

## **Recommendation #34**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Moriah Brey

**Problem Statement:** Dairy producers are often asked by neighbors, their community or the media about topics pertaining to the industry. Accessing pertinent facts and supporting material can be time consuming and difficult. And, the message should be audience specific.

### **Recommended Solution:**

Dairy Farmers of Wisconsin would **create an app for phones and tablets where timely messaging can be accessed**. Producers and associates would use the messaging and data found in the app to enhance the dialogue within their own network.

The app could be most useful if topic navigation was rapidly branching. For instance, a few major categories like Dairy production; Dairy products in the human diet; 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 accessed quickly.

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 in a matter of hours. 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 that would provide more detail and science-based information.

## **Recommendation #38**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Jerry Schroeder

**Problem Statement:** The dairy industry relies on efficient milk hauling across its road network to assemble milk from farms to plants and to move liquid ingredients between plants. There are many places where the Wisconsin state regulations do not align with neighboring states, or the dairy industry is treated differently from other industries operating in the same geography within the state. These regulations should be harmonized.

### **Recommended Solution:**

#### **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.**

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.**

Determine safe, efficient routing to and from farms

**Recommendation #39**

**Sub-committee:** Regulatory Certainty

**Submitted by:** Jerry Schroeder

**Problem Statement:** Currently licensed Bulk Milk Weighers and Samplers must have licenses in multiple states. This imposes an unnecessary regulatory burden of paperwork on milk haulers moving product across multiple states.

**Recommended Solution:**

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

**Recommendation #41****Sub-committee:** Regulatory Certainty**Submitted by:** Ted Galloway

**Problem Statement:** For Wisconsin to remain the leader in milk production and dairy processing, it is essential that industry challenges are addressed on a timely basis and our state's resources are properly aligned to the problem at hand. Coordinating and advancing disparate interests of our common industry will assure a leading position in the dairy world.

**Recommended Solution:**

In order to meet this goal, private industry, Cooperative networks, educational institutions and government at each level must work communicate and work collectively. This will require all these entities to collaborate toward the common goal of advancing the industry.

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

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

**Problem Statement:** Regulation and enforcement of regulations are necessary to protect the natural resources of Wisconsin and the public health while serving the public good. Regulations should be based on sound science and actual issues rather than perceived issues or opinions. Regulations requiring a change of practice often result in a cost of compliance to existing operations. Inconsistent enforcement of regulations between jurisdictions adds confusion and can unfairly add costs where compliance is non-uniformly imposed.

**Recommended Solution:**

1. That a state level regulatory clearing house be created including membership from all impacted stakeholders to ensure the following:
  - a) That all new regulation is science based
  - b) To determine the appropriate enforcement agency to insure consistency across jurisdictions when state level consistency is warranted.
  
3. 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 for 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.

**Recommendation #48****Sub-committee:** Regulatory Certainty**Submitted by:** David Ward

**Problem Statement:** 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 in on the duration of the affidavits when it enacted Wis. Stat. 97.25 in 1993 and it is inconsistent with requirements in other states. And, 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

**Recommended Solution:**

Remove the annual requirement for the rBST affidavit under Administrative Rule ATCP 83.02