



June 13, 2014

Mr. Michael Taylor
Deputy Commissioner for Foods
U.S. Food and Drug Administration, Bldg #1
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Mr. Taylor:

ACS was delighted to learn from Kari Barrett that FDA wishes to meet with artisan cheese industry stakeholders in the coming weeks to begin an open dialogue that we hope will ensure the continued safety of American cheeses, and the preservation of the traditional cheesemaking methods used to bring those cheeses to our tables.

We appreciate FDA's prompt action in attempting to clarify confusion over cheese aging on wood shelves, and we understand that Monica Metz's statement was not definitive, and did not constitute policy. We look forward to hearing more specific details about safe practices for cheese aging on wood at the session being presented by FDA at 9:30 a.m. CT, July 15, 2014 at the National Association of Dairy Regulatory Officials (NADRO) conference in Kansas City, MO; and we invite FDA to speak directly to the artisan cheese community at our own upcoming Annual Conference, July 29 – August 1, 2014 in Sacramento, CA. In advance of these events, we are requesting a meeting with you and your staff to discuss these issues.

FDA's "Clarification on Using Wood Shelving in Artisanal Cheesemaking" stated that, "Since 2010, FDA inspections have found *Listeria monocytogenes* in more than 20 percent of inspections of artisanal cheesemakers." It appears this percentage was based on the same numbers reported by John Sheehan in his April 23, 2014 presentation at the International Cheese Technology Exposition (ICTE) (attached) which cited the following actual number and statistics:

2010 Results:

- 124 cheese manufacturers were inspected
- 30 firms (24%) were found to have *Listeria monocytogenes* in their environments
- Of the 124 firms, 41 were artisanal cheese manufacturers
- 8 artisanal firms (22% [*sic*]) were found to have *Listeria monocytogenes* in their environments

Using the numbers reported by Mr. Sheehan:

- **Of non-artisanal cheese manufacturers** inspected (83), **27%** (22) were found to have *Listeria monocytogenes* in their environments
- **Of artisanal cheesemakers** inspected (41), **20%** (8) were found to have *Listeria monocytogenes* in their environments
- **Of all cheese manufacturers** inspected (124), **24%** (30) were found to have *Listeria monocytogenes* in their environments

Please confirm that these are in fact the accurate numbers and percentages so that we have a clear picture of your findings, as well as any data on the production volume represented by each category of producer. This will help us understand why and where FDA will be focusing its inspection and enforcement efforts.

The groundswell of recent media attention over cheese aging on wood, and the widespread concern it raised throughout the wider cheese industry, is something we hope to avoid in the future. Concern was great because:

- 75% of cheesemakers in three of the top artisan cheese-producing states (California, Vermont, Wisconsin) age cheese on wood
- 65% of ACS cheesemakers use wood to age at least some of their cheeses
- Over half of all cheeses imported into the U.S. are aged on wood
- Many cheeses in Europe are required to be aged on wood in order to meet their carefully controlled designations of origin.

We believe that through collaborative sharing of science, education, and open communication among all industry stakeholders, we can create greater understanding and appreciation of both the art and science of cheesemaking.

ACS has taken every opportunity afforded us to engage with FDA by participating in public hearings, briefing calls, proactively seeking audience with FDA, and issuing invitations for FDA participation in our industry events. We remain committed to taking part in any and all FDA discussions relevant to cheese, as we expressed earlier in the attached:

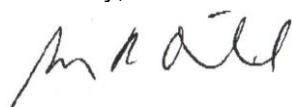
Public Comments dated: April 20, 2011; January 31, 2012; April 22, 2013; May 22, 2013

Position Statements issued: November 17, 2010; April 12, 2012; June 10, 2014

Letters to FDA dated: December 17, 2012; April 7, 2014

FDA's science-based approach, and your forward-looking, "trust but verify" approach to working with industry, are shared by ACS. We believe the artisan cheese industry can experience continued growth in this country while setting an example as proactive leaders in ensuring safe, high-quality food products. Research and history in the U.S. and abroad bears this out. Our goal is to work in partnership with FDA to ensure a safe food supply, the survival of traditional production methods, consumer choice and accessibility, and rural economic development.

Sincerely,



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cc: Margaret A. Hamburg, Commissioner, FDA
Kari Barrett, Advisor for Strategic Communications and Public Engagement, FDA Office of Foods and Veterinary Medicine
Donald Kraemer, Senior Advisor, FDA Center for Food Safety and Applied Nutrition
Michael Landa, Director, FDA Center for Food Safety and Applied Nutrition
John C. Mowbray, General Health Scientist, FDA Center for Food Safety and Applied Nutrition
John Sheehan, Director, Division of Plant and Dairy Food Safety, FDA Center for Food Safety and Applied Nutrition

American Cheese Society Board of Directors
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Casey McCue, President, National Association of Dairy Regulatory Officials and Director, Division of
Milk Control, New York State Department of Agriculture & Markets
James Robson, Chief Executive Officer, Wisconsin Milk Marketing Board
Jim Sliwa, Manager, Media Relations, American Society for Microbiology
John Umhoefer, Executive Director, Wisconsin Cheese Makers Association

Senator Tammy Baldwin, Wisconsin
Senator Dick Durbin, Illinois
Senator Bernie Sanders, Vermont
Senator Charles E. Schumer, New York
Congressman Greg Walden, Oregon
Senator Ron Wyden, Oregon

U.S. Senate Committee on Agriculture, Nutrition, and Forestry members:

Senator Michael Bennet, Colorado
Senator Patrick Leahy, Vermont
Senator Debbie Stabenow, Michigan (Chairwoman)

Members of Congress in support of the Welch/Ribble/Kind/Ryan/Duffy/Defazio/
Pocan/Gibson/Pingree/Huffman/Hanna/Courtney/Owens/Kuster/Petri/Walberg/
Weber Amendment including:

Peter Welch, Vermont
Reid Ribble, Wisconsin
Ron Kind, Wisconsin
Paul Ryan, Wisconsin
Sean Duffy, Wisconsin
Peter Defazio, Oregon
Mark Pocan, Wisconsin
Chris Gibson, New York
Chellie Pingree, Maine
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Joe Courtney, Connecticut
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Thomas Petri, Wisconsin
Tim Walberg, Michigan
Randy Weber, Texas