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News

State reverses on dairy labeling, allows hormone claims

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By Daniel Malloy, Pittsburgh Post-Gazette

After an October ban on certain types of dairy labeling caused an outcry, the Pennsylvania Department of Agriculture backed down yesterday, reaching a compromise to allow claims that milk is from cows not injected with a controversial hormone.

The department had banned "absence labeling" on milk containers, which included claims that the milk was from cows not treated with recombinant bovine growth hormone, also called recombinant bovine somatotropin or rbST.

But in a decision that was hailed by consumer advocates, milk producers in Pennsylvania now may put labels on their milk saying that it comes from cows not treated with rbST.

The hormone boosts naturally occurring growth hormones, causing cows to give higher amounts of milk for longer amounts of time. Produced by St. Louis-based Monsanto under the brand name Posilac, it is used by about one-fifth of the nation's dairy farmers.

It was approved by the U.S. Food and Drug Administration in 1993 amid resistance from advocacy groups, who trumpeted side effects such as increased udder infections, lameness and reactions at the injection site. Cattle health concerns are among the reasons Canada, Japan and much of Europe have banned the use of rbST.

Some studies have raised human health concerns as well, but the FDA and other mainstream scientific organizations have not supported them.

Proponents of rbST argue that using it is a safe and approved practice, and milk producers who don't use the hormone stoke irrational consumer fears about the quality and safety of the product.

In recent years there has been a sharp rise in production of non-rbST-produced milk, which is priced an average of 25 percent higher in the market place. Farmers sign an affidavit pledging not to use the hormone, which agriculture Secretary Dennis Wolff likened to nothing more than the honor system.

In October, Mr. Wolff, a former dairy farmer who did use the hormone, sent letters to 19 companies telling them they must change their labels -- making Pennsylvania the only state to ban such labels and breaking with Federal Trade Commission guidance issued just months earlier.

That decision brought strong backlash from anti-rbST groups and big companies -- such as Dean Foods -- who market the pricier non-rbST-produced milk. In November, Gov. Ed

Rendell's office initiated a review of the policy, pushing back its implementation. The saga ended yesterday when the agriculture department sent a memo with new labeling rules to all milk permit holders in the state, allowing certain rbST labels.

"This is a big victory for us," said Michael Hansen, staff scientist with Consumers Union, the publisher of Consumer Reports magazine and an organization that has opposed rbST for years. "This is a 178-degree turn. It's not quite 180 degrees, but virtually all."

The new milk regulation provides strict guidelines for labeling, banning claims such as "rbST-free" which is misleading because the hormone can't be detected even in milk from cows given the injections. Labels that pledge farmers do not use the hormone must be accompanied by a disclaimer such as: "No significant difference has been shown between milk derived from rbST-treated and non-rbST-treated cows."

Mary Bach, an independent consumer advocate, had strongly supported banning the labels. But yesterday she heralded the new guidelines as a good compromise.

The guidelines were the result of negotiations among lawyers from the Department of Agriculture and dairy companies and advocacy groups, who had threatened lawsuits. It is not an agreed upon standard, though, meaning that lawsuits still could be filed.

But Mr. Hansen said the legal threat wasn't as important as the flood of consumers who challenged the ruling.

In a statement, Mr. Rendell acknowledged the consumer rights aspect of the decision and stressed the importance of establishing specific and clear labeling regulations, which the state did not have before.

Mr. Rendell said: "I've directed the Department of Agriculture to increase the accountability of producers and to protect consumers by taking legal action against labels found to be inaccurate."

Turner Dairy Farms Inc. in Penn Hills uses milk only from cows not treated with the hormone, though they have never labeled it that way because of possible Department of Agriculture repercussions. Turner chose instead to promote their rbST-free practices only in ads.

Now that the issue is settled, said President Chuck Turner Jr., the company's products will be labeled to show their farmers do not use rbST.

"I think they were led to believe by maybe some dairy farm groups and drug manufacturers that [rbST-free production] was a concocted thing on our part, but it was a response to consumers," Mr. Turner said. "At the end of the day, the government has to do what the people want them to do."

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