



Governor Ted Strickland
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Director Robert J. Boggs

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FOR IMMEDIATE RELEASE

Ohio Department of Agriculture Releases New Rule on Dairy Labeling

REYNOLDSBURG, Ohio (Feb. 7, 2008) – Today the Ohio Department of Agriculture released and implemented a new rule on dairy labeling regarding recombinant bovine somatotropin (rbST), a supplement used for milk production. The rule provides guidelines for the language that is permitted on labels and establishes a verification process for marketing organizations and labeling entities.

“After months of input from consumers and industry stakeholders this rule was developed to give guidance to the dairy industry to prevent mislabeled products,” Ohio Agriculture Director Robert Boggs said. “Our number one goal is to provide consumers with safe and healthy foods, and to offer clear and consistent information about the food consumers purchase. Ohio’s dairy labels will offer consumers information about how their food is produced.”

The department will approve labels if a claim that the milk is derived “from cows not supplemented with rbST” is verifiable. The claim must also include a contiguous, identically formatted U.S. Food and Drug Administration (FDA) disclaimer stating, “no significant difference has been shown between milk derived from rbST-supplemented and non-rbST-supplemented cows.”

Since there is no test to detect rbST in milk, the rule places the burden of verification on the marketing organization or labeling entity, which must be able to prove production claims are accurate through proper documentation. For instance, producer-signed affidavits, farm weight tickets, and processing plant audit trails are among some of the supporting documents that must be readily available for ODA inspection.

“We expect marketing organizations and labeling entities to have verification systems in place to ensure consumers are receiving what is printed on the label,” Boggs said.

Governor Ted Strickland signed an executive order today, issuing an emergency rule prohibiting the mislabeling of dairy products and defining what constitutes false and misleading labels for dairy products. The emergency rule, effective immediately, establishes acceptable, more consistent labeling practices for dairy marketing organizations and labeling entities pertaining to rbST.

The emergency rule provides guidance to the dairy industry and helps interpret the existing law contained in Ohio Revised Code 917.05 and 3715.60. These laws authorize ODA to take enforcement action if a dairy label contains false or misleading statements.

The emergency rule is in effect for 90 days while ODA completes the statutory rule-making process through the Joint Committee on Agency Rule Review. As part of the process, a formal public hearing will be held to give stakeholders an opportunity to comment on the proposed rule.

For more information on the executive order and emergency rule or for public comments compiled during a series of Dairy Labeling Advisory Committee meetings, go to www.ohioagriculture.gov. Milk producers and marketing organizations can contact the Dairy Division at 614-387-1094 or dairy@agri.ohio.gov.

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