

## **Recommendation #34**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Moriah Brey

### *Sustainability messaging*

#### *Background:*

The issue at hand seems to be that we're not controlling our message - this pertains to multiple areas of the dairying spectrum. Including, but not limited to the regulatory certainty committee.

My charge for this committee was to research existing resources that are available to help tell the story of dairy's sustainability.

I did find a number of resources that are available in a variety of places including but not limited to these:

<https://dairygood.org/Life-on-the-farm>

<https://dairygood.org/life-on-the-farm/animal-care>

<https://dairygood.org/sustainability>

<https://www.discoverundeniablydairy.com/>

<https://www.wisconsincheese.com/media>

The catch is that it seems that you have to be looking for the information to find it. Once found, the information is definitely usable and well done. My thought is that, through this task force, we have a platform that might allow us the opportunity to push out a resource to our dairy farmers that could remain relevant. This is where an idea of an app comes into play. While the talking point worksheet that has been discussed both in this committee and in the consumer confidence committee is a great starting point, I fear that it could quickly become antiquated. If our goal is to control and craft our message, this needs to be an ongoing venture rather than a one-time project. Don't get me wrong, I'm aware that agencies such as DFW and DMI continually work on these sorts of things. Additionally, in our state, we have awesome producer-led groups such as DBA and PDPW that work on our behalf. I'm always so impressed when I think about these people having chosen supporting dairying for their career. They're talented and wouldn't have to choose our cause to protect and foster - but they do and we should appreciate that! However, I also know what it's like to be a busy dairy producer. The need to look into updated information to be ready to craft my story doesn't often make it to the top of my list. However, the impact I could have as a dairy farmer telling my story is important. Therefore, I think that a one-stop-shop where information is crafted and available is an idea to ponder. I do understand that there are nuances and issues that would exist with this system that I'm probably naive to. This definitely needs to be hashed out and discussed. However, I do like the idea that an app could just remind me of updated information without me needing to go search for it.

Additionally, in regards to sustainability specifically there could be a number of audiences but the overall message could just be tweaked based on the amount of detail needed. This could be left up to the dairy farmer. After all, at the end of the day, the relationships we each foster with our community members have a really strong impact on how we're perceived. Getting the facts and figures for us to more thoroughly tell our story is a bonus. For instance, sustainability to be

explained to a class of first graders might look different than that shared with the league of women voters or the water council of a township, etc.

Part of the beauty of our messages is that they are localized and personalized. Therefore, I don't think that one agency can "do it all" but putting the pertinent facts and figures and talking points in our hands could help us all tell a better story. At the end of the day DFW's task is certainly to sell more product. However, helping us all be more productive and effective in our own plight to tell our story is certainly a notable cause and something I think we'd all support having our checkoff dollars behind. This seems to be a less traditional way to share the message - but is hitting a less traditional and potentially more progressive audience and active dairy farmers. Which, is a good thing in my opinion.

As far as the audience in the selling product category, I think that we can continue to rely on DMI and DFW to keep telling our story (chefs, etc). It's the community relationships, local media, local municipalities, etc that we need to focus on as local business owners and we need help crafting that continual, positive story.

I shared my rough ideas with Dr. Mark Stephenson and he helped me to create a clearer concept of what could be helpful and perhaps practical. Here's Dr. Stephenson's take:

*DFW could create a phone app that would provide the talking points in your pocket. It could be particularly useful if it was a quickly branching app where the front screen had a few major categories like: Dairy production nutrition; Animal welfare; Manure handling; etc. Then under a heading like Animal welfare, there might be some additional divisions like: Tail docking; Calf care; Cow comfort, etc. with talking points about each subject. Then if a producer knew that someone wanted to ask about a particular subject, thoughtful talking points could be outlined.*

*This could also be useful for an overnight and timely topic like when BSE or tuberculosis was found in a cow. A new sort of "emergency heading" could appear on the app to provide talking points. As you point out, the material on such an app can be kept current and maybe each of the topical headings could have a URL that you could push as a SMS to a reporter or someone else that would provide more detail and science-backed information.*

*As Ashley indicated, we are not asking committees to provide fully fledged ideas to put forward. Sometimes they might just be an area that will need more effort than the Task Force can provide. But a recommendation would still indicate that it is an area that needs to have attention paid to it. However, we have had some fully formed ideas like Paul's access to capital recommendation that we did approve and move out of the Task Force for consideration by the Governor and Legislators. Why don't you bring this up as one of the more specific recommendations that DFW might be stimulated to work on.*

I'm leaving this recommendation in this lengthy format at this time for discussion/review as part of our call on Tuesday. I can format/finalize it from there once we've discussed.

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## **Recommendation #38**

**Sub-committee:** Regulatory Certainty  
**Submitted by:** Jerry Schroeder

*Transportation issues*

**1. The Federal Motor Carrier Safety Administration (FMCSA) Hours of Service (HOS) Electronic Logging Device (ELD) exemption - 49 CFR 395.1(K) allows states to determine the time durations of said exemption.**

Currently the Wisconsin Motor Carrier Safety Regulation - Trans 325.01 definition states:

*“In this chapter, “planting and harvesting season” means the period of time beginning March 15 through December 15 of each year.”*

Proposal to modify the definition to:

*“In this chapter, “planting and harvesting season” means the period of time beginning ~~March 15~~ January 1 through December ~~15~~ 31 of each year.”*

This modification aligns with the State of Illinois and Michigan provisions.

**2. Wisconsin Department of Transportation – DTSD Condition Sheet for Oversize/Overweight Permits.**

“Fluid milk product” (FMP) is defined by 7 CFR 1000.15 and currently states:

*“...any milk products in fluid or frozen form that are intended to be used as beverages...”*

Proposal to modify to:

*“...any milk products from the point of production to another point of production or the first point of processing ...”*

This would apply to overweight permits when hauling FMP at 98,000 pounds.

**3. Increase FMP legal weights on Class “A” highways from 75,000 pounds to 82,500 pounds for vehicles not in combination (i.e. 5-axle straight trucks.)**

This can be accomplished by adding FMP to Wisconsin Statute s348.27(9m) covering Raw Forest and Agricultural Products Weight Limitations.

**4. Exempt trucks transporting FMP from spring thaw frost laws on Class “A” highways which would be similar to the forest products exemptions.**

5. **Support potential new legislation that would create a new annual permit allowing an increase in weight of CMVs up to 91,000 pounds on six (6) axles on roads up to 15 miles departure off of the state highway system.**
  - a. Include CMVs transporting FMP at increased permitted weights.
  
6. **Require local municipalities, towns, and counties to work with businesses transporting products to and from the farms.**
  - a. Determine safe, efficient routing to and from farms

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**Recommendation #39**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Jerry Schroeder

*Occupational licensing reciprocity*

That Wisconsin recognizes and passes occupational licensing dealing with agricultural services which would include but not be limited to Bulk Milk Weighers and Samplers.

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**Recommendation #41**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Ted Galloway

*Support for public and private partnerships*

For Wisconsin to remain the leader in milk production and dairy processing, it is essential that our resources are allocated properly on an ongoing basis. Coordinating and advancing desperate interests of our common industry will assure our leading position in the dairy world.

In order to meet this goal, private industry, Cooperative networks, educational institutions and government at each level must work together. This will require all these entities to work collaboratively for the common goal to advancing the industry.

DATCP could be the lead facilitator to unify and coordinate all parties. The supporting members for this resource group would be composed of interest groups similar to the Dairy Task Force 2.0. The department would assist to rectify discrepancies and irregularities with the result being a one stop resource to coordinate all facets of the dairy industry, environmental, food safety, and animal welfare. Trade associations would assist the Department with the unifications of all interests concerning the advancements of the dairy industry.

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**Recommendation #47****Sub-committee:** Regulatory Certainty**Submitted by:** Brad Guse and Amy Penterman*Regulatory certainty and consistency*

- It is recognized that regulation and enforcement of environmental regulations is necessary to protect the natural resources of Wisconsin and public health while serving the public good.
- We also recognize that regulation should be based on sound science and actual issues rather than perceived issues or opinions.
- All regulations that require a change of practice from existing practice result in a cost of compliance that can be a financial burden to existing operations.
- Inconsistent regulation between jurisdictions adds confusion to the landscape creating challenges for both compliance and enforcement.

We therefore recommend the following:

- That a state level regulatory clearing house be created including membership from all impacted stakeholders to ensure the following:
  - That all new regulation is science based
  - To determine the appropriate enforcement agency to insure consistency across jurisdictions when state level consistency is warranted.
- That a financial impact study be conducted on each new practice to ensure financial feasibility for the dairy producer or processor. Where that financial feasibility is limited, a funding source or cost sharing source must be identified to support the implementation of the new practice. We highly recommend the creation of an environmental and clean water “super fund” at the state level in order to provide support to implementation of all environmental and clean water regulations not found to be financially feasible but viable. This should be available to operations of all sizes to insure implementation at all levels.

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**Recommendation #48****Sub-committee:** Regulatory Certainty**Submitted by:** David Ward*Removing the annual requirement for the rBST affidavit*

## Administrative Rule ATCP 83.02

In practice, dairy cooperatives and milk contractors staff have to obtain a signed and notarized affidavit every 12 months or less from every producer shipping rBST-free milk. 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.

Other reasons why we feel the annual requirement should be removed:

- The legislature was silent in on the duration of the affidavits when it enacted Wis. Stat. 97.25 in 1993.
- It is consistent with requirements in other states.
- The vast majority of dairy processors require rBST-free milk in their products and the potential to lose a customer has meant the industry is doing a good job of policing itself.