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Dairy

U.S. dairy urges administration to address trade barriers

By CAROL RYAN DUMAS
Capital Press

U.S. dairy groups welcomed the announcement that the U.S. and the European Union agreed to a five-year suspension of tariffs related to subsidies in the Boeing-Airbus cases before the World Trade Organization but say more work needs to be done to prevent disruptions in U.S. dairy exports to the EU.

"The U.S. needs a holistic approach to Europe's continued attempts to disrupt international trade so that our exporters have a dependable and more reasonable playing field on which to compete," said Krysta Harden, president and CEO of the U.S. Dairy Export Council.

The European Commission published new certification requirements at the end of 2020 for a wide range of food products, adding confusing and vague requirements that threaten to upend U.S. dairy exports to the EU, according to the export council and National Milk Producers Federation.

The mandates seek to force the U.S. to change its regulatory system to match the EU's standards, the groups said.

Those changes are set to take effect on Aug. 21.

"U.S. exporters continually have to chase new mandates by the European Union to retain our current access, even when there are no safety concerns with American dairy

products," said Jim Mulhern, National Milk's president and CEO.

"Too often dairy trade with the EU is a one-way street," he said.

The EU's frequent approach is to mandate prescriptive procedures that cause U.S. dairy exporters to make time-consuming changes just to retain access to that market, he said.

The EU's efforts to impose its own process-focused regulations on trading partners run counter to its international commitments and appear designed simply to layer added cost and complications upon imported products to discourage trade, the groups said.

"To continue to move transatlantic trade relations forward, the EU's underlying approach to agricultural trade must change," they said.

On Monday, Reps, Ron Kind, D-Wis.; Jackie Walorski, R-Ind.; Jim Costa, D-Calif.; and John Katko, R-N.Y., wrote to EU Ambassador to the U.S. Stavros Lambrinidis calling on the EU to delay implementation of the new certification requirements until U.S. and EU negotiators can reach a mutually agreed-upon solution.

The lawmakers said they are concerned with the inflexibility the EU has maintained regarding the new requirements for U.S. exports of food and agriculture products, including meat and dairy.

Dairy research awarded \$10 million

Capital Press

The Foundation for Food and Agriculture Research has awarded a \$10 million grant in support of U.S. dairy's Net Zero Initiative as a means of advancing the industry's 2050 Environmental Stewardship Goals.

The funding will support a 6-year project that will produce data to be shared by the dairy community to provide measurement-based assessments of dairy's greenhouse gas footprint for feed production and set the stage for new market opportunities related to carbon, water quality and soil health.

The grant will be matched by contributions from Net Zero Initiative partners such as Nestle, the dairy industry, Newtri-



Capital Press File

New research will help scientists understand and improve dairy sustainability.

ent and in-kind support for a total of \$23.2 million. The funds will be managed by the Dairy Research Institute, which is staffed by Dairy Management Inc. to conduct research on behalf of the industry.

DMI scientists will serve as the project leads to address research gaps in feed production and manure-based fertilizers that, once filled, will enable new markets, incentives and investments

in dairy sustainability. "Addressing the U.S. dairy industry's emissions is a critical solution to climate change," said Sally Rockey, FFAR executive director.

"I know dairy farmers are working hard to decrease their environmental footprint, and I'm thrilled to support their efforts by advancing research needed to adopt climate-smart practices on dairy farms across the country," she said.

Through foundational science, on-farm pilots and development of new product markets, the Net Zero Initiative aims to knock down barriers and create incentives for farmers that will lead to economic viability and positive environmental impact.

Wisconsin bills target milk, meat, dairy labeling

By SCOTT BAUER
The Associated Press

MADISON, Wis. (AP) — Vegetarian and vegan foods sold in Wisconsin could not be labeled as meat, milk or dairy if they don't contain those products, under bills up for votes June 22 in the state Assembly.

The "truth in labeling" measures are supported by the state's agriculture and dairy industries as a way to combat what they say are misleading products that are marketed as "Impossible burgers" and use other words

such as "cheese" and "milk" but don't actually contain meat, milk or dairy. Bill supporters say they will help protect Wisconsin's agriculture economy while putting pressure on the federal government to take action.

Opposition to the bills came from a variety of groups that promote plant-based food, such as soy and nuts, as an alternative to meat and dairy products. They argue that the bills are unnecessary, bad for Wisconsin businesses and consumers, and an unconstitutional infringement on free speech rights.

A federal judge in 2019 blocked Arkansas from enforcing a ban on using such terms as "burger" or "sausage" to sell vegetarian and vegan products because it likely violated the First Amendment's free speech rights. There are similar lawsuits against food labeling laws in Missouri and Mississippi.

One of the Wisconsin bills up for a vote would ban labeling a beverage as milk unless it comes from cows, goats and other hooved mammals. Another would prohibit selling a product as cream, yogurt or cheese

unless it includes dairy.

Those would only take effect if 10 states out of a group of 15 approve similar bans by 2031. The move is designed to make sure the bills don't violate the Constitution's commerce clause, which gives Congress — not states — the right to regulate interstate commerce.

Only two states in the group, Maryland and North Carolina, have passed milk labeling laws, but those laws haven't taken effect because of similar provisions requiring other states to follow suit.

Milk production continues to grow

By LEE MIELKE
For the Capital Press

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U.S. milk output shot sharply higher in May, hitting a record 19.85 billion pounds, according to the USDA's preliminary data. That's up 4.6% from May 2020, and the biggest month-to-month increase since March 2006, thanks to good weather, increased cow numbers, and increased milk per cow.

It was the 12th month in a row to top year ago output and up a hefty 4.1% from May 2019. May output in the top 24 producing states hit 18.9 billion pounds, up 4.9%.

Keep in mind a year ago the nation was coping with the COVID pandemic, which had caused dairy product prices to plunge due to shuttered restaurants and a drop in foodservice demand, creating havoc throughout the entire food chain. In addition, many dairy farmers faced milk production restrictions mandated by their cooperatives.

Revisions added 45 million pounds to the April 50-state estimate, now put at 19.34 billion pounds, up

3.5% from a year ago, instead of the originally reported 3.3%.

May cow numbers were up for the 11th consecutive month, totaling 9.5 million head in the 50 states, up 145,000 from May 2020. May numbers were up 5,000 from the April count, which, with USDA revisions, was up an astounding 26,000 head from March.

May output per cow averaged 2,088 pounds, up 61 pounds or 3% from 2020.

California cows added 179 million pounds or 5.0% more milk in the tank than a year ago, thanks to a 105-pound gain per cow, but 1,000 fewer cows. Wisconsin output was up 144 million pounds or 5.6%, on an 85-pound gain per cow and 17,000 more cows.

Idaho was up 2.7%, on 10,000 more cows and 25 pounds more per cow. Michigan was up 5.1%, on 17,000 more cows and a 25-pound gain per cow.

\$1M settlement reached in dairy worker overtime lawsuit

The Associated Press

YAKIMA, Wash. — Yakima County Superior Court has approved a \$1 million settlement that provides retroactive overtime pay for workers at a Lower Yakima Valley dairy.

The settlement wraps up a class-action lawsuit filed in 2016 by Jose Martinez-Cuevas and Patricia Aguilar on behalf of nearly 300 workers of DeRuyter Brothers Dairy of Outlook, the Yakima Herald reported.

Martinez-Cuevas and Aguilar alleged that they worked nine to 12 hours a day, six hours a week without rest breaks, meal pay or overtime pay.

Most of the wage claims were resolved in a \$600,000 settlement approved in 2017. That settlement left unresolved a challenge to state

law that exempted workers from overtime pay.

The case went to the Washington Supreme Court, which ruled last fall that the overtime exemption for the dairy workers was unconstitutional. However, the question of whether the DeRuyter workers were entitled to retroactive overtime pay went back to Yakima County Superior Court.

The case was set for a hearing, but a settlement was reached, said Andrea Schmitt, an attorney for Columbia Legal Services, which represented the workers.

Former owners Jacobus and Geneva DeRuyter have sold the dairy but will still fulfill the settlement terms.

The DeRuyters' lawyer said the original complaint challenged state law on overtime, but didn't claim DeRuyter violated the law as written at the time.

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