

Mateo Kehler
Cellars at Jasper Hill
802.533.2566.x101
mateo@jasperhillfarm.com
Testimony before the House Ag and Forest Committee

H.426 Expansion of raw milk sales

Madam Chair and Hon Members of the Committee. Thank you for inviting me to testify.

No one wants to be regulated but the fact is that every industry needs good regulation that is consistent, predictable and when possible rooted in sound science. We are specifically concerned that H.426 as presented authorizes the unlicensed production of value-added products, especially cheese.

Cheese is a fermented food that is microbiologically complex. The microbial ecology of raw milk is the sum of the practices on the farm, including bedding, feed, sanitation and milking protocols.

Raw Milk Cheese includes additional vectors, such as the production environment, the ecology of maturing rooms, microbial contributions from people and process. Cheese is alive and each morsel you are consuming has over 10 billion living microbes. It is one of the few foods we consume that is truly alive. This microbiological richness represents many threats to human health and many healthful and delicious benefits all resulting from the management of production from start to finish.

A cheesemaker manages this ecology in an intentional way through the monitoring and management of the microbiology of their raw milk, monitoring and control of acidification, facility design, microbiology and management of the cheesemaking and cheese aging environments and microbiology of finished product. This is managed through a very conscious and deliberate regimen of testing.

Test and ye shall find, Do not test and ye shall not find... There is no infallible system for delivering perfection. Companies large and small stumble. Testing is a verification that systems are working. A good rule of thumb is that a cheese business should spend between 1% and 3% of sales on testing. Jasper Hill spends approx. 2.5% of our gross receipts on raw milk, environmental and end product testing.

We are concerned that relaxing standards will negatively impact our business, the Vermont cheese industry and the Vermont Brand.

Small does not equal safe.... Sally Jackson in Oroville, WA, a pioneer in the artisan cheese industry shuttered her business a few years ago after sickening 8 people

with E.Coli. She had been in business for over 20 years and was milking just 50 sheep. Big does not equal safe either..... Kraft just had a massive recall.

The Vermont Dairy Industry brings in \$3 million in cash per day to the local economy and represents \$2.2 billion in annual economic activity. Artisan cheese has grown exponentially over the past decade and remains the fastest growing segment in the dairy industry. We estimate that this segment represents approximately \$60 million in annual revenue for Vermont cheesemakers and supports hundreds of jobs across the state. Does it make sense to undermine the excellence represented by our licensed cheesemaking community for 7 or 8 tier II producers?

One of Rural Vermont's primary arguments is that the current regulations are not 'fair'. From our perspective the fairness of this bill is a big problem but for very different reasons. Molly Pindel from Sage Farm in Stowe who started her licensed dairy with just a handful of goats; Laini Fondillier from Lazy Lady Farm in Westfield who started in her licensed kitchen; Sebastian Von Trapp from Von Trapp Farmstead Cheese in Waitsfield who built his facilities with his own hands; Diane St. Clair from Animal Farm in Orwell who started her business milking just 2 cows and selling butter from her licensed facility all rely on sales of their products at local farmers markets. It does not seem fair that they should have to compete with unlicensed cheese and butter makers in their markets, while they, regardless of their limited scale have made the investment and commitment to comply with current regulation and are licensed by the State.

An analogy that resonates for me is of a particular class of the public that might argue for an exemption from the requirement of a drivers license, because the cost is too high, it is not convenient and they only drive on dirt roads.... This would be untenable for society at large and we see the segmentation of licensing requirements for value added processing leading to a similar place of chaos and confusion. We need good consistent regulation.

Lastly, FDA has been particularly focused on raw milk and artisan cheese and is mistakenly associating the production of raw milk cheese with the movement for access to fluid raw milk. We are actively disassociating the production of raw milk cheese in licensed facilities from unlicensed or quasi regulated raw-milk sales. The risk profile of these products is not comparable assuming that raw-milk cheese is produced in a sanitary licensed facility by a trained professional.

The implementation of FSMA will have broad consequences for the Vermont cheesemaking community. There is an ongoing Raw Milk Risk Assessment underway that will inform policy and rule making as the FDA moves to change the 60-day aging rule. We are also expecting that FDA will be publishing the results of their Listeria Soft Cheese Risk Profile, which will have important impacts on soft pasteurized and raw milk cheese production.

The last thing the Vermont Artisan cheesemaking community needs right now is for the legislature to weaken and lower standards and authorize the production of unlicensed raw milk cheese. We have too much at stake.

It is our opinion that cooperating with regulators and developing meaningful and effective regulations will protect small-scale producers, not threaten them. Loosening regulations will only increase the risk of harming the public and unquestionably result in less opportunity for the smallest farms in the future.

Thank you for listening.