President's Letter
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Here is a letter we recently sent to Dr. Bernadette Dunham, the director of the FDA Center for Veterinary Medicine, regarding the Milk Residue Testing Program:

Dear Dr. Dunham:

Dairy Producers of New Mexico (DPNM) is a grassroots association for our New Mexico dairy farmers. We work on legislation, regulation and education issues. The FDA Milk Residue Testing Program has certainly received our attention. And as dairy producers, we understand the need to ensure the safety of animal derived foods, and we support efforts to make sure that approved animal drugs are used in a responsible manner, according to label directions, in the treatment and prevention of animal diseases.

Therefore, we want to make you aware of some things we're implementing in New Mexico so the goals can be accomplished at the state level with less deficit spending, less federal bureaucratic intervention, and less economic burden to the dairy industry. The goals and methods of FDA should not be to hastily enter into a testing program designed to catch a producer doing something wrong so that he can be "punished." Instead, the problem should be addressed with a plan that reduces risk and promotes SUCCESS!

1. We believe that <u>before any testing is done</u>, informational meetings should be set up in each of several regions of our state to include all New Mexico dairy producers. The speakers at these meetings will include a team of professionals, consisting of representatives from the New Mexico Department of Agriculture Dairy Division, headed by Alf Reeb; New Mexico State University Dairy Extension Specialist, Dr. Robert Haagevoort; milk marketing co-op field representatives; and, most importantly, herd veterinarians for each dairy represented. The owner of each farm, each herdsman, and each person treating cows on the premises should be included in the initial meeting. The purpose of the meeting would be to inform, educate, set up treatment protocols, instruct on treated cow identification and handling safeguards, and to set up reliable record keeping methods. This will be done in a friendly, non-threatening, informative and facilitative way so that all concerned parties could work together to ensure compliance with acceptable state of the art methods for using animal drugs with strict adherence to protocols and withdrawal times. Therefore, we ask that you

delay testing until we can complete our educational program which will be done in April and May 2011.

2. At some time after the initial meetings, EACH dairy that has had a drug residue problem involving tissues from dairy cows offered for slaughter will be visited on site by the previously described state team. At this time, methods and prior recommendations could again be reviewed and additional suggestions made if needed. The owner and dairy personnel will be evaluated for willingness and efforts to comply, and for progress made. A follow-up visit could be arranged to clear up any issues that may surface during this on-farm consultation.

3. No testing should be done until at least another month has passed. This process could greatly lessen chances of potential risks of unacceptable residues. It also makes the producer the "moving party" in the event that he fails to act in a prudent and responsible manner. This process greatly lessens chances that dumping of milk will become a necessity. Premature testing without following this stepwise method could cause great harm to all dairy producers and could be very detrimental for marketing programs and efforts to boost consumption and confidence in the wholesomeness of our product.

4. Any testing for any substance or pharmaceutical compound present in marketable milk should be done within the ranges of acceptable measures with regard to dilution factors and label directions. In other words, if any tolerance level is acceptable according to proper label usage of a drug, FDA should neither inflict undue burdens or distress on the dairy industry nor should it unreasonably choose to alarm consumers by seeking to enforce its own stricter standards. Our New Mexico producers would be willing to assist in a sampling program to ensure a safe milk supply.

5. We believe that initial testing should be done in a manner that will provide surveillance without stigma or economic hardship. Possibly a double-blind study would be the best way to begin the program to avoid harming processors and responsible producers.

6. Chain of custody of any cow or calf sold by a dairy owner and not taken directly to slaughter should be a consideration in residue testing. Calf buyers, sale barn personnel, brokers, or even truckers could medicate an animal and it could be slaughtered as if the dairyman had medicated it, since new eartags or brands to reflect a change of ownership would not normally be applied under these conditions. Dairy owners cannot be held responsible for residues if they were created after an animal has left the dairy premises.

7. We want to stress that all imported foods could be used as vehicles or carriers to deliver infectious agents or toxins in a terrorist attack. Adulterated foods likewise could have extremely detrimental effects on our population. Certain drugs, additives, pesticides or medications, if improperly used in the country of origin, could potentially sicken or kill thousands of people. In 2008, infant formula fed to babies in China was found to contain a chemical called melamine, a substance that had been added to dairy products to boost the quantitative protein analysis. This incident of adulteration of milk powder sickened and killed babies who consumed it. It is important to note that ALL imported dairy products are produced under conditions outside U.S. regulatory oversight and with little or no on-farm scrutiny. Country of origin labeling (COOL) on milk ingredients, milk protein concentrates, and caseinates is not even required, yet processors here in our country continue to add certain of these unlabeled, virtually untraceable imported products to our domestically produced milk in the making of certain processed cheeses and yogurts. If your goal is to protect the American consumer from unwanted residues in dairy products, a heightened level of surveillance for additives, drugs, pesticides, and contaminants must be initiated for ALL imported dairy foods and proteins and strict "Country of Origin" labeling must become mandatory for all of these products and ingredients. Final processed products should be clearly labeled so that the consumer knows where each component originated. We further believe that importers of these products should bear all costs of this testing.

8. We have spent millions of advertising dollars promoting consumer confidence in our domestic dairy products. This expenditure and the future marketability of our products will be put at extreme and unacceptable risk and ALL producers will suffer economic harm in the event that this testing program is improperly handled and managed. No producer and no co-op can afford the disaster that will ensue if consumers are unduly panicked by product recalls and news of widespread dumping of milk.

Thank you for your consideration of these issues.