

Dear Governor Jon Huntsman, Jr.,

We, the undersigned consumers, farmers, dairy farmers, farm and agricultural organizations, public health, animal protection and environmental groups, food processors and retailers are writing to urge you to oppose the proposed food labeling and advertising rules (Administrative Rule R70-340), which would prohibit farmers from telling consumers that they aren't using artificial hormones on their dairy cows. We urge you not to prohibit labels such as "Our farmers pledge: no artificial growth hormones", "From cows not treated with the growth hormone rBST", and "free of artificial growth hormones".

These labels are not misleading, and would be made illegal if the Utah Department of Agriculture adopts the proposed rule changes. Recently similar labeling rules have been considered in Pennsylvania, Ohio, Indiana, and New Jersey, and have been dismissed due to overwhelming consumer opposition.

We urge you not to prohibit claims about the non-use of hormones for the following reasons:

- Consumers have the right-to-know about the foods they eat. Many consumers prefer to buy milk produced by cows not treated with artificial hormones, as evidenced by the success in stores across the country of such milk. Consumers have a basic right to choose about the characteristics of the food they buy.

- Any prohibition would be a serious infringement on the free speech rights of farmers who want to inform the public about their agricultural practices. Some claim that these labels can be misleading because they cannot be verified by a test. However, many label claims, including "locally grown" and "Utah Grown" cannot be verified by a laboratory test. In addition, all required country-of-origin labels cannot be verified with a test; rather, they are verified by simple written statement/declaration.

- In 1994, after the US Food and Drug Administration (FDA) approved use of Monsanto's recombinant bovine growth hormone (rbGH), the FDA also said that the following label statement, in proper context, is acceptable: "from cows not treated with rBST". In 2007, Monsanto asked FDA and the Federal Trade Commission (FTC) to declare these labels to be misleading. In late August, the FTC wrote to Monsanto, "The FTC staff agrees with FDA that food companies may inform consumers in advertising, as in labeling, that they do not use rBST." Thus, the proposed rule changes contradict long established federal policy on this matter.

- The use of rbGH remains controversial and was not approved in Canada, Japan, and the European Union because of negative effects of rbGH use on animal health. Codex

Alimentarius, the United Nations main food safety body, twice decided that it could not endorse the safety of rbGH for human health.

We urge you and the Utah Department of Agriculture not to interfere with the rights of farmers, dairies and consumers.

Milk processors that have signed this letter simply want to be able to respond with truthful labeling to these concerns expressed by consumers and their corresponding desire to buy milk that is from cows not treated with rbGH.

Consumers have a right to know what's in their food and how it's produced. Farmers and dairies have the right to tell them.

Yours,

American Agriculture Movement

Keith Bolin, President, American Corn Growers Association

Mark Retzloff, President and Chief Organic Officer, Aurora Organic Dairy

Jay Feldman, Executive Director, Beyond Pesticides

Christine Phillips, Director, BioVision2020

Marc Zammit, Director, Culinary Support and Development, Bon Appetit Management Co.

Scott Roy, President, Boulder Ice Cream

Barbara A. Brenner, Executive Director, Breast Cancer Action

Craig Winters, President, The Campaign

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Charlie Cray, Director, Center for Corporate Policy

Kevin Golden, Staff Attorney, Center for Food Safety

John Stauber, Executive Director, Center for Media and Democracy

Center for Rural Affairs, Lyons, Nebraska

Frank Herd, Executive Director, Citizens for Health

Lynne Genter, Chair of the Board, Clintonville Farmers Market

Community Farm Alliance, Kentucky

Rhonda Clark, Executive Director, Community Food Initiatives

Christopher Waldrop, Director Food Policy Institute, Consumer Federation of America

Charles Margulis, Center for Environmental Health

Mark A. Kastel, Cornucopia Institute

Darwin Kelsey, Executive Director, Countryside Conservancy

Beth Burrows, Edmonds Institute

Dan Silver, Executive Director, Endangered Habitats League Los Angeles

John Peck, Executive Director, Family Farm Defenders

Gene Baur, Farm Sanctuary

Bill Wenzel, National Director, Farmer-to-farmer Campaign on Genetic Engineering

Marty Mesh, Executive Director, Florida Organic Growers and Consumers

Wenonah Hauter, Executive Director, Food & Water Watch

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Mark Squire, President, Good Earth Natural Foods, Fairfax, CA
Jacqueline Ostfeld, Food and Drug Safety Officer, Government Accountability Project
Carrie Hahn, Hahn Natural Foods
Kelly Shea, VP Government and Industry Relations/Organic Stewardship, Horizon Dairy
Erica Liss, Humane Farming Association
Miyun Park, Vice-President, Farm Animal Welfare, Humane Society of the United States
Illinois Stewardship Alliance
Indiana Farmers Union
Indiana Campaign for Family Farmers
Rachel Carpenter, Board Chair, Environmentally Concerned Citizens of Randolph
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Jeanne Melchior, President, Protect Our Woods, Indiana
Steve Bonney, Sustainable Earth, Indiana
Sylvia Zimmerman, President of the Board, Innovative Farmers of Ohio
David Wallinga, Director Food and Health Program, Institute for Agriculture and Trade
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William H. Mellor, President and General Counsel, Institute for Justice
Jeffrey Smith, Executive Director, Institute for Responsible Technology
Craig Volland, Kansas City Food Circle
Donn Teske, President, Kansas Farmers Union
Dan Nagengast, Executive Director, Kansas Rural Center
Jackie Keller, Chapter Administrator, Organic Crop Improvement Association, Kansas #2
Frederick Kirschenmann, President, Kirschenmann Family Farms Medina, North Dakota
Michael Jones, Executive Director, Local Matters
Joel Gill, President, Mississippi Livestock Markets Association
Bernadette Unger, President of the Board, MOON Cooperative Services
Annette M. Higby, Policy Committee Coordinator, National Campaign for Sustainable
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National Family Farm Coalition
Tom Buis, President, National Farmers Union
Sarah Janssen, Science Fellow, Natural Resources Defense Council
Ed Maltby, Executive Director, Northeast Organic Dairy Producers Alliance
Steve Gilman, Policy Coordinator, Northeast Organic Farming Association representing
7 states (NOFA-VT, NOFA-NH, NOFA-MASS, NOFA-CT, NOFA-NY, NOFA-NJ and
NOFA-RI)
Jack Kittredge, Public Policy Coordinator, Northeast Organic Farming
Assn./Massachusetts Chapter, Inc.
Gary Holthaus, Administrative Director, Northern Plains Sustainable Agriculture Society
Jim Goodman, Northwood Farms, Wonewoc, WI
Sandy Buchanan, Executive Director, Ohio Citizen Action
Carol Goland, Executive Director, Ohio Ecological Food and Farming Association
Ellen Mee, Director of Environmental Health Programs, Ohio Environmental Council
Joe Logan, President, Ohio Farmers Union
Liz Rog, Oneota Community Co-op Decorah, Iowa
Tom Gleason, President, Oregon Ice Cream Company

Rick North, Project Director, Campaign for Safe Food, Oregon Physicians for Social Responsibility
Ronnie Cummins, Executive Director, Organic Consumers Association
Mark Lipson, Policy Program Director, Organic Farming Research Foundation
Caren Wilcox, Executive Director and CEO, Organic Trade Association
Elizabeth Henderson, Peacework Farm
Brian Snyder, Executive Director, Pennsylvania Association of Sustainable Agriculture (PASA)
Francis Thicke, Radiance Dairy Fairfield, Iowa
Jeff Milchen, Founder, Reclaim Democracy
Timothy LaSalle, CEO, Rodale Institute
Rural Advancement Foundation International- USA
Ted Schettler, Science Director, Science and Environmental Health Network
Albert Straus, President, Straus Family Creamery Marshall, CA
Laurel Hopwood, Genetic Engineering Committee Chair, Sierra Club
Gary Hirshberg, CE-Yo, Stonyfield Farm, Inc.
Ferd Hoefner, Policy Director, Sustainable Agriculture Coalition
Margaret Mellon, Director Food and Environment Program, Union of Concerned Scientists
Jill Davies, Western Sustainable Agriculture Working Group Victor, MT
Andrew Altman, Executive Director, White Dog Community Enterprises Philadelphia, PA
Patrick Lewis, Regional Buyer, Whole Foods Market Emeryville, CA
Chuck Deichmann, Willow Creek Farm Belmont, New York
George Wright, Wright Way Dairy Hermon, New York