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*Testimony before the Senate Committee on Agriculture, Revenue and Financial Institutions
State Senator André Jacque
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Chairman Marklein and Committee Members,

Thank you for holding this hearing on Senate Bill 685, relating to using milk producer affidavits to substantiate claims that a dairy product is free of synthetic bovine growth hormone.

The Wisconsin Dairy Task Force 2.0 was created in June 2018 as a joint effort between DATCP and the UW System to study the Wisconsin dairy industry with the goal of making recommendations on the actions that would be needed to maintain a viable and profitable dairy industry in Wisconsin. It was modeled after a similar effort in 1985.

A link to the Task Force's Final Report as well as a link to the original report from 1985 can be found at https://datcp.wi.gov/Pages/Growing_WI/DairyTaskForce.aspx

One of the recommendations forwarded by its regulatory certainty subcommittee and approved by the Dairy Task Force 2.0 by a vote of 26-0 is the removal of the annual requirement for the rBST affidavit under Administrative Rule ATCP 83.02.

Currently dairy cooperatives' proprietary handlers and milk contractors must obtain a signed and notarized affidavit every 12 months or less from every producer shipping milk identified as rBST-free. Many dairy cooperatives and processors in Wisconsin now require 100 percent rBST-free milk. The requirement to obtain a signature every year adds cost and record-keeping challenges for the industry.

The legislature was silent on the duration of the affidavits when it enacted Wis. Stat. 97.25 in 1993 and it is inconsistent with requirements in other states. The vast majority of dairy processors require rBST-free milk in their products. The potential to lose a customer has provided the industry with the proper incentive to adequately police itself.

Senate Bill 685 prohibits the Department of Agriculture, Trade and Consumer Protection from promulgating a rule that limits the duration that a signed, sworn, and notarized affidavit from a milk producer may be used to substantiate a claim that a dairy product does not contain synthetic bovine growth hormone.

Senate Bill 685 is supported by Cooperative Network, the Wisconsin Farm Bureau Federation, Wisconsin Cheese Makers Association and the Dairy Business Association.

Thank you for your consideration of Senate Bill 685.