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November 4, 2006

Andrew C. von Eschenbach, M.D.,
Acting Commissioner
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20857

I am writing as President of New York Farm Bureau and representing our more than 32,000 members, to express my serious concern regarding labeling of milk by retailers and fluid milk processors as milk "from cows not treated with rbST."

As you know, rbST is an FDA approved product that dairy farmers can safely use to enhance milk production in dairy cows. BST is a hormone naturally occurring in cattle and there is no difference in bST content in milk from treated or non-treated cows. However, our farmer members are being asked by their dairy cooperatives and milk handlers to sign affidavits that they will produce milk not using rbST technology.

In New York State as well as other regions in the Northeast milk shed, milk is increasingly being labeled as "from cows not treated with rbST." The unfortunate result of this misleading labeling is that consumers are led to believe that milk that is labeled as such, is somehow more healthy or safe than "regular" milk. As I am sure that you are well aware, that is far from truthful.

By this labeling gimmick, consumers may chose to purchase milk with the rbST free label based on misleading information, not on factual information. Consumers do not realize when purchasing milk labeled as rbST free that they are, in fact, purchasing a product that is no more healthy or safe than "regular" milk and thus are paying a premium price to the retailer, based on misleading labeling. In fact, both "regular" and milk produced "from cows not receiving rbST" are equally healthy, nutritious and safe. Both contain hormones, both contain bST.

Unfortunately, consumption of milk may be reduced because of the higher price charged for "milk produced from cows not receiving rbST". Consumers not only pay more for milk that has no additional benefits, but may also consume less of a healthy nutritious product.

Farmers also lose because it appears that they will receive little, if any, financial compensation for giving up an important tool in increasing the profitability of producing milk. It is of great concern to farmers that misleading labeling by retailers causes them to adjust production methods that have been proven to be safe and not affect the quality or composition of milk produced.

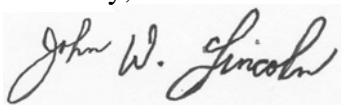
Misleading labeling of milk will remove choices available to both the consumer and farmer. Farmers will lose choices in production methods as retailers insist that farmers produce milk from cows not treated with rbST. Consumers will lose a choice in types of milk available for purchase. This likely scenario causes both consumer and farmers to suffer economically.

I strongly urge the FDA to regulate labeling of milk “from cows not treated with rbST” as misleading labeling. I request that the FDA take immediate action by requiring such labels on milk be removed until credible, peer reviewed, scientific evidence show health or food safety concerns resulting from farmers using rbST technology in milk production. As you should be aware, current scientific research has shown there to be no difference in milk from a health, quality, safety, or compositional aspect that is a result of cows receiving rbST to enhance production.

Retailers attempts to capture a relatively stable market by misleading the public into believing that milk from non-rbST treated cows is somehow more desirable than “regular” milk is just wrong.

Thank you for your consideration of this matter, and please let me know if you have any questions or if can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "John W. Lincoln". The signature is written in a cursive style with a large, stylized 'J' and 'L'.

John Lincoln, President
New York Farm Bureau