

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE RESOLUTION

No. 382 Session of  
2018

---

INTRODUCED BY AUMENT, GORDNER, LANGERHOLC, ARGALL, MARTIN,  
BROOKS AND BROWNE, JUNE 11, 2018

---

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JUNE 11, 2018

---

A RESOLUTION

1 Urging the Federal Food and Drug Administration to enforce  
2 existing guidelines establishing a clear standard of identity  
3 for milk.

4 WHEREAS, In this Commonwealth, agriculture is the largest  
5 industry and dairy operations are a vital component to the  
6 agriculture industry, directly and indirectly employing 52,000  
7 residents of this Commonwealth and contributing \$14.7 billion to  
8 the economy; and

9 WHEREAS, According to the 2015-2020 Dietary Guidelines for  
10 Americans published by the United States Department of Health  
11 and Human Services as well as the United States Department of  
12 Agriculture, dairy products, including milk, are an important  
13 part of a healthy diet for children and adults providing  
14 excellent nutritional value and health benefits, including  
15 lowering the risk of diabetes, metabolic syndrome,  
16 cardiovascular disease and obesity; and

17 WHEREAS, Imitation dairy products such as plant-based  
18 products derived from rice, nuts, soybeans, hemp, coconut, algae

1 and other foods often do not provide the same nutrition content  
2 as real dairy products because they do not contain milk; and

3 WHEREAS, Mislabeling milk products and the misappropriation  
4 of the word "milk" confuses consumers and compounds the market  
5 challenges facing dairy producers, which has resulted in milk  
6 prices being 50% lower today than they were in 2014; and

7 WHEREAS, The Federal Food and Drug Administration, who has  
8 the authority to regulate advertising and labeling of foods, has  
9 enforced the Federal Food and Drug Administration's "Standard of  
10 Identity" inconsistently and on a case-by-case basis; and

11 WHEREAS, The standard of identity requires that products  
12 labeled "milk" must come from cows and section 403(a) of the  
13 Federal Food, Drug, and Cosmetic Act prohibits the "misbranding"  
14 of food, including labeling that is false or misleading; and

15 WHEREAS, The labeling of milk alternatives as a form of milk  
16 is both false and misleading because dairy milk and milk  
17 alternatives are not the same in their production, nutritional  
18 value or ingredients and are different in taste, texture and  
19 consistency; therefore be it

20 RESOLVED, That the Senate of the Commonwealth of Pennsylvania  
21 strongly urge the Federal Food and Drug Administration to  
22 enforce existing guidelines establishing a clear standard of  
23 identity for milk by blocking the sale of plant-based beverages  
24 branded as milk; and be it further

25 RESOLVED, That, through the enforcement of existing  
26 guidelines, the Federal Food and Drug Administration will  
27 protect dairy farmers, producers and the healthy consumption of  
28 milk and dairy products while preventing consumer confusion; and  
29 be it further

30 RESOLVED, That copies of this resolution be transmitted to

1 the Commissioner of the Federal Food and Drug Administration,  
2 the Secretary of the United States Department of Agriculture and  
3 to each member of Congress from Pennsylvania.