezing American jobs.



MOST POPULAR

- Jonah Goldberg: Why approval rating (the r
- 2 Trudy Rubin: Britain's holds parallels to poli







DESSERTS

These are the absolute best ice cream shops in America

Whether you want a cone or a sundae, here's where to find the best frozen dessert in the country.

That's because July 21 is National Ice Cream Day. July has actually been National Ice Cream Month since 1984 when then President Ronald Reagan issued one of the most important presidential proclamations in history.

Of course, it's no secret that Americans love ice cream. According to the International Dairy Foods Association, people in the U.S. consume an average of 23 pounds of ice cream a year. That's more than chocolate and other candy combined!

While amazing ic creams are available at grocery stores nationwide, sometimes a pint from the freezer aisle just won't cut it. For that reason, <u>TODAY Food</u> spent hours looking at hundreds of ice cream establishments across the country. The following are some of the best shops and places to risk getting a serious case of brain freeze.



Q

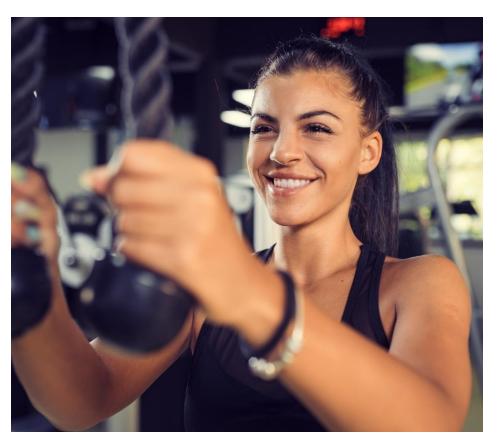


Dairy Nourishes





9 Essential Nutrients Calcium **Protein Vitamin D Vitamin B3 (Niacin) Vitamin A Vitamin B5 Vitamin B12 Vitamin B2 (Riboflavin) Phosphorus Nourish & Sustain**

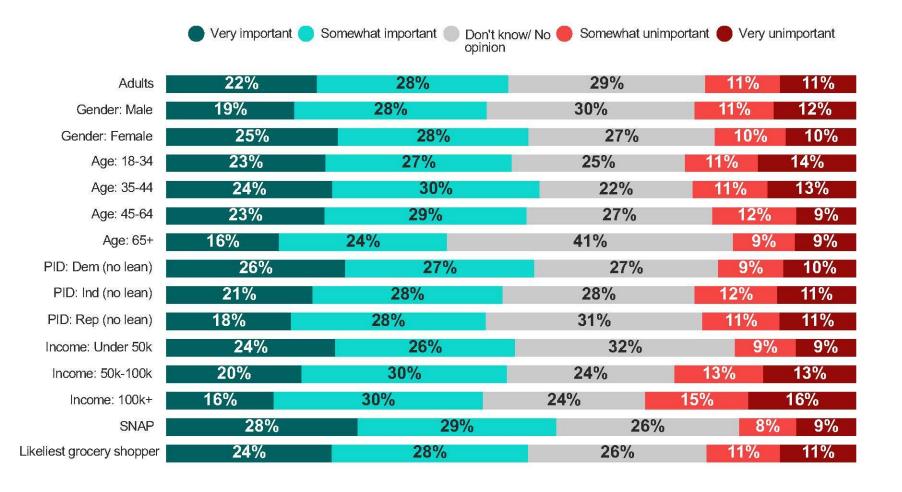


Milk Variety

MORNING CONSULT

Adults across key demographics believe it is important that the public school their child attends offers 1% low-fat flavored milk with meals.

How important or unimportant is it to your child that public schools offer then the option of having low-fat flavored milk with school meals (i.e. chocolate or strawberry milk)?



=

New IDFA.ORG – Coming February 2020





ABOUT SERVICES STORIES PROJECTS CAREERS CONTACT

PROCESS

01



Define

The first step is to understand what it is we are trying to accomplish. At the end of this discovery phase we will know our audience, our inspiration, our timeline and our goals for the project.

0.2



Design

In the design phase, we're dying the groundwork for the properties, outlining blueprites, and putting together the assets that together will make up the face of the project. 03



Build

/hether it's running ads or coding a website, here the rubber meets the road and we execute on the plans we've laid out in the define and design phases.

04



Test

It's important that we check and double the product against our original specifications, but perhaps more important is that we're adjusting based on user input and feedback.

IDFA Communications Committee



- Chairperson: Michael Neuwirth, Senior Director, External Communication, Danone North America
- Vice Chairperson: Denise Skidmore, Director of Education and Public Relations, Hilmar Cheese Company
- **IDFA Lead:** Matt Herrick, SVP, Executive & Strategic Communications

Next Meeting: January, Dairy Forum 2020, Scottsdale, Arizona

The Committee meets monthly and focuses on the following:

- Advocacy, Content, Best Practices, Thought Leadership, Issues & Risk Management
- Issues & Risk Management Working Group
- Issues & Risk Management Toolkit
- Develop annual issue briefing around Board meetings



Interested in getting your company involved? Let me know.

IDFA Awards Update



Nominations Due Oct. 11th



IDFA Laureate

Given to a leader who has made significant, prolonged contributions to development and growth of the dairy industry. Candidates from all segments of dairy + suppliers and academia.

Innovative Dairy Farmer of the Year

Co-sponsored with Dairy Herd Management.

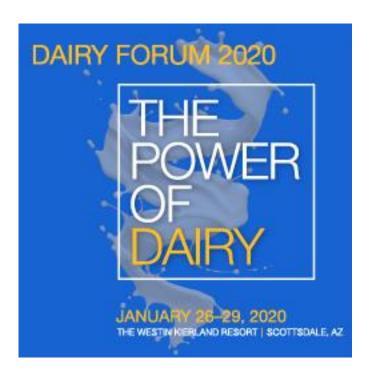
Food Safety Leadership Award

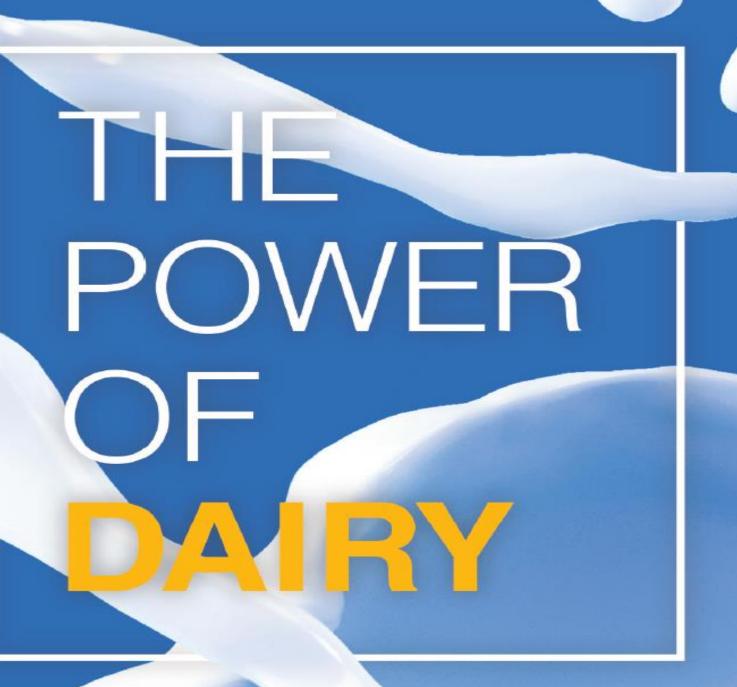
Honors an individual demonstrating outstanding leadership toward enhancing food safety.

Awardee Has Been Selected

Dairy Processor of the Year

Co-sponsored with Dairy Foods magazine.







January 26–29
The Westin
Kierland Resort

IDFA.org/ DairyForum

Scottsdale, AZ

McKinsey & Company: Research Study Preview





Our keynote presentation will cover three themes around resilience and growth



The Dairy industry is changing – resilience will be key



Data shows it's its possible to outperform – with top companies accruing almost all of the value



Successful companies make certain moves to beat the odds

We will use four sources of insight and your participation is important



Interviews with US dairy leaders



Surveys of over 200 dairy companies across the value chain



Experts and economists in dairy, food & beverage, resilience, and the power curve of economic profit

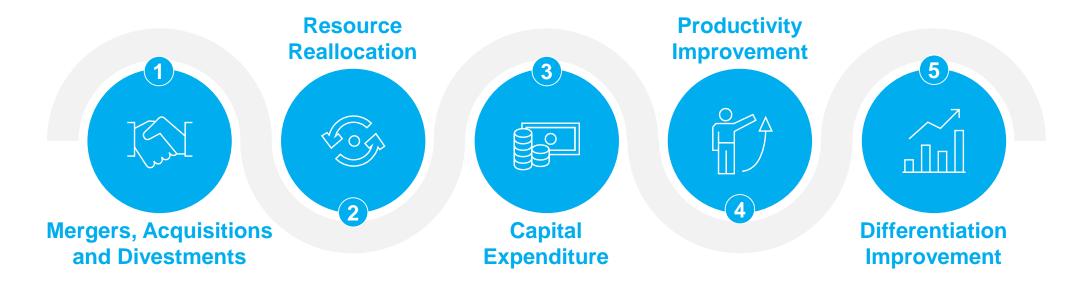


Consumer survey of over 1,100 dairy consumers

To ensure we're getting the best insights possible, please sign up to be interviewed and take our survey, if you have not done so already!

In order to be resilient to changing consumer preferences, dairy companies will need to focus on 5 big moves

You need to be a top performer on a move to boost your odds



Tilting the odds means out-performing your industry by taking consistent, small steps over time to create a steeper trajectory than your peers.

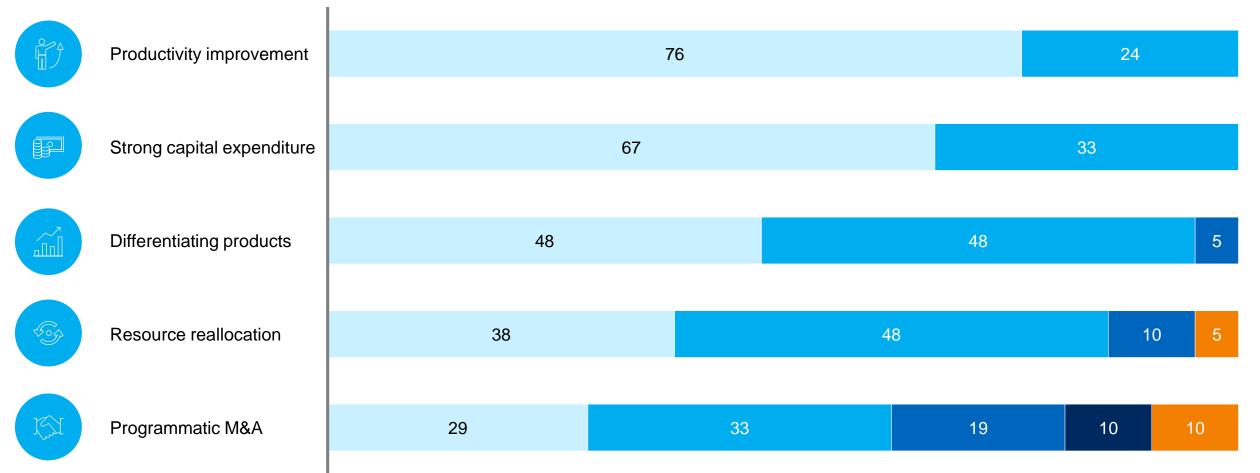
ones that most dairy executives indicate are 'very important'

Not relevant Very important Somewhat important Don't know

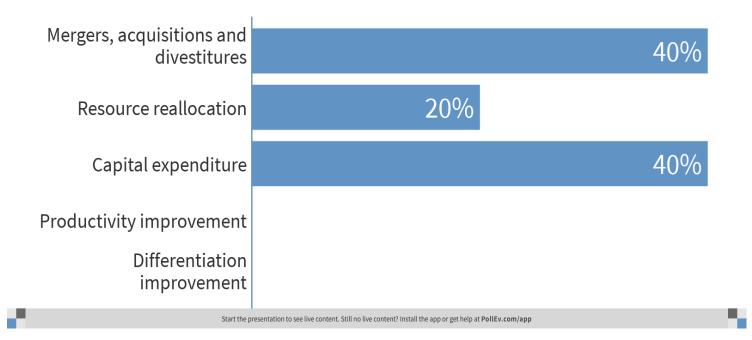
Not important

How important are the following strategic activities for your organization right now?

% of respondents



Which of the 5 big moves are you most interested in learning about in January?



Last Modified 9/27/2019 11:54 AM Eastern Standard Time

We will talk about key trends, what successful companies are doing, and much more at the diary forum



The Dairy industry is changing – resilience will be key



Data shows it's its possible to outperform – with top companies accruing almost all of the value



Successful companies make certain moves to beat the odds

Come see the complete findings

Breakfast session – The Power of Resilience in Dairy

> Wednesday, January 29th 8:30 - 9:30 am

Followed by: Closing session – The Power of Leadership

9:30 – 10:30 am







Take our survey

Closing Remarks





Issues Briefing

for Members of the IDFA Executive Council & Industry Segment Boards

