



# OHIO DAIRY PRODUCERS ASSOCIATION

*Supporting Ohio's dairy production industry; optimizing profitability and productivity;  
addressing issues that affect dairy producers*

November 14, 2018

The Honorable Scott Gottlieb  
Commissioner  
US Food and Drug Administration  
10903 New Hampshire Ave  
Silver Spring, MD 20993

Re: Docket No. FDA-2018-N-3522

Dear Commissioner Gottlieb

The Ohio Dairy Producers Association appreciates the opportunity to express our support for the U.S. Food and Drug Administration (FDA) to take enforcement action against the misuse of dairy food names on plant-based imitators.

Our organization strongly opposes allowing imitation dairy products, such as those made from soy, almond or other non-dairy ingredients, to bear the names of traditional or standardized dairy foods.

We believe the use of the term "milk" by manufacturers of plant-based beverages is a violation of milk's standard of identity and are concerned that other dairy terms are also being misappropriated for imitation butter, yogurt, cheese and ice cream.

Federal standards of identity for milk and dairy products exist to promote honesty and fair dealing in the interest of consumers. When plant-based imitators apply dairy terminology to non-standardized, nutritionally inferior products, it causes consumer confusion according to an IPSOS survey commissioned by Dairy Management Inc. in August.

Many consumers know that milk provides nine essential nutrients necessary for healthy children and adults. However, the labeling of plant-based alternatives as "milk" conveys a nutritional equivalency that is not accurate. A marketplace survey conducted by National Milk Producers Federation found that none of the non-dairy imitations on the market matched the nutritional package found in real milk.

Using dairy terms to describe plant-based imitators is inappropriate and misleading. We believe consumers should not receive false signals about the products they buy, and we urge you to enforce the FDA regulations defining what may be labeled as a dairy product.

Thank you for attention to this matter.

Sincerely,

Scott E. Higgins  
ODPA Chief Executive Officer

Joe Miley  
ODPA Chair and Dairy Farmer