February 22, 2016

Mr. Michael Taylor
Deputy Commissioner for Foods, Office of Foods and Veterinary Medicine (OFVM)
and
Dr. Susan Mayne
Director, Center for Food Safety and Applied Nutrition (CFSAN)
U.S. Food and Drug Administration, Bldg #1
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Mr. Taylor and Dr. Mayne:

Thank you again for taking the time to hear directly from a group of American Cheese Society member cheesemakers. The listening session with you and your team last week was a positive step in furthering understanding between FDA and cheese industry stakeholders, and brought to light several key themes:

- Recognition of the value and visibility of specialty cheese among consumers; its importance as a value-added product that contributes to the growth of the entire dairy and cheese sector; and its role in strengthening rural economies across the country.
- A desire for transparency in rule-making and in the process that leads to policy change
- Concern over the uncertain regulatory climate for artisan cheesemakers
- A need for inspection practices which offer real enhancements to safe outcomes
- The importance of developing protocols that work in practice to ensure the continued safety and wholesomeness of raw milk cheeses

You emphasized that this was a continuation of our past dialogue, but also that FDA and cheesemakers are now turning a corner towards a new direction, and that “we have to work together, and ACS is positioned for leadership in helping FDA understand what works for your product.” We appreciate this desire to move forward collaboratively, as well as your assurance that any change to the 60-day aging rule will be developed with broad input and will not surprise stakeholders.

We agree with both of you that science and data must guide us. This is why we asked again that the results of both the environmental testing for listeria done to inform the “Joint FDA/Health Canada Quantitative Assessment of the Risk of Listeriosis from Soft-Ripened Cheese Consumption in the United States and Canada”, and the results of the “Surveillance Sampling Program for Raw Milk Cheese” be shared with ACS and the public right away. This will permit scientists and academics to begin analyzing the raw data to determine if the outcomes warrant concern with the safety and wholesomeness of legally-produced raw milk cheeses currently available to consumers. Specifics of our data request are in the attached “American Cheese Society Request for Data from FDA’s Sampling Programs.”

Four hundred domestic cheeses were sampled in the raw milk testing program, and interim results shared with us indicate that American raw milk cheesemakers are indeed taking the necessary steps to produce safe cheese. Such real-world data is imperative in determining if and where changes need to be considered, and/or how best to educate producers and inspectors to ensure they are working in tandem to continually enhance public health and welfare.

We look forward to the next step – convening a group of relevant stakeholders, scientists, technical experts, and appropriate FDA staff to discuss the effectiveness of current regulations, review the latest science, and determine what preventive controls make sense for all cheesemakers. We will reach out to discuss FDA participation, and agree this scientific and technical collaboration is the right direction to take as we move into the next phase of shared concerns and mutual understanding between regulators and industry members.

Sincerely,

Nora Weiser
ACS Executive Director

Dick Roe
ACS President

cc: Kari Barrett, Public Engagement, FDA OFVM for distribution to:
Nega Beru, Director, Office of Food Safety, FDA CFSAN
Caitlin Boon, Senior Advisor to the FDA CFSAN Director
Bill Correll, Director, Office of Compliance, FDA CFSAN
Ted Elkin, Deputy Director for Regulation, FDA CFSAN
Bill Jones, Deputy Director, Office of Food Safety, FDA CFSAN
Mickey Parish, Acting Chief Scientist, FDA CFSAN
Jenny Scott, Senior Advisor to the FDA CFSAN Director
John Sheehan, Director, Division of Dairy, Egg and Meat Product Safety, Office of Food Safety, FDA CFSAN
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