

3210

Comment # 8

Johnson, Lydia

From: David Rice <dave@clovercreekcheese.com>
Sent: Monday, September 3, 2018 4:23 PM
To: Johnson, Lydia
Subject: Cheese Guild support for changes in § 59a.402 (relating to raw milk; prohibitions)

Pennsylvania Cheese Guild a Project of
The Foundation for Enhancing Communities
200 N 3rd St., 8th Fl
Harrisburg, PA 17101
717.236.5040

RECEIVED
SEP -6 2018
Independent Regulatory
Review Commission

Lydia Johnson, Ph.D.
Director, Bureau of Food Safety and Laboratory Services
Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110-9408
(717) 787-4315

Esteemed Dr. Johnson,

The members of the PA Cheese Guild strongly support The Pennsylvania Department of Agriculture's proposal to amend § 59a.402 (relating to raw milk; prohibitions) to read as set forth in Annex A.

The need for this proposal is felt by the more than sixty-nine cheesemakers who live, work, and seek to sell cheese in Pennsylvania. The current PA 59a.402 law allows only one standard identity for raw milk cheese: hard cheese. However, FDA regulations in 21 CFR Part 133, Subpart B allow for 57 standard identities. The current PA 59a.402 law adversely affects the 56 cheesemakers who produce raw milk cheeses in PA. The solitary standard identity in Pennsylvania prevents PA cheesemakers from producing the styles of cheeses that customers want to purchase. It also prevents a variety of standardized cheeses from being sold at their optimum flavor and moisture level. The result is that PA cheesemakers are losing sales in the state, thereby requiring regional customers to purchase cheeses imported from other states. In addition to production, sales and economic constraints on PA cheesemakers, the law stifles innovation and discourages the research and development of new original Pennsylvania styles of cheeses. Furthermore, the discrepancies between the PDA and FDA regulations have caused confusion and frustration among producers and the

dairy sanitarians enforcing codes. The proposed change would harmonize PA law with the standard identities enforced through FDA 21 CFR Part 133.

PA Cheese Guild members have estimated that a loss of \$3,000-\$60,000 per Pennsylvania cheesemaker would occur if the proposed change to the law is not implemented. This constraint compounds the economic pressure that Pennsylvania dairy farmers are experiencing. Now is a time that our state's dairy producers need continued support from the Department of Agriculture to be able to compete in an ever crowded and evolving marketplace. Dairy processors in the Northeastern U.S. including New Jersey, New York, Vermont, Massachusetts and Maine among others are compliant with CRF133, which is a critical means of distributing and growing their operations and participating in this flourishing market.

Thank you for your attention to this matter,

Submitted by David Rice for:
The Pennsylvania Cheese Guild Board of Directors:

Sue
Miller
Sam
Kennedy
Melanie
Dietrich-
Cochran
Stefanie
Angstadt
Nathan
Holmes
Kerry
Kaylegian
Jude
Hess
Rynn
Caputo



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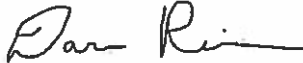
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From the Regulations Committee:

A handwritten signature in cursive script, appearing to read "David Rice".

David Rice
Chair of the Committee