

## The Dairy Pride Act's Beef With Plant-Based Milk



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*A cow with an identification tag attached to its ear stands in a barn at a dairy farm operated by Kalm Kakuyama K.K. in Ebetsu, Hokkaido, Japan, on Tuesday, Sept. 6, 2016. Photographer: Tomohiro Ohsumi/Bloomberg*

While previously synonymous with overpriced latte orders and aspirational alternative diets, plant-based milk has quickly transformed from a milk substitute to a rising general preference among global consumers. Milk alternatives like soy milk and almond milk have experienced rising sales in recent years, with the global market for plant-based milk reaching sales of \$5.8 billion in 2014 and predicted to reach \$10.9 billion by 2019 (13.3% CAGR). In contrast to this healthy market growth, **traditional** milk sales have dropped 11% over the last year 🐦 .

While these market changes may suggest that plant-based milk will be the consumer choice of the future, Wisconsin Senator Tammy Baldwin and leading members of the domestic dairy industry are backing the "Defending Against Imitations and Replacements of Yogurt, Milk, and Cheese To Promote Regular Intake of Dairy Everyday Act" (also more colloquially referred to as the **DAIRY PRIDE Act**). This act aims to standardize the legal definition of "milk" so that it may only appear on the labels of products "obtained by the complete milking of one or more hooved mammals" as a way to preserve the nutritional standards associated historically with milk, as well as to minimize consumer confusion around the differing nutrition and contents of plant-based milk. In other words, consumers could say goodbye to "Almond Milk" and hello to "Almond Drink."

The act opens by advocating that domestic consumers would benefit from increasing their milk intake, noting that dairy intake is linked to lowered risk of diabetes and obesity. The act also illustrates that most Americans are failing to consume the amounts of milk recommended by the Food Patterns of the Department of Agriculture. For example, the act notes that less than 5% of adult females consume the recommended three cups of milk per day, and that more than 80% of the population of the United States fails to meet their daily dairy recommendation.



Containers of Silk soy milk are displayed on a shelf at United Market on July 7, 2016 in San Rafael, California. (Photo by Justin Sullivan/Getty Images)

More directly in opposition of the plant-based milk industry, the act is later predominantly concerned with how consumers evaluate the nutrition of plant-based milk (referred to here as "imitation dairy products") against traditional dairy products. The act argues that the amount of calcium per calorie is lower in plant-based milk and that consumers would need to consume larger portion sizes and greater quantities of plant-based calories in order to obtain similar calcium levels.

As such, the act is requesting that the Food and Drug Administration enforce their definition of milk ("lacteal secretion obtained by the milking of one or more healthy cows") across the packaging of all dairy and dairy substitute products. This would mean that any plant-based dairy product that uses the term "milk" on its packaging would be considered mislabeled and therefore misleading to consumers.

Michael Lynch, Vice President of Marketing at leading dairy alternative food company Daiya Foods, believes that this forced changing of packaging would actually cause more consumer confusion than it would alleviate. He argues, "Plant-based consumers are well-educated and read labels. They know exactly what they are buying and are making informed purchase decisions. Where legislators are suggesting that current labeling is confusing consumers, I'd like to argue that changing what consumers are currently familiar with would cause greater confusion in the grocery aisle."



*This Thursday, Feb. 16, 2017, photo shows the ingredients label for almond milk at a grocery store in New York. Dairy producers are calling for a crackdown on the almond, soy and rice "milks" they say are masquerading as the real thing and cloud the meaning of milk for shoppers. A group that advocates for plant-based products has countered by asking the Food and Drug Administration to say foods can use terms such as "milk" and "sausage," so long as they're modified to make clear what's in them. (AP Photo/Patrick Sison)*

Moreover, he notes that he believes that this rising consumer preference for plant-based milk stems in part from consumers having increased access to research supported by objective experts and reputable organizations related to the health, environmental and animal welfare benefits of plant-based milk. He also believes that the enhanced quality of plant-based foods today has helped expand the demand for these products outside of more traditional vegetarian and vegan consumers.

"I believe dairy producers have proposed this legislation as a way to mitigate a decline in dairy sales. What legislators don't realize is that consumers are making an educated decision to purchase plant-based foods," he adds. "I believe government exists to serve the people. However, by getting involved with this legislation, if this bill passes the government would be doing consumers a great disservice by creating more confusion and potentially reducing innovation."

In addition to impacting the labeling of plant-based milk, the act has the potential to impact how plant-based dairy products are shelved in stores. While not explicitly outlined in this act, stores may choose to segregate products in a way that more consciously separates dairy and plant-based milks. While plant-based milks are currently shelved next to dairy milks to allow for a streamlined shopping experience, further separating these product categories could negatively impact plant-based milk sales insofar as cooler space is finite and highly valuable.



Until a final decision is given on this bill, nutritionists and leading members of the domestic agriculture industry will continue the normative debate over consumer confusion with product packaging, as well as the health benefits, or lack thereof, associated with plant-based dairy. To sort through these combative narratives, it may be best to simply reference the dismal Alvy Singer of *Annie Hall*: "Everything our parents said was good is bad. Sun, milk, red meat... college."

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<https://www.forbes.com/sites/christinatroitino/2017/04/06/the-dairy-pride-acts-beef-with-plant-based-milk/#4e4e90cc454d>