



Date: March 10, 2016

To: Mr. R. David Edelman  
Special Assistant to the President for Economic and Technology Policy  
National Economic Council and Office of Science and Technology Policy

Via: E-mail

Dear Mr. Edelman,

Thank you for contacting the American Cheese Society (ACS) to discuss issues of concern to the artisan cheese industry which the National Economic Council might present to President Obama. There are a number of industry issues that risk impeding innovation, economic development, and the growth of our industry; as well as ways the industry could be supported through increased visibility and awareness.

We appreciate this opportunity to share our thoughts. Below we have outlined six areas of interest, as well as potential ways that White House support could directly address those issues to strengthen the progress of our industry.

**Collaborative, science-based regulation that recognizes traditional cheesemaking practices**

Cheesemakers are hardworking, passionate, and conscientiously dedicated to continuing their successful track record of producing safe, healthful, diverse, and delicious foods. The American Cheese Society seeks to preserve the unique, traditional methods of artisan producers. It is ACS's position, and the epidemiological data confirm, that raw milk and pasteurized milk cheeses can be, and are routinely, made safely. In addition, the standards for ensuring the safety of cheese in the U.S. are not fully in sync with those around the world. With the FDA looking at harmonizing processes with trading partners like Canada and the E.U., we hope that scientific studies will meld with successful practices used in those countries to guide the FDA's direction on preventive controls for the domestic artisan cheese industry. Production processes with clear steps, monitoring, testing, and well-designed and implemented safety plans are essential, and can be created while still following many traditional methods.

Raw milk cheese is one product category that is central to traditional cheesemaking. 59% of ACS cheesemakers produce some raw milk cheeses, and 35% produce exclusively raw milk cheeses. We seek to protect their right to make it, eliminate their fear that it will be banned, and in doing so encourage innovation among cheesemakers who want to create new products. This will also encourage innovation among academics and researchers who can devote more resources to finding ways to make raw milk cheese safely. Businesses cannot operate in a climate of uncertainty. In order to invest in their businesses, they cannot be held hostage to the vagaries of regulatory change that is not based on relevant data and science. Regulatory over-reach that inordinately focuses on artisan cheese is not supported by FDA's own data, and risks undermining the work of small, local producers.

➤ **A statement on raw milk cheese as an important part of our cultural heritage and our economic future**, and consideration that any regulations affecting cheesemakers should not make it more difficult to produce raw milk cheese varieties. Creation of an Artisan Cheese Commission or an Artisan Cheese Liaison to FDA to ensure industry involvement in the development or modification of regulations affecting cheesemakers would also help ensure that smaller producers' voices are not overshadowed by big dairy industry voices.

**More information:**

- [Snapshot of seven artisan cheesemakers and their businesses](#) (as presented to FDA at 2-11-16 listening session).
- [ACS Statement on the Safety of Raw Milk Cheese](#).
- ACS [letter](#) to FDA Deputy Director Michael Taylor and CFSAN Director Susan Mayne in follow up to the 2-11-16 meeting held with ACS members in Washington, DC.
- ACS [Request for Data](#) submitted recently to FDA for information from FDA's Listeria Environmental Sampling Program and FDA's Raw Milk Cheese Sampling Program.
- [ACS comments](#) submitted to Federal Register in response to FDA Request for Information Regarding Safe Production of Cheese from Unpasteurized Milk, October 2015.

**Artisan cheesemaking as the segment of the market currently fueling cheese industry growth**

Local economies and communities are impacted by any regulatory changes or preventive measures. Any changes must take into consideration the differences that are integral to artisan production, and which provide viable livelihoods and economic structures for farm communities. Dr. Cathy Donnelly at the University of Vermont has examined the benefit to these communities and found that for a farmer with 50 cows, annual gross revenues from fluid milk would total just \$100,000. Making artisan cheese from that same milk would transform that into one million dollars, and employ many more people. Excessive record keeping, elevated fees, or policies that inordinately impact small producers might risk their being forced out of business. In Wisconsin, two-thirds of the growth of the cheese industry in the past 15 years has come from the specialty cheese segment – a segment that now makes up one-quarter of all Wisconsin cheese production. Ready-to-eat processed food, high volume producers, and post-production contamination are where the highest risks have statistically been, so perhaps focus should be directed to those areas and relevant businesses.

➤ **Recognition of the importance of artisan and specialty cheese as a value-added product** that is revitalizing rural economies, saving family farms from bankruptcy, and spurring the growth of the cheese industry. A clear message that the continued production of artisan cheese is essential to the success of the broader American cheese industry.

**More information:**

- [ACS Statement on the Importance of Artisan, Farmstead, and Specialty Cheese](#)

**Education for the farmer, facility, distributor, inspector, and state departments of agriculture**

The average age of the American farmer continues to rise, but among ACS members, there is an influx of younger people interested in dairy farming based on the opportunity to create a value-added product like cheese. In addressing the audience at our annual conference in 2012, Temple Grandin looked out among the crowd and enthusiastically remarked on the many young people involved in artisan cheese. She remarked that this was a sight she does not often encounter when meeting with agricultural organizations. These enthusiastic entrepreneurs need resources and education to move ahead with their business, and to set them up for success.

Good manufacturing practices and food safety plans are created through outreach, education, training, and certifications provided by land grant universities, extension offices, and associations like the American Cheese Society. Adequate funding is needed to properly train everyone involved in the process of creating artisan cheese and sending it safely to market, from farmers to cheesemakers to inspectors. As there is no mandated training for inspectors around artisan cheese best practices, many inspectors are lacking a basic understanding of how artisan cheese production differs from that of processed/commodity cheese.

➤ **Allocate a portion of FSMA funding toward the education of current farmers, producers, and inspectors**, with an eye toward recruiting and training the next generation. This will foster a new generation of cheesemakers on farms and strengthen the working landscapes of the country. The industry would benefit from science-based studies that fuel education, active FDA participation in industry education, open sharing of FDA's data, and support for a well-trained cadre of inspectors knowledgeable in the specifics of artisan cheesemaking. With today's technology, think "Kahn Academy" for inspectors; ensuring that inspectors are well-trained experts abreast of the most current artisan cheese best practices, who can partner with producers to enhance public safety.

#### **An environment of trust that encourages producer collection, tracking, and open sharing of data**

Testing and third-party audits are the key preventive measures being practiced by growers, producers, and makers. Based on historical practices, many stakeholders fear FDA's having unlimited access to such internal testing and audits. Such tests are conducted to provide an understanding of environments, ingredients, and finished product. They should be encouraged, with data used to manage best practices, not to regulate. If all safety-related data that producers generate must be reported to the FDA, producers need to feel confident that the data will be used to help improve industry practices, not merely to enforce and penalize. USDA operates in a fashion that encourages monitoring, collaborating, and taking corrective steps to improve outcomes; FDA, despite the new philosophy of FSMA, continues to enforce more than to educate/improve for enhanced safety. In addition, testing, record-keeping, and reporting should be useful tools, not unnecessary or costly burdens that unduly slow small business growth.

➤ **A statement in support of FSMA's philosophy to "trust but verify" through actions that encourage producers rather than penalize them** for monitoring their operations and taking corrective action to ensure safety. Producers want to do what's right, and should feel confident that tests they conduct, and corrective steps they take to make improvements, can be tracked and recorded to enhance safety protocols without leading to unwarranted scrutiny of their operations.

#### **Common product names that ensure clarity for consumers and a level playing field with imports**

In trade negotiations, particularly those such as the Transatlantic Trade and Investment Partnership (TTIP), issues of food names associated with geographical regions are often incorporated in the negotiating process. There is a risk that American producers of cheeses with names that have been in common use for decades could be unable to refer to their cheeses by those names, which are well-known, generic definers to consumers. This could be catastrophic for cheesemakers who would need to reinvest not only in labeling and packaging, but who would also need to find new ways to describe their products to customers. American producers would be put at a disadvantage vis-à-vis competing imported products.

ACS's position is that we must protect, recognize, and avoid misappropriation of legitimate geographical indications (such as Parmigiano-Reggiano) while permitting continued use of the commonly used, generic names that have become part of the public domain (such as parmesan). If producers are unable to call their cheeses cheddar, brie, feta, gouda, etc., they will be placed at a great disadvantage when compared to imported cheeses, and could risk going out of business due to costs involved with re-branding and re-marketing their established products. In the United States alone, the U.S. Dairy Export Council estimates that production of roughly \$4.2 billion worth of cheese by companies of all sizes could be impacted.

➤ **Defend the right of U.S. cheesemakers to continue their use of generic cheese names.** Avoid adding language to any international trade agreements that limits the use of these common cheese names by domestic producers.

**More information:**

- [“What’s in a Name? Actually, a lot”](#) (ACS press release, March 2014)
- Consortium for Common Food Names, [“Names at Risk”](#)

**A celebration of October as American Cheese Month**

Since 2011, ACS has promoted October as American Cheese Month, an opportunity to recognize, appreciate, and value the important work and great cheese produced by American cheesemakers. American Cheese Month (ACM) has been recognized by the State of Colorado through proclamation every year since its inception. This is a grassroots effort to recognize great cheese, with events spawning organically throughout the country. Thus far, ACM has encouraged hundreds of events that allow cheese-lovers to pick up the mantle of great, domestic cheese. October is the perfect month to recognize American cheeses and get them top of mind with consumers heading into the holiday season. Producers benefit when consumers are thinking about the unique, wonderful, American-made products that might grace their tables for our uniquely American holiday, Thanksgiving.

➤ **Officially recognize October as American Cheese Month through Presidential proclamation and/or Congressional resolution.**